

OCTOBER TERM, 1988

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STATISTICS AS OF JULY 3, 1989

| | Original | Paid Cases | In Forma Pauperis Cases | Total |
|---------------------------------|----------|---------------|-------------------------------|-------|
| Number of cases on docket | 14 | 2,587 | 3,056 | 5,657 |
| Cases disposed of | 2 | 2,203 | 2,625 | 4,830 |
| Remaining on docket | 12 | 384 | 431 | 827 |

Cases docketed during term:

| | |
|--------------------------------------|--------------|
| Paid cases | 2,141 |
| <i>In forma pauperis</i> cases | 2,632 |
| Original cases | <u>2</u> |
| Total | <u>4,775</u> |

Cases remaining from last term 882

Total cases on docket 5,657

Cases disposed of 4,830

Number of remaining on docket 827

Petitions for certiorari granted:

| | |
|---|-----|
| In paid cases | 106 |
| In <i>in forma pauperis</i> cases | 16 |

Appeals granted:

| | |
|---|----|
| In paid cases | 23 |
| In <i>in forma pauperis</i> cases | 2 |

Total cases granted plenary review 147

Cases argued during term 170

Number disposed of by full opinions 156

 Number disposed of by *per curiam* opinions 12

Number set for reargument next term 2

Cases available for argument at beginning of term 105

Disposed of summarily after review was granted 4

Original cases set for argument 0

Cases reviewed and decided without oral argument 108

Total cases available for argument at start of next term 81

Number of written opinions of the Court 133

Opinions *per curiam* in argued cases 12

Number of lawyers admitted to practice as of October 1, 1989:

| | |
|-------------------------|-------|
| On written motion | 3,502 |
| On oral motion | 981 |

Total 4,483

| GENERAL: | Page |
|---|--|
| 1987 Term closed and 1988 Term convened October 3, 1988; adjourned October 2, 1989. | 1 |
| Bryson, William C., named Acting Solicitor General, January 21, 1989; remarks by the Chief Justice. | 692 |
| Dowling, Shelley L., appointed Librarian to succeed Stephen G. Margeton. | 461 |
| Starr, Kenneth W., Solicitor General, presented to Court, moved admissions to Bar <i>et seq.</i> | 693, 694 |
| Thornburgh, Dick, Attorney General, presented by Solicitor General Charles Fried; argued. (87-1555) | 1, 177 |
| | |
| APPEALS: | |
| Following receipt of answer to question certified to Supreme Court of Virginia, case remanded to USCA for consideration in light of that opinion. Question had been certified in opinion of Court after oral argument. (86-1034) | 125 |
| Motion to dismiss appeal denied after probable jurisdiction noted. (87-1956) | 291 |
| Order noting probable jurisdiction as <i>pro se</i> appeal amended. (87-6997) | 221 |
| Probable jurisdiction noted limited to certain questions. With respect to additional questions, appeal dismissed. Treated as petition for certiorari, certiorari denied. (88-5986) | 768 |
| | |
| ARGUMENTS: | |
| Case reargued. (87-107) | 121 |
| Cases restored to Calendar for reargument and counsel invited to brief and argue additional questions. (88-192, 88-325). Each case allowed 45 minutes for reargument. | 789 |
| | |
| ATTORNEYS: | |
| Attorney invited to brief and argue in support of judgment below. (87-1883; 88-1000) | 126, 821 |
| Appointment of counsel granted. (87-1602; 88-317; 87-1882; 87-7023; 87-6997; 88-420; 88-333; 88-599; 88-1264; 88-6546; 88-6677) | 10, 151, 180, 199, 272, 374, 450, 526, 624, 658 |
| O'Connor, John J., III, moved admission to Bar in open Court. | 119 |

ATTORNEYS — Continued

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| Resignation as member of Bar accepted. (D-717, D-719; D-775) | 8, 697 |
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BRIEFS:

| | |
|--|-----|
| Leave granted District Attorney to join in <i>amici curiae</i> brief filed by States. (88-605) | 549 |
|--|-----|

CERTIORARI:

| | |
|---|----------|
| Certiorari limited to Question 2; order amended, case removed from argument calendar. (88-493) | 272, 545 |
| Four Justices dissent from summary disposition. (87-1929) | 94 |
| Granted case summarily remanded to USCA in light of Texas state court opinion. (87-1467) | 150 |
| Certiorari granted. Judgment (USCA) vacated and case remanded to USCA for further consideration in light of newly published Federal Regulations. (88-349) | 332 |
| Certiorari granted. Judgment (USCA) vacated and case remanded to USCA in light of position presently asserted by Acting Solicitor General in brief. (88-1121) | 526 |
| Leave to file petition under seal denied. (No. —) | 450 |
| Leave to file portions of appendix under seal denied. (No. —) | 220 |
| Leave to file supplement to petition under seal granted. (No. —) | 220 |
| Motion to dismiss writ of certiorari denied. (87-1882; 88-305) | 271, 292 |
| Order granting certiorari amended. (87-5765) | 126 |
| Order granting certiorari vacated; petition for certiorari denied. (88-97) | 257 |

COSTS:

| | |
|---|-----------------------------------|
| Costs retaxed on motion of respondent. (86-492) | 96 |
| Leave to proceed <i>in forma pauperis</i> on extraordinary writ denied. Clerk directed not to accept any further petitions for extraordinary writs unless docket fee paid and petition is in compliance with Rule 33. Opinion <i>per curiam</i> . (88-5890) | 369 |
| Leave to proceed <i>in forma pauperis</i> without an affidavit of indigency granted. (No. —), (No. —); (No. —); (No. —); (No. —); (and certiorari granted in 88-6651); (No. —); (No. —) | 8, 249, 350, 371, (527), 697, 714 |

COSTS — Continued

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|---|-----|
| Leave granted respondent to proceed further herein <i>in forma pauperis</i> . (87-1855) | 151 |
| Opinion on denial of leave to proceed <i>in forma pauperis</i> . (88-6494, 88-6497) | 547 |

JUDGMENTS, MANDATES AND OPINIONS:

| | |
|---|----------|
| Appeal dismissed for want of a properly presented federal question. Opinion <i>per curiam</i> . (87-5840; 87-1224) .. | 265, 364 |
| Certiorari before judgment, USDC affirmed. (87-7028; 87-1904) | 347 |
| Judgment affirmed and case remanded. (88-616) | 730 |
| Judgment affirmed by equally divided Court. Opinion <i>per curiam</i> . (87-6405; 87-1165; 88-309) | 731, 781 |
| Judgment affirmed by equally divided Court in part, vacated in part and remanded. (88-40) | 759 |
| Judgment vacated and case remanded. No costs awarded. (87-1383) | 649 |
| Two signed opinions announcing the judgments of the Court issued with respect to three cases which had been consolidated when certiorari granted. (87-1622, 87-1697, 87-1711) | 783 |
| Writ dismissed as improvidently granted. Opinion <i>per curiam</i> . (87-271) | 284 |

MISCELLANEOUS:

| | |
|--|-----|
| Motion to limit questions presented for review denied. (88-1374) | 625 |
| Question certified by USCA dismissed. (88-1179) | 371 |

ORIGINAL CASES:

| | |
|--|------------------------------|
| 65 Orig.—River Master fees approved. D. Monte Pasco appointed Special Master to succeed Charles J. Meyers, deceased. Allowance of fees and disbursements of deceased Special Master granted. Fees and expenses of River Master approved. Final Report of the River Master for Accounting Year 1989 filed. | 9, 141 151, 373, 602, 789 |
| 74 Orig.—Report of Special Master filed, briefing schedule set. | 581 |

ORIGINAL CASES — Continued

| | Page |
|--|---------------|
| 105 Orig.—Special Master granted award of interim fees and expenses. Leave to amend complaint referred to Special Master. | 250, 373 |
| 108 Orig.—Motion of Special Master for compensation and reimbursement of expenses granted. First Interim Report of Special Master filed. | 624, 768 |
| 109 Orig.—Leave granted to file supplemental complaint. Leave granted New Mexico to file supplemental answer. Special Master awarded fees and expenses. | 270, 373 |
| 111 Orig.—Special Master appointed. Leave granted Texas to file complaint in intervention. Motions for judgment on pleadings referred to Special Master. Motions for leave to intervene referred to the Special Master. | 271, 373, 714 |
| 112 Orig.—Motion to dismiss complaint denied. Defendant given 30 days to answer. Special Master appointed. | 151, 450 |
| 114 Orig.—Leave to file bill of complaint denied. Rehearing denied. | 271, 431 |
| 115 Orig.—Leave to file bill of complaint denied. | 291 |

RECORDS:

| | |
|---|-----|
| Leave to dispense with printing appendix to petition granted (No. —) | 678 |
| Order signed by Chief Justice transferring October Term 1983 Term files and 1988 Term transcripts of oral arguments to National Archives. (May 3, 1989) | |

REHEARINGS:

| | |
|--|----------|
| Rehearing granted. Leave to proceed on papers on file granted. Appellees allowed 30 days to file supplemental motions to dismiss or affirm. Judgment of USDC affirmed. (87-1818) | 199, 331 |
| Respondent requested to file response to petition for rehearing within 30 days. (88-6995) | 790 |

RULES:

| | |
|---|-----|
| Bankruptcy Rules amended | 596 |
| Rules of Appellate Procedure amended..... | 597 |
| Rules of Criminal Procedure amended..... | 597 |

VII

STAYS:

| | Page |
|---|----------|
| Motion to vacate stay of execution of sentence of death granted. (88-7235) | 757 |
| Next friend application for stay of execution of sentence of death granted pending timely filing and disposition of petition for certiorari. (A-727). Certiorari granted. (88-7146) | 471, 791 |
| Stay granted pending timely filing and disposition of certiorari conditioned upon posting of bond. (A-242; A-642; 88-1784) | 371, 679 |

CONCLUSION:

| | |
|---|-----|
| Announcement that all remaining opinions ready will be announced July 3, 1989. | 783 |
| Call of calendar suspended for Term upon conclusion of arguments listed for hearing this week. | 590 |
| Last order of Term entered September 28, 1989. | 833 |
| Remarks by the Chief Justice regarding last day of Court. | 803 |

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"I have the honor to announce, on behalf of the Court, that the October 1987 Term of the Supreme Court of the United States is now closed and the October 1988 Term is now convened. Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally. The Court now recognizes the Solicitor General, Mr. Charles Fried."

Mr. Solicitor General Charles Fried said:

"Mr. Chief Justice, and may it please the Court, I have the honor to present to the Court the seventy-sixth Attorney General of the United States, the Honorable Dick Thornburgh of Pennsylvania."

The Chief Justice said:

"Mr. Attorney General, on behalf of the Court I welcome you as the chief law officer of the government and as an officer of this Court. We welcome you to the performance of the very important duties which will rest on you by virtue of your office. Your commission as Attorney General of the United States will be placed in the records of the Court. We wish you well in your new office."

APPEALS—SUMMARY DISPOSITION

No. 87-1337. Katherine A. Boersma, Personal Representative of the Estate of Lloyd Boersma, and Phyllis Boersma, etc., Appellants *v.* Donna Karnes, Tax Commissioner of Nebraska, et al. Appeal from the Supreme Court of Nebraska. The appeal is dismissed for want of a substantial federal question. Justice White and Justice Blackmun would note probable jurisdiction and set the case for oral argument.

No. 87-1586. Bruno G. Chalko, Appellant *v.* Sharon E. Chalko. Appeal from the Court of Appeal of California, Fourth Appellate District. The motion of appellee for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of a substantial federal question.

No. 87-1647. James G. Anderson, Jr., Appellant *v.* Sno-King Village Association, Inc., et al. Appeal from the Supreme Court of Wyoming. The appeal is dismissed for want of jurisdiction. Treating the papers

whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-1783. William A. Brackenridge, Appellant *v.* Ametek, Inc., et al. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-1837. Parkview Associates, Appellant *v.* City of New York, et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-1892. Gladys Cok, Appellant *v.* Leo Cok. Appeal from the Supreme Court of Rhode Island. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-1944. Earlene Polyak, Appellant *v.* Frank Hulen and Wilma Lesnansky. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-1948. Reginald B. Snyder, Appellant *v.* Jean T. Wilson, etc. Appeal from the Supreme Court of Pennsylvania, Eastern District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-2045. Paul L. Douglas, Appellant *v.* Nebraska State Bar Association. Appeal from the Supreme Court of Nebraska. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-2110. William Jones, Appellant *v.* Charles J. Schaffer, Jr., etc., et al. Appeal from the United States Court of Appeals for the Third Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-2132. Helen Gjessing, etc., et al., Appellants *v.* West Indian Company, Ltd., et al.; and

No. 87-2133. Legislature of the Virgin Islands, Appellant *v.* West Indian Company, Ltd., et al. Appeals from the United States Court of Appeals for the Third Circuit. The appeals are dismissed for want of jurisdiction. Treating the papers whereon the appeals were taken as petitions for writs of certiorari, certiorari is denied.

No. 87-7036. James Riley Lemons, Appellant *v.* D. L. Myers, et al. Appeal from the United States Court of Appeals for the Fifth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-7084. Steve Wool, Appellant *v.* William Hinkel, et al. Appeal from the United States Court of Appeals for the Fourth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-7181. Lawrence Earl Ray, Appellant *v.* Texas. Appeal from the Court of Appeals of Texas, First District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-7216. Robert E. Mahlerwein, Appellant *v.* Federal Land Bank of Louisville. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-7293. Robert E. Mahlerwein, Appellant *v.* William R. Stitinger, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-7294. Robert E. Mahlerwein, Appellant *v.* Henry Bruewer, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-7324. Nathan Burgess, Appellant *v.* Director, Office of Workers' Compensation Programs. Appeal from the United States Court of Appeals for the Ninth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-113. Earlene Polyak, Appellant *v.* Jim T. Hamilton, etc. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-180. Harry L. Bowles, Appellant *v.* United States Army Corps of Engineers. Appeal from the United States Court of Appeals

for the Fifth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-212. Robert W. Hall, Appellant *v.* Hawaii, et al. Appeal from the Intermediate Court of Appeals of Hawaii. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-213. Donald Lockstrom, Appellant *v.* Jean Lockstrom. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-238. John D. Snavely, Appellant *v.* S. A. Watson, Jr. Appeal from the United States Court of Appeals for the Eleventh Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5033. John Birges, Sr., Appellant *v.* Nevada. Appeal from the Supreme Court of Nevada. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5084. James L. Martin, Appellant *v.* Maryland State Board of Law Examiners, et al. Appeal from the Court of Appeals of Maryland. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5165. Virgil Rott, Appellant *v.* Metropolitan Federal Savings and Loan Association of James Town, North Dakota. Appeal from the Supreme Court of North Dakota. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5167. Roy E. McAlister, Appellant *v.* Atlantic Richfield Company, et al. Appeal from the Supreme Court of Kansas. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5239. Harvey Don Bolton, Petitioner *v.* California. Appeal from the Court of Appeal of California, Fourth Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5323. Martha B. Gaunce, Appellant *v.* St. Paul Mercury Insurance Company, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-1818. Robert E. Badham, et al., Appellants *v.* March Fong Eu, Secretary of State of California, et al. Appeal from the United States District Court for the Northern District of California. The appeal is dismissed for want of jurisdiction. Justice White and Justice Stevens would note probable jurisdiction and set the case for oral argument.

No. 87-1842. John L. Kaltsas, et al., Appellants *v.* City of North Chicago, et al. Appeal from the Appellate Court of Illinois, Second District. The appeal is dismissed for want of a substantial federal question. Justice White, Justice Blackmun and Justice O'Connor would note probable jurisdiction and set the case for oral argument.

No. 87-1889. American Express Travel Related Services Company, Inc., et al., Appellants *v.* Washington Public Power Supply System, et al.;

No. 87-1897. Fredric Haberman, et al., Appellants *v.* Washington Public Power Supply System, et al.; and

No. 87-2109. Wood Dawson Smith & Hellman, Appellant *v.* Fredric Haberman, et al. Appeals from the Supreme Court of Washington. The appeals are dismissed for want of jurisdiction.

No. 87-1896. Jerome B. Rosenthal, Appellant *v.* State Bar of California. Appeal from the Supreme Court of California. The appeal is dismissed for want of jurisdiction.

No. 87-2007. Colonial Pipeline Company, Appellant *v.* Wright Contracting Company. Appeal from the Supreme Court of Georgia. The appeal is dismissed for want of jurisdiction.

No. 87-2088. Kurt Blankemeyer, et ux., Appellants *v.* Federal Land Bank of Omaha. Appeal from the Supreme Court of Nebraska. The appeal is dismissed for want of a substantial federal question.

No. 87-2129. Thomas A. White, Judge, Court of Common Pleas of Pennsylvania, Philadelphia County, Appellant *v.* Judicial Inquiry and Review Board of Pennsylvania. Appeal from the Supreme Court of Pennsylvania, Eastern District. The appeal is dismissed for want of a substantial federal question.

No. 87-6994. Reuben Ray Larson, Appellant *v.* North Dakota. Appeal from the Supreme Court of North Dakota. The appeal is dismissed for want of a substantial federal question.

No. 88-171. Peter W. Herzog, et ux., Appellants *v.* Sam J. Colding, etc., et al. Appeal from the District Court of Appeal of Florida, Second District. The appeal is dismissed for want of a substantial federal question.

No. 88-181. Houston Lighting & Power Company, Appellant *v.* Public Utility Commission of Texas. Appeal from the Supreme Court of Texas. The appeal is dismissed for want of a substantial federal question.

No. 88-230. Savings League of Wisconsin, Ltd., et al., Appellants *v.* Wisconsin Department of Revenue, et al. Appeal from the Court of Appeals of Wisconsin, District IV. The appeal is dismissed for want of a substantial federal question.

No. 87-7100. Delbert Larson, Appellant *v.* Shawano County, et al. Appeal from the United States Court of Appeals for the Seventh Circuit. The motion of appellant for sanctions is denied. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 87-7198. Jim Scott, Appellant *v.* Jack Rains, et al. Appeal from the Supreme Court of Texas. The appeal is dismissed for want of a properly presented federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1898. Larry W. Bryant, Petitioner *v.* Frank C. Carlucci, Secretary of Defense, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Webster v. Doe*, 486 U.S. — (1988).

No. 87-1933. Sandy Goltart, etc., et al., Petitioners *v.* Central Plastics Company. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Tenth Circuit for further consideration in light of *Budinich v. Becton Dickinson and Company*, 486 U.S. — (1988) and *Buchanan v. Stanships, Inc.*, 485 U.S. — (1988).

No. 87-2011. Washington State Electrical Contractors Association, Inc., et al., Petitioners *v.* Frank Forrest, et al. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Patrick v. Burget*, 486 U.S. — (1988). Justice Kennedy took no part in the consideration or decision of this case.

No. 87-2079. Frank B. Shirk, et ux., dba Oregon Meat Cutting School, Petitioners *v.* Ann McLaughlin, Secretary of Labor. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *McLaughlin v. Richland Shoe Company*, 486 U.S. — (1988).

No. 87-6717. Bonnide W. Johnson, Petitioner *v.* Willie E. Johnson, Warden, et al. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Houston v. Lack*, 487 U.S. — (1988).

No. 87-6751. Kurt Max Wilfried Miller, Jr., Petitioner *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Houston v. Lack*, 487 U.S. — (1988).

No. 87-6833. Oscar Lloyd, Petitioner *v.* North Carolina. On petition for writ of certiorari to the Supreme Court of North Carolina. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Supreme Court of North Carolina for further consideration in light of *Mills v. Maryland*, 486 U.S. — (1988).

No. 87-6948. Mary Alice Wolf, Petitioner *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of

Appeals for the Sixth Circuit for further consideration in light of *Arizona v. Roberson*, 486 U.S. — (1988).

No. 87-7110. Brett C. Kimberlin, Petitioner *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Houston v. Lack*, 487 U.S. — (1988).

No. 87-7290. Kerry Max Cook, Petitioner *v.* Texas. On petition for writ of certiorari to the Court of Criminal Appeals of Texas. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Criminal Appeals of Texas for further consideration in light of *Satterwhite v. Texas*, 486 U.S. — (1988).

ORDERS IN PENDING CASES

No. —. Bank of San Marino Building, Ltd., Petitioner *v.* Default Service Company, et al. The motion of one who is not a member of the Bar of this Court to direct the Clerk to file a petition for a writ of certiorari is denied.

No. —. William J. Drabick, III, Petitioner *v.* David Drabick. The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is granted.

No. —. Alvin Bernard Ford, etc., Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is granted.

No. —. Jesse Avila Valles, Petitioner *v.* James Lynaugh, Director, Texas Department of Corrections. The motion to direct the Clerk to file a petition for writ of certiorari, out-of-time, is denied.

No. D-717. In the Matter of Richard Joseph Alfieri. Richard Joseph Alfieri, of Fort Lauderdale, Florida, having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court. The Rule to Show Cause, heretofore issued on June 20, 1988, is hereby discharged.

No. D-719. In the Matter of Herbert Stanley Ezrin. Herbert Stanley Ezrin, of Potomac, Maryland, having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the

roll of attorneys admitted to practice before the Bar of this Court. The Rule to Show Cause, heretofore issued on June 20, 1988, is hereby discharged.

No. D-720. In the Matter of Disbarment of William Anthony MacGuire. Disbarment order entered.

No. 65, **Original**. State of Texas, Plaintiff *v.* State of New Mexico. The motion of the River Master for approval of fees and expenses is granted and the River Master is awarded \$14,085.35 for the period March 28-June 30, 1988, to be paid equally by the parties.

No. 114, **Original**. State of Louisiana, Plaintiff *v.* State of Mississippi, et al. The application for stay of proceedings in the United States District Court for the Southern District of Mississippi in the case of Julia Donelson Houston, et al. *v.* Ruth M. Thomas, et al., C. A. No. W86-0080(B), presented to Justice White and by him referred to the Court is denied.

No. 86-1856. Northwest Central Pipeline Corporation, Appellant *v.* State Corporation Commission of Kansas, et al. The motion of Interstate Oil Compact Commission for leave to file a brief as *amicus curiae* is granted. The motion of Council of State Governments, et al. for leave to file a brief as *amici curiae* is granted.

No. 87-154. Joshua DeShaney, a Minor, by his Guardian ad Litem, and Melody DeShaney, Petitioners *v.* Winnebago County Department of Social Services, et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 87-163. United States Army Corps of Engineers, et al., Petitioners *v.* Ameron, Inc., et al. The motion of respondents for divided argument is denied.

No. 87-201. Gerald E. Mansell, Appellant *v.* Gaye Mansell. The motion of Retired Officers Association, et al. for leave to file a brief as *amici curiae* is granted.

No. 87-470. Fort Wayne Books, Inc., Petitioner *v.* Indiana, et al. The motion of James J. Clancy, et al. for leave to file a brief as *amici curiae* is granted.

No. 87-636. Efthimios A. Karahalios, Petitioner *v.* National Federation of Federal Employees, Local 1263. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 87-980. Mississippi Band of Choctaw Indians, Appellant *v.* Orrey Curtiss Holyfield, et ux., J. B., Natural Mother and W. J., Natural

Father. The motion of Swinomish Tribal Community, et al. for leave to file a brief as *amici curiae* is granted.

No. 87-1020. Paul S. Davis, Appellant *v.* Michigan Department of Treasury. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 87-1054. Firestone Tire and Rubber Company, et al., Petitioners *v.* Richard Bruch, etc., et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 87-1097. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Georgetown University Hospital, et al. The motion of Ohio Power Company for leave to file a brief as *amicus curiae*, out-of-time, is denied.

No. 87-1165. California, et al., Petitioners *v.* United States, et al. The motion of the Solicitor General for divided argument is granted.

No. 87-1241. Pennsylvania, Petitioner *v.* Union Gas Company. The motion of Pacific Legal Foundation for leave to participate in oral argument as *amicus curiae*, for divided argument and for additional time for oral argument is denied.

No. 87-1372. Argentine Republic, Petitioner *v.* Amerada Hess Shipping Corporation, et al. The motion of respondents and *amicus curiae*, Republic of Liberia, for divided argument to permit Republic of Liberia to participate in oral argument as *amicus curiae* is denied. The motion of Republic of Liberia for leave to file a brief as *amicus curiae* is granted. The motion of American Institute of Marine Underwriters for leave to file a brief as *amicus curiae* is granted. The motion of American Institute of Merchant Shipping, et al., for leave to file a brief as *amici curiae* is granted. The motion of Maritime Law Association for leave to file a brief as *amicus curiae* is granted. The motion of International Human Rights Law Group for leave to file a brief as *amicus curiae* is granted. The motion of International Association of Independent Tanker Owners for leave to file a brief as *amicus curiae* is granted.

No. 87-1437. Melvin R. Blanton and Mark D. Fraley, Petitioners *v.* City of North Las Vegas, Nevada. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

No. 87-1602. Ronald D. Castille, etc., et al., Petitioners *v.* Michael Peoples. The motion of respondent for leave to proceed further herein *in forma pauperis* is granted. The motion for appointment of counsel is granted and it is ordered that Robert E. Welsh, Jr., Esquire, of Phila-

delphia, Pennsylvania, is appointed to serve as counsel for the respondent in this case.

No. 87-1614. John W. Martin, et al., Petitioners *v.* Robert K. Wilks, et al.;

No. 87-1639. Personnel Board of Jefferson County, Alabama, et al., Petitioners *v.* Robert K. Wilks, et al.; and

No. 87-1668. Richard Arrington, Jr., et al., Petitioners *v.* Robert K. Wilks, et al. The motion of the Solicitor General for divided argument is granted. The motion of petitioners for divided argument is granted.

No. 87-1703. F. Dale Robertson, Chief of the Forest Service, et al., Petitioners *v.* Methow Valley Citizens Council, et al.; and

No. 87-1704. John O. Marsh, Jr., Secretary of the Army, et al., Petitioners *v.* Oregon Natural Resources Council, et al. The motion of the Solicitor General to dispense with printing the joint appendix is granted. The motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* is granted.

No. 87-1955. Gerald A. Lewis, etc., Appellant *v.* Continental Bank Corporation, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 87-1979. Chesapeake and Ohio Railway Company, Petitioner *v.* Nancy J. Schwalb and William McGlone. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 87-2118. Alexander M. Rojas, et al., Appellants *v.* Victoria Independent School District, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-36. Beneficial Corporation, et al., Petitioners *v.* Robert M. Deutschman. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-42. Olaf A. Hallstrom, et ux., Petitioners *v.* Tillamook County. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-124. Lynn L. Breininger, Petitioner *v.* Sheet Metal Workers International Association Local Union No. 6. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-127. Norfolk & Western Railway Company, Petitioner *v.* Robert T. Goode, Jr. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 87-2048. Texaco, Inc., Petitioner *v.* Ricky Hasbrouck, dba Rick's Texaco, et al. The motion of National Association of Texaco Wholesalers for leave to file a brief as *amicus curiae* is granted. The motion of Society of Independent Gasoline Marketers of America, et al. for leave to file a brief as *amici curiae* is granted. The motion of Petroleum Marketers Association of America for leave to file a brief as *amicus curiae* is granted. The motion of National Association of Manufacturers of the United States, et al., for leave to file a brief as *amici curiae* is granted. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 87-7077. Charles J. McDevitt, Sr., Petitioner *v.* City of Philadelphia, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 87-7193. Ronald B. Bartos, Petitioner *v.* Chicago Board of Election, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 87-7240. John Oryniec, Petitioner *v.* Veterans Administration. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 87-7273. George Vest, Petitioner *v.* United States. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 1988, within which to pay the

docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 87-7306. Mary C. Jackson, Petitioner *v.* United States. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-464. Railway Labor Executives' Association, et al., Petitioners *v.* Chicago and North Western Transportation Company, et al. The motion of petitioner to expedite consideration of the petition for a writ of certiorari is denied.

No. 88-5041. Burton R. Landes, Petitioner *v.* Department of State, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5054. James W. Sullivan, Appellant *v.* Katherine J. Sullivan. The motion of appellant for leave to proceed *in forma pauperis* is denied. Appellant is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a statement as to jurisdiction in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would dismiss the appeal for want of jurisdiction and, treating the papers whereon the appeal would be taken as a petition for writ of certiorari, deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5126. Gregg Tallman, Appellant *v.* Northwest Acute Care Corporation, dba Northwest Hospital. The motion of appellant for leave to proceed *in forma pauperis* is denied. Appellant is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a statement as to jurisdiction in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would dismiss the appeal for want of jurisdiction and, treating the papers whereon the appeal would be taken as a petition for writ of certiorari, deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5141. Gregg Arnold Tallman, Appellant *v.* Steven Ort, et al. The motion of appellant for leave to proceed *in forma pauperis* is denied. Appellant is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a statement as to jurisdiction in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would dismiss the appeal for want of jurisdiction and, treating the papers whereon the appeal would be taken as a petition for writ of certiorari, deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5188. Bernice Bennett, Petitioner *v.* Corroon & Black Corp., et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5240. Thomas W. Barget, Petitioner *v.* Mary Kay Barget. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan and Justice Marshall, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a

writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5254. Gregg Tallman, Appellant, *v.* United States, et al. The motion of appellant for leave to proceed *in forma pauperis* is denied. Appellant is allowed until October 24, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a statement as to jurisdiction in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would dismiss the appeal for want of jurisdiction and, treating the papers whereon the appeal would be taken as a petition for writ of certiorari, deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

APPEALS—JURISDICTION NOTED

No. 87-1945. William A. Frazee, Appellant *v.* Illinois Department of Employment Security, et al. Appeal from the Appellate Court of Illinois, Third District. In this case probable jurisdiction is noted.

No. 87-2098. James H. Burnley, IV, Secretary of Transportation, Appellant *v.* Mid-America Pipeline Company. Appeal from the United States District Court for the Northern District of Oklahoma. In this case probable jurisdiction is noted.

No. 87-1862. California, et al., Appellants *v.* ARC America Corporation, et al. Appeal from the United States Court of Appeals for the Ninth Circuit. In this case probable jurisdiction is noted. Justice Stevens and Justice O'Connor took no part in the consideration or decision of this case.

No. 87-1943. Minnesota Newspaper Association, Inc., Appellant *v.* Postmaster General of the United States, et al.; and

No. 87-1956. Anthony M. Frank, Postmaster General of the United States, et al., Appellants *v.* Minnesota Newspaper Association, Inc. Appeals from the United States District Court for the District of Minnesota. In these cases probable jurisdiction is noted. The cases are consolidated and a total of one hour is allotted for oral argument.

CERTIORARI GRANTED

No. 87-1490. John E. Mallard, Petitioner *v.* United States District Court for the Southern District of Iowa, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 87-1759. Texas State Teachers Association, et al., Petitioners *v.* Garland Independent School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 87-1848. City of Dallas, et al., Petitioners *v.* Charles M. Stanglin, Individually, and dba Twilight Skating Rink. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, granted.

No. 87-1855. Thomas K. Gilhool, Secretary of Education of Pennsylvania, Petitioner *v.* Russell A. Muth, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 87-1865. Federal Savings and Loan Insurance Corporation, as Receiver for Manning Savings and Loan Association, Petitioner *v.* Harold J. Tickin, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 87-1868. Mead Corporation, Petitioner *v.* B. E. Tilley, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 87-1973. Barbara Finley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 87-2013. Board of Trustees of the State University of New York, et al., Petitioners *v.* Todd Fox, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 88-1. Consolidated Rail Corporation, Petitioner *v.* Railway Labor Executives' Association, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 88-32. Massachusetts, Petitioner *v.* Richard N. Morash. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts granted.

No. 88-226. Benjamin R. Ward, et al., Petitioners *v.* Rock Against Racism. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 88-266. Oklahoma Tax Commission, Petitioner *v.* Jan Graham, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 87-1882. Dean Neitzke, etc., et al., Petitioners *v.* Harry Lawrence Williams, Sr. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 87-2050. County of Allegheny, et al., Petitioners *v.* American Civil Liberties Union Greater Pittsburgh Chapter, et al.;

No. 88-90. Chabad, Petitioner *v.* American Civil Liberties Union, et al.; and

No. 88-96. City of Pittsburgh, Petitioner *v.* American Civil Liberties Union Greater Pittsburgh Chapter, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 87-6571. Dethorne Graham, Petitioner *v.* M. S. Connor, et al. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 88-97. Ford Motor Company, Petitioner *v.* Gary Bryant. The motion of American Bar Association for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

CERTIORARI DENIED

No. 87-1584. Geldermann, Inc., Petitioners *v.* Commodity Futures Trading Commission; and

No. 87-1663. Board of Trade of City of Chicago, Petitioner *v.* Commodity Futures Trading Commission. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-1648. Reginald Poole, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1691. Reinaldo Orellanes, aka Reinaldo Orellane, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1707. Frederick C. Stauber, Petitioner *v.* Richard A. Cline, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1717. Felipe Bonilla Romero, aka Felo Bonilla, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 87-1718. Unsecured Creditors' Committee, et al., Petitioners *v.* First National Bank & Trust Company of Escanaba, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-1722. William G. Barnhart, et ux., Petitioners *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 87-1726. Sultan El Gawli, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-1737. David G. Buckno, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 87-1740. Joseph P. Pollio, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 87-1743. OMNI, U.S.A., Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-1755. Joseph H. Sox, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1762. John E. Ellis, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 87-1769. Georgia Andrews, et al., Petitioners *v.* Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-1789. Baker, Smith & Mills, fka Baker, Miller, Mills & Murray, Petitioner *v.* Minerex Erdoel, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1791. Northwestern National Insurance Company of Milwaukee, Wisconsin, Petitioner *v.* Mellon Bank. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-1797. Richard Gerald Jordan, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 87-1804. Tri-Bio Laboratories, Inc., Petitioners *v.* United States and Food and Drug Administration. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-1807. Julio Diaz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-1808. Terco, Inc., Petitioner *v.* Federal Mine Safety and Health Review Commission. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-1835. California Energy Resources Conservation and Development Commission, Petitioner *v.* Bonneville Power Administration, et al.; and

No. 87-1836. California Public Utilities Commission, Petitioner *v.* Bonneville Power Administration, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1838. Juan Medrano, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1845. Marianne Rutland Chaisson, Petitioner *v.* Lawrence J. Rutland. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 87-1847. Rachel Aronson, a minor, by Pamela Aronson, her mother, etc., Petitioners *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 87-1852. Jose A. Lopez, Jr., Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 87-1858. John S. Wisniewski, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 87-1867. Sandra Turner, et al., etc., Petitioners *v.* Linda McMahon, Director, Department of Social Services of California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1870. Estate of Harlan O'Leary, et al., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1876. Associated Convalescent Enterprises, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1883. Ann J. Malone, Petitioner *v.* Anthony M. Frank, Postmaster General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1885. Magic II, Inc., Petitioner *v.* John R. Groppo, Commissioner of Revenue Services of Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 87-1886. Hyman Greenberg, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-1890. Luciano Pisoni Fabbrica Accessori Instrumenti Musicali, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-1891. Druid Hills Civic Association, Inc., et al., Petitioners *v.* Federal Highway Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1893. Anthony Duane Miller, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 87-1894. Pet, Inc., Petitioner *v.* Anna M. Buckner. Petition for writ of certiorari to the Court of Appeals of Oklahoma, First Division, denied.

No. 87-1895. Mark Eilrich, Petitioner *v.* Bernard J. Remas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1900. Teresa Federico, et al., Petitioners *v.* James P. Lingl, etc., et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 87-1901. TransAmerican Natural Gas Corporation, Petitioner *v.* United States Department of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1902. Allied-General Nuclear Services, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-1903. Fitger Brewing Company, Petitioner *v.* Minnesota. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 87-1906. L. E. Morrison, et ux., Petitioners *v.* County of San Diego. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 87-1909. Lawrence F. Houlton, Petitioner *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 87-1910. Trudie P. Westmoreland, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1912. David Joe Ward, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-1915. Ebenezer Garcia-Caban, et al., Petitioners *v.* University of Puerto Rico, et al. Petition for writ of certiorari to the Supreme Court of Puerto Rico denied.

No. 87-1917. Love Box Company, Inc., Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-1918. Trans World Airlines, Inc., Petitioner *v.* National Mediation Board, et al.;

No. 87-2069. International Association of Machinists and Aerospace Workers, AFL-CIO, Petitioner *v.* Trans World Airlines, Inc.; and

No. 87-2101. Deborah K. Boller, Daniel W. Asplund, Lucy M. Houston and William E. Craig, Petitioners *v.* National Mediation Board, et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-1919. Yukon Energy Corporation, Petitioner *v.* William F. Hagerman. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-1920. Paul Cholodenko, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 87-1921. Rainsford Winslow, et ux., Petitioners *v.* Keith D. Williams, et al. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 87-1922. NL Industries, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-1923. Richard N. Garver, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-1925. Path-Science Laboratories, Inc., and its Successor and Assigns, Sergio G. Gonzales, Petitioners *v.* Greene County Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1928. Arlene B. Singer and Joel D. Joseph, Petitioners *v.* Shannon & Luchs Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-1930. Selma Smith, Petitioner *v.* First National Bank of Atlanta. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1931. William A. Fitzsimmons, Petitioner *v.* Mary Ann Fitzsimmons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-1934. Glassboro Service Association, Inc., Petitioner *v.* Ann McLaughlin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-1935. Girolamo Vito Palazzolo, Petitioner *v.* United States; and

No. 87-7224. Salvatore Evola, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-1936. Oil, Chemical and Atomic Workers International Union, et al., Petitioners *v.* Sinclair Oil Corporation, et al. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 87-1938. Interstate Commerce Commission, Petitioner *v.* Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1940. Leslie Fudge, by her parents and next friends, Sharon Fudge, et vir, et al., Petitioners *v.* Penthouse International, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 87-1946. Ronald J. Perholtz, Petitioner *v.* United States; and

No. 87-7011. Franklin W. Jackson, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-1947. Louis Vitale, et al., Petitioners *v.* Benson A. Snaider, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-1949. Nathan Vacanti, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1953. Missouri, Petitioner *v.* Continental Insurance Companies, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-1958. Louis M. Giardina, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-1959. Phillips Petroleum Company, et al., Petitioners *v.* Oliver S. Brown, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-1960. Kenneth Spoor, Petitioner *v.* Willie Bigford, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1963. Aniela Koziara, et al., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-1964. Mitchell Melnick, Petitioner *v.* State Farm Mutual Automobile Insurance Company, et al. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 87-1966. Herbert O. Jensen, Petitioner *v.* Terry Haines, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-1967. John G. Barrow, Jr., Petitioner *v.* Charles Hood, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1969. Borough of Berwick, et al., Petitioners *v.* Glen M. Neiderhiser, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-1970. Reynolds K. Ohai, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 87-1971. Patricia Ann Griffin, by and through her next friend and natural father, Larry D. Griffin, et al., Petitioners *v.* Ford Motor Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1974. Teddy Rousselle, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 87-1976. Alumax, Inc., Petitioner *v.* U.S. Aluminum Corporation/Texas. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1977. Marine Bank of Springfield, etc., Petitioner *v.* Thomas Hendrickson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-1978. Mohan L. Mehta and Radha R.M. Narumanchi, Petitioners *v.* Board of Trustees of the Connecticut State Universities, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-1980. Charles Jimenez-Nettleship, Felipe Torres-Torregrosa and Jose Candelaria, Petitioners *v.* Guillermina Cortes-Quinones. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 87-1981. Cecil G. Harris, Petitioner *v.* Refiners Transport & Terminal Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-1983. Nathaniel Johnson, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 87-1984. Stephen R. Thomas, Petitioner *v.* Seaboard System Railroad, Inc. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 87-1986. Richard Lee Colzie, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-1987. Donald H. Moore, Petitioner *v.* Consolidated Rail Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-1988. Miami Center Limited Partnership, et al., Petitioners *v.* Bank of New York. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1990. Richard F. Boddie, Petitioner *v.* Daniel G. Faison, et ux. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-1991. Roy Guinnane and Guinnane Construction Co., Inc., Petitioners *v.* City and County of San Francisco, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 87-1992. Peter Kero, Petitioner *v.* Charles Morel, Jr., etc., et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 87-1995. Eugene N. Hooper, Petitioner *v.* Anthony F. Musolino, et al. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 87-2000. Last Chance Mining Co., Inc., et al., *Petitioners v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-2001. Richard E. Schifferly, *Petitioner v. Commissioner of Patents*. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-2002. Right to Life Advocates, Inc., etc., et al., *Petitioners v. Aaron Women's Clinic*. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 87-2009. Donald L. Greenman, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-2010. California, et al., *Petitioners v. United States, et al.* Petition for writ of certiorari to the Supreme Court of California denied.

No. 87-2014. James A. Rhinebarger, et al., *Petitioners v. Robert D. Orr, Governor of Indiana, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-2015. Billy Prince, *Petitioner v. Illinois*. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 87-2017. Otto Bintz, *Petitioner v. Jeryl W. Riddick, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-2018. Ronald F. Reinisch, et ux., *Petitioners v. United States, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-2019. Karen Pineman, Alphonse Marotta, Daniel Clifford, Judith Narus, Rose Schewe and Alfred K. Tyll, *Petitioners v. William J. Fallon, etc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-2020. Willard W. Mann, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 87-2021. WCCO Radio, Inc., a Division of Midwest Communications, Inc., *Petitioner v. National Labor Relations Board*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-2024. Daniel Joseph Kord, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-2026. James E. Sochin, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-2028. Herbert A. Cochrane, Petitioner *v.* William R. Conte, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-2029. Thomas W. Hill, Petitioner *v.* Department of the Air Force, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-2031. Sharon Lee Long, Petitioner *v.* Laramie County Community College District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-2032. Thomas E. Lilly, Petitioner *v.* EBSCO Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-2033. Michigan, Petitioner *v.* Thomas Tullock. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 87-2035. Nathan Gordon, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-2036. Janet Herold, Petitioner *v.* Burlington Northern, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-2040. Missouri, et al., Petitioners *v.* Rockwood School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-2041. Walter L. Jones, Petitioner *v.* Niagara Frontier Transportation Authority, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-2042. Warner Cable Communications, Inc., Petitioner *v.* City of Niceville, Florida, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 87-2043. Clarence Moore, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fifth District, denied.

No. 87-2044. John D. Thrush, et al., Petitioners *v.* Donna G. Thrush. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-2046. Uniroyal, Inc., et al., Petitioners *v.* Rudkin-Wiley Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-2053. Liberty Lobby, Inc., Petitioner *v.* Dow Jones & Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-2055. University of Medicine and Dentistry of New Jersey, et al., Petitioners *v.* Anne Fuchilla. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 87-2059. Daniel R. Mirro, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-2060. Kenneth N. Moran, Petitioner *v.* Montana. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 87-2061. Dorothy Collins, etc., Petitioner *v.* Patricia K. Barry, Director, Ohio Department of Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-2062. Milton E. Hargrove, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 87-2063. Charles Daniel, Petitioner *v.* Eaton Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-2064. B. F. Goodrich Company, Petitioner *v.* Thomas Harold Lake. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-2065. John A. Ruza, Jr., Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 87-2071. David Rodriguez Diaz, et al., Petitioners *v.* Mexicana de Avion, S.A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-2074. A. H. Robins Company, Incorporated, Petitioner *v.* Wilma M. Maressa. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-2075. Board of Trustees of the University of Alabama, et al., Petitioners *v.* Medical Laundry Service, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-2076. J & C, Inc. and T-K Co., etc., Petitioners *v.* Combined Communications Corporation of Kentucky, Inc., et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 87-2077. Peter M. Stern, Petitioner *v.* Robert N. C. Nix, Jr., Chief Justice, Supreme Court of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-2078. Gordon Panter, et al., Petitioners *v.* American Synthetic Rubber Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-2081. Charles Sperrazza, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 87-2087. George S. Sitka, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-2089. Mike J. Carlisle, Petitioner *v.* County of San Mateo, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-2090. Mahendra K. Jain, Petitioner *v.* University of Tennessee at Martin. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-2091. Allied Van Lines, Inc., Petitioner *v.* Andrew Wilkerson, et al. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 87-2092. William L. Anderson, Petitioner *v.* Alabama State Personnel Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-2097. Jerome S. Cardin, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 87-2100. Jean Loretto, etc., Petitioner *v.* Group W Cable, Inc., et al. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 87-2103. John Barren, an incompetent, by his guardian, Henrietta Barren, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-2104. Lake Nacimiento Ranch Co., Petitioner *v.* County of San Luis Obispo, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-2105. Stanley E. Liner, et al., Petitioners *v.* Terrebonne Parish School Board, et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 87-2106. Richard G. Kaschak, Petitioner *v.* Superior Court of California, Kern County (Pine Mountain Club Property Owner's Association, Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 87-2107. Lawrence J. Lewis, etc., Petitioner *v.* Anclote Manor Hospital, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-2108. Blackfeet Indian Tribe, Petitioner *v.* Montana Power Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-2112. Pamela J. Burak, Petitioner *v.* General American Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-2113. Gregory Jackson, Petitioner *v.* Alaska. Petition for writ of certiorari to the Court of Appeals of Alaska denied.

No. 87-2115. Beverly J. Baird, et vir, Petitioners *v.* Charles J. Bohle, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-2116. James H. Gilbert, Petitioner *v.* Office of Bar Counsel of the District of Columbia. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 87-2117. Jamesbury Corp., Petitioner *v.* Litton Industrial Products, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-2119. Raymond I. Molenaar, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 87-2121. Raymond Dobard, Petitioner *v.* Oscar Daste & Sons, Inc. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 87-2122. Lewis O. Ferguson, Petitioner *v.* Mildred Berry, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-2124. Unimet Corporation, Petitioner *v.* United Steelworkers of America, AFL-CIO-CLC. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-2125. William C. Miles, Jr., III, Petitioner *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-2126. Star Color Plate Service, Petitioner *v.* National Labor Relations Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-2128. Leonard Chaires, Petitioner *v.* United States Department of Housing and Urban Development, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-2130. Paul Neal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-2131. Lee Herbert Waldhart, aka "Mr. Skimo", etc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-2134. Peter Schneckenburger, III, Petitioner *v.* Louisiana Commission on Ethics for Public Employees. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 87-2135. Islamic Republic of Iran Broadcasting, Petitioner *v.* N. K. Behroozian and Jerry Abitbol. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-2136. Citizens Bank of Clovis, et al., Petitioners *v.* Ann McLaughlin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-2137. Valero Energy Corporation, et al., Petitioners *v.* Joe D. Urrutia. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-6291. William Pinson, Petitioner *v.* Jim Jones, Superintendent, Missouri Training Center for Men. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-6430. Joseph Anthony Smith, Petitioner *v.* Eddie Ylst, Superintendent, California Medical Facility. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-6475. Philip J. Caruso, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 87-6499. Cornelius Lewis, Petitioner *v.* Michael P. Lane, Director, Illinois Department of Corrections and James Thieret, Warden.

Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-6502. James E. Bowman, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 87-6518. William Frank Powell, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 87-6553. Donald E. McGann, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-6558. Curtis Johnson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 87-6624. Bruce M. McCaslin, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 87-6653. Allyn B. Scribner, Petitioner *v.* Michael Warren. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-6656. Donald Ray Webb, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 87-6690. William Heirens, Petitioner *v.* Larry Mizell, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 87-6698. Harold Ed Burnett, Petitioner *v.* Tommy C. Martin, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-6712. Tom Parker, Petitioner *v.* Freddie Smith, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-6716. Arthur D. Dempsey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-6723. Michael Sullivan, Petitioner *v.* Robert Freeman, Superintendent, State Correctional Institution (and Diagnostic and Classification Center) at Camp Hill, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-6724. Peter Lynn Loudermilk, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 87-6730. Alvin R. Hart, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 87-6735. Roger Hicks, Petitioner *v.* Carl M. Darnall. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-6757. Adib H. Aqeel, Petitioner *v.* Richard P. Seiter, Director, Ohio Department of Rehabilitation and Correction, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-6782. Diane Marie Mattias, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Eleventh District, denied.

No. 87-6791. David R. Brundage, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-6793. Julio Zavala, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-6797. Charles Knox, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-6800. Stanley M. Juras, Petitioner *v.* Richard Phelps, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 87-6807. Michael Christopher Wicks, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-6813. Mitchell Williams, Petitioner *v.* United States Postal Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-6841. Clarence Eugene Lawson, Petitioner *v.* Edward W. Murray, Director, Virginia Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-6858. Michael Edwin Schneider, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-6866. R. Michael Crowson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-6867. Simon Lee Holmes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-6868. Neil Keenan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-6878. Adib H. Aqeel, Petitioner *v.* Richard P. Seiter, Director, Ohio Department of Rehabilitation and Correction, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 87-6897. Ricky Davis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-6902. Ellis Frazier, Jr., Petitioner *v.* John Jabe, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-6908. Grisselle Alicea and Suzie Cabezas, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-6931. Francisco Rosario Soler, et al., Petitioners *v.* G & U Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-6940. Mario R. Liberta, Petitioner *v.* Walter R. Kelly, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-6941. Kevin Elwood Krzyske, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-6942. Frank Fernandez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-6943. Richard Clay Thompson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-6949. Abdullah Muhammad, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-6950. James Ray Wiley, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 87-6974. James A. Ricks, Kevin R. Deshields and Van Allen Lewis, Petitioners *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 87-6978. Louis Neron, Petitioner *v.* James E. Tierney, Attorney General of Maine, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 87-6982. Gabriel Youssef Rizk, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-6986. Bruce Alston, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 87-6989. Guy Bishop, Petitioner *v.* Osborn Transportation, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-6993. James Gillespie, Petitioner *v.* Joseph Ryan, Superintendent, State Correctional Institution at Dallas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-6995. Charles E. Duffy, Sr., Petitioner *v.* Claude Tease, Judge, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-6996. Oliver Jones, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-6998. Estel Wade Dunsmore, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7001. James Sheridan, Petitioner *v.* Michael P. Lane, Director, Illinois Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-7003. Robert Steven Winfrey, Petitioner *v.* William Armontrout, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7004. Turner Myer, III, Petitioner *v.* Jim Weeks. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7005. James L. Martin, Petitioner *v.* Rowland Shank, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-7006. Angelo Torres, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7009. Anthony Pierce Mattox, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7012. Ralph Kelly, etc., Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7013. Leigh M. Colgate, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7016. Jerry Wayne Sanders, Petitioner *v.* Terry L. Campbell, Sheriff of Leavenworth County, Kansas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7020. Vincent Jordan, Petitioner *v.* John C. Kyle, Clerk of Courts, Allegheny County, Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7025. Robert Nelson Syme, Petitioner *v.* Kathy Weckesser. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 87-7026. Terry Lee West, Petitioner *v.* Orville B. Pung, Commissioner, Minnesota Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7027. Larry Taylor, Petitioner *v.* Stephen T. Smith, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7031. Hernando Robinson and Jorge Robinson, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 87-7033. Johnny M. Young, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 87-7034. Marvin Ray Edwards, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7035. Thaddeus Bentley, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 87-7039. Terry Rena Davenport, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 87-7042. John William Dickey, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7048. Larry O'Neal Thompson, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 87-7049. Kenneth B. Quansah, Jr., Petitioner *v.* Department of Justice, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7050. Duane Nelson, Petitioner *v.* Metropolitan Life Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7053. Eugene P. King, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7055. Jaan Laaman, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 87-7056. Antonio Cuero-Flores, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7057. Joseph Macastle Jackson, Petitioner *v.* Peter A. Douglas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7058. Larry M. Johnson, Petitioner *v.* James A. Chrans, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-7059. Rollie Barcume, Petitioner *v.* Bonnie D. Barcume, etc.; and Rollie Barcume, Petitioner *v.* Bonnie D. Barcume, etc. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 87-7060. Charlie Hunter, Petitioner *v.* Wayne Campbell, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7061. Leon Forbes, et ux., Petitioners *v.* United States District Court for the Central District of California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7062. Jimmy Gulley, Petitioner *v.* United States Postal Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7063. John William Brown, Petitioner *v.* Missouri Board of Probation and Parole, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7066. Robert Smith, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 87-7067. Robert H. Walker, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7068. Hazel Grant, et al., Petitioners *v.* Pedro Silva. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 87-7069. Harold C. Borom, Petitioner *v.* Marion Lacy and United States Parole Commission. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7070. Larry James Gamble, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 87-7071. Oscar Clemons, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7072. Gordon Lee Bradford, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, Third Circuit, denied.

No. 87-7075. Jeffrey S. Balawajder, Petitioner *v.* Don Carpenter, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7078. Quintin Prioleau, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7079. Eddie Thompson, Jr., Petitioner *v.* Kentucky. Petition for writ of certiorari to the Circuit Court of Kentucky, Kenton County, denied.

No. 87-7081. Sylvester Watts, Petitioner *v.* United States Marine Corps, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7085. Jirik Parez, Petitioner *v.* James E. Jones, etc. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 87-7086. Jirik Parez, Petitioner *v.* Sergio Lopez, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 87-7089. Eddie D. Grays, Petitioner *v.* Donald Cabana, Superintendent, Mississippi State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7092. Dennis Lee Fleek, Petitioner *v.* Warden, Federal Correctional Institute, Lewisburg, Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7093. Federico J. Headley, Petitioner *v.* M. P. Zon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7095. Bill Crummey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7096. Albert Kinsey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7097. Joseph Johns, Petitioner *v.* Ellen Bostwick. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 87-7099. Joseph Dennis, Petitioner *v.* Joseph Miller, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7102. Victor Salomon Miranda-Enriquez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7105. Jessie B. Davis and Richard L. Harris, Petitioners *v.* Trenton Resins Credit Union. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7108. Hubert Ringo, Petitioner *v.* John Rees, Superintendent, Kentucky State Reformatory, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7109. Arcadio Torres, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7112. Darryl W. Archer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-7120. Charles Matthew Jimenez, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Thirteenth District, denied.

No. 87-7121. Donnie Tarpley, aka Donald Topley, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7122. James F. Taylor, Petitioner *v.* George W. Sumner, Director, Nevada Department of Prisons. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7123. Paul Satterfield, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 87-7124. James Lenard Small, Petitioner *v.* J. C. Harris, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7126. Jeffrey A. Murr, Petitioner *v.* Ronald Nelson. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7127. Cloyde Vernon Shaffer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7131. Evangeline Samm, Petitioner *v.* Southeastern University. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 87-7132. Aaron Porter, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 87-7134. Salvatore O. Ferrera, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7138. William Joseph Calhoun, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 87-7139. Juan Ganen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7140. John Anthony Fernandez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7141. Gerardo Gomez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7142. John E. Dolenc, Jr., Petitioner *v.* David Owens, Superintendent of Philadelphia Prisons. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7146. Albert Medina, Petitioner *v.* Robert J. Henderson, Superintendent, Auburn Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7147. Russell A. Muth, Jr., Petitioner *v.* Central Bucks School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7148. Oscar Oqueli-Hernandez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7149. Susan Nikrasch, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7151. Richard Edward Wiggins, Petitioner *v.* Edward W. Murray, Director, Virginia Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7152. Kenneth Scott Smith, Petitioner *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 87-7153. Russell Irfaan Sydnor, aka Tarik Ali Bey, Petitioner *v.* Leroy S. Zimmerman, Attorney General of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7154. Leonard S. Svee, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District III, denied.

No. 87-7156. Morris May, Petitioner *v.* Ohio Unemployment Compensation Board of Review. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 87-7160. Lindsey Everett Holloway, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7161. Michael Forrest, Petitioner *v.* Thomas A. Fulcomer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7162. Kasib Tauheed Bilal, Petitioner *v.* Little Rock School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7163. William J. R. Embrey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7164. William Lee Buchan, Petitioner *v.* Richard Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7166. Carl C. White, Petitioner *v.* Warden, James River Correctional Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7167. Dale Van Matre, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 87-7169. Marlene Patterson, Petitioner *v.* David Knight. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 87-7171. Edward A. Booker, Petitioner *v.* Township of Geneva. Petition for writ of certiorari to the Circuit Court of Michigan, Van Buren County, denied.

No. 87-7172. Royal Edward Glaude, Petitioner *v.* Regional Postmaster General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7173. Kurk Kendall Johnson, Petitioner *v.* Stephen Kaiser, Warden, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 87-7175. Ralph A. Eckhardt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-7177. Charlie Clarence King, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7178. Brian A. Brown, Petitioner *v.* Maryland, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7179. Brian A. Brown, Petitioner *v.* Southern Maryland Hospital Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7180. Fardee Mulazim, Petitioner *v.* David J. Burnett, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7182. Albert Shaw, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, 9th and 10th Judicial Districts, denied.

No. 87-7184. Rayford Conner, Petitioner *v.* George Bowen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7186. Juan Rivera, Petitioner *v.* John J. Rafferty, Superintendent, Rahway State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7187. Freddie Moore, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 87-7188. Jerry Montgomery, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 87-7194. Daniel K. Johnson, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7195. Robert H. Burns, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7196. Robert H. Burns, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-7197. Joseph C. Brown, Petitioner *v.* Robert Hoke, Superintendent, Eastern Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7200. Fernando A. Jackson, Petitioner *v.* California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7202. Wilbur Lynch, Petitioner *v.* Avery Hutchenson, Sheriff, Mississippi County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7204. Robert A. Dorrough, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-7206. Vincent Charles Holmes, Petitioner *v.* Tom Barton, Superintendent, Florida State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7207. O'Neal Broaden, Petitioner *v.* City of Montgomery, Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7210. Howard Kluver, Petitioner *v.* J. A. O'Brien, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7211. Garry De Young, Petitioner *v.* Republican Party of Iowa, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7212. William Allen Spencer, Petitioner *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-7213. Jose Lorenzo Spearman, aka Carlos Ramirez, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7214. Paul Jones Mitchell, Petitioner *v.* Richard L. Thornburgh, Attorney General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7215. Daniel Ortega, Petitioner *v.* Michael O'Leary, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-7218. Myron D. Lhotka, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7219. William Joseph Love, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7221. Robert Maurice Slaughter, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 87-7222. Marshall Safir, Petitioner *v.* Interstate Commerce Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7225. Fredric Collins, Sr., Petitioner *v.* William L. Ball, III, Secretary of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7227. Matthew Faison, Petitioner *v.* Lenore C. Nesbitt, Judge, United States District Court for the Southern District of Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7229. Troy E. Brown, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 87-7230. Herbert Harris, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 87-7231. Robert Burnham, Petitioner *v.* Firemen's and Policemen's Civil Service Commission, City of Austin, Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Third District, denied.

No. 87-7233. Noel Gene Ammerman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7234. Reginald Williams, Petitioner *v.* William Abshire, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7237. Thomas J. Smith, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 87-7239. Willie Lee White, Petitioner *v.* Charlie Jones, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7241. Otes G. Rodriguez, Petitioner *v.* Sally B. Johnson, Superintendent, Orleans Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7242. Ellis Lee Hicks, Petitioner *v.* Robert Christopher, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7245. George Govantes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7246. Willie James Hugley, Petitioner *v.* Charlie Jones, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7247. George A. Cortez, Petitioner *v.* Eloy Mondragon, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7248. William Kleinschmidt, Petitioner *v.* Florida Commission on Human Relations and Barry College, Inc. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 87-7250. Kimberly Ann Lakes, Petitioner *v.* United States Fidelity & Guaranty Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7251. Larry Dunlap Frazier, Petitioner *v.* George C. Wilkinson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7252. Ealise Crumb, Petitioner *v.* Sachs, Greenebaum & Tayler, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-7253. Raymond D. Smith, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7256. Warren Lawson, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7257. Willie Burton, Jr., Petitioner *v.* C. Reppond, Commissary Manager and Larry Norris, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7258. Mannie Graves, Jr., Petitioner *v.* Otis Thurman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7259. Jason Victor Hamm, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 87-7260. James Johnson, Jr., Petitioner *v.* Jim Hardcastle, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7261. John P. Coleman, dba Cycle Logic, Petitioner *v.* William M. Ladd; and In Re John P. Coleman, etc., Petitioner. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 87-7262. Garry De Young, Petitioner *v.* Lawrence E. Soens, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7266. William Curro, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7267. Wilfried McQuarie, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7268. Richard L. Markham, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7269. Jimmy L. Phillips, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 87-7271. Steven Szarewicz, Petitioner *v.* John Flaherty and Thomas Fitzgerald. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7274. Billie Jean C. Barlow, Petitioner *v.* Esselte Pendaflex Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7275. Gerald R. Hooper, Petitioner *v.* D. A. Garraghty, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7277. David Lee Koplou, Petitioner *v.* City of Portland, et al. Petition for writ of certiorari to the Superior Court of Maine, Cumberland County, denied.

No. 87-7278. Rowland Lovingood, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7279. Joseph C. Cerello, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7280. Sofronio Y. Libarios, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-7281. Anthony J. Bucci, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 87-7283. Margaret L. Thomas, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7285. Martin F. Troche, Petitioner *v.* Linda Dale Hoffa. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7286. Gary Steven Thompson, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 87-7287. Eric G. Shibles, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District II, denied.

No. 87-7288. David Paul Reumont, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 87-7289. James L. Sims, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 87-7291. Marco Antonio Palacios-Martinez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7292. Micaiah Absalom Moronihaah, aka Michael D. Nash, Petitioner *v.* Al C. Parke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7295. Phyllis Maltby, Petitioner *v.* Kier Corporation. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 87-7296. Roland Joseph Gibson, Petitioner *v.* Robert Hilton Butler, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7297. Jorge Rodriguez, Petitioner *v.* Howard L. Beyer, Superintendent, New Jersey State Prison at Trenton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7299. Andrew Whitfield, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7300. James King, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Correctional Institution at Graterford, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7301. Mario Emilio Cespedes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7302. John E. Dolenc, Jr., Petitioner *v.* David S. Owens, Jr., Commissioner, Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7304. Nancy Jewell Cross, Petitioner *v.* Department of Housing and Urban Development, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7305. Michael W. Garrett, Petitioner *v.* Thomas J. Stickrath, Superintendent, Orient Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7307. Joseph L. Watson, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 87-7308. Judy Ann Wallace, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7309. Marie Small, Petitioner *v.* James Bennerson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7310. Ruben Sanchez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7312. Patricia Roberts and Alfred L. Hoskins, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7313. Jimmy L. Phillips, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 87-7314. Omar G. Rodriguez Diaz, Petitioner *v.* Florida, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 87-7315. Bruce J. Carr, Petitioner *v.* Walter Redman, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7316. Edward Lawrence, Petitioner *v.* OAO Corporation. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 87-7317. Allen Z. Wolfson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7318. Gregory Wayne Dozier, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7319. Robert Treadwell, Petitioner *v.* Pamela Withrow, Superintendent, Michigan Dunes Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7321. Ross Aaron, Petitioner *v.* Charles Graddick, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7323. Vincent dePaul Gisriel, Jr., Petitioner *v.* Department of Employment and Training of Maryland, et al. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 87-7325. Peter Filipas, Petitioner *v.* Workmen's Compensation of the Industrial Commission of Ohio, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7326. William J. Prunty, Petitioner *v.* Harry N. Walters, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7327. Donna R. Seals, aka Donna R. Crews, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 87-7328. Robert Brian Waterhouse, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 87-7329. Clifton Richard Tydings, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 87-7330. Ray Jones, Jr., Petitioner *v.* Robert H. Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7331. Chris Contreras, Petitioner *v.* Tom Newton, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7332. Erma J. Hughes, Petitioner *v.* Ingram Hughes. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 87-7333. Ronald Dean Swartz, Petitioner *v.* Connie Sue Ricklefs, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7336. Raymong V. Hintz, Petitioner *v.* Larry Kincheloe, Superintendent, Washington State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7337. William Hunt Carroll, Petitioner *v.* Central Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7338. Eustolio Gil Aranda-Rodriguez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7339. James Robert Hall, Petitioner *v.* Preston M. Rogers, Superintendent, Caswell Unit. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7340. Harold Davey Cassell, Petitioner *v.* Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7341. Jorge Alberto Alvarado, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7342. Walter J. Moore, Petitioner *v.* John M. Jaworsky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7343. Mickey Calvin Rose, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 87-7344. Elena Skibinski, Petitioner *v.* New York City Commission on Human Rights. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7345. Kellie A. Simpson, Jr., Petitioner *v.* Upper Providence Township Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-7348. Ray Letcher Williams, Petitioner *v.* Michael Dutton, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7350. George Paul Laroque, Petitioner *v.* United States Bureau of Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7351. Calvin A. Hill, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-2. James W. Mislivecek, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District IV, denied.

No. 88-3. John Campbell, Jr., et al., Petitioners *v.* Michael V. Fair, Commissioner, Massachusetts Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-4. Van Voorhis & Skaggs, Petitioner *v.* Federal Savings & Loan Insurance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6. Scott B. Corr and Patricia Corr, et vir, Petitioners *v.* Samuel A. Hinds. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 88-8. Joseph P. Ferry, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-9. Phone-Mate, Inc., Petitioner *v.* Fortel Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-11. Martin E. O'Malley, Petitioner *v.* Xerox Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-13. Lee Warren Eisenhower, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-15. Chipman Freight Services, Inc., Petitioner *v.* National Labor Relations Board (Brotherhood of Teamsters and Auto Truck-drivers, etc., Real Party in Interest). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-17. Herman Brothers, Inc., et al., Petitioners *v.* Teamsters Local Union No. 430. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-18. City of New Haven, Connecticut, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-19. Irena Kalvans, Petitioner *v.* Court of Appeals of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 88-21. Hendrickson Brothers, Inc., Petitioner *v.* New York; and

No. 88-43. Lizza Industries, Inc., Petitioner *v.* New York. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-26. Edward M. Carmouche, Petitioner *v.* Auster Oil & Gas, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-29. Juan Luis Boscio, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-30. Horn & Hardart Company, Petitioner *v.* National Railroad Passenger Corporation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-31. Gary Lewis, Petitioner *v.* Midwestern State University, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-33. Kirby D. Bledsoe, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-35. Charles L. Feiss, Petitioner *v.* Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-38. Northwestern Bell Telephone Company, Petitioner *v.* Minnesota Public Utilities Commission. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 88-44. Child, Inc., Petitioner *v.* Texas Employment Commission. Petition for writ of certiorari to the Court of Appeals of Texas, Third District, denied.

No. 88-45. Sherri Spillane, Petitioner *v.* Frank Morrison Spillane, aka Mickey Spillane. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-46. Ralph C. Behning, et ux., Petitioners *v.* Camelback Ski Corporation. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 88-48. Bruce Praet, etc., Petitioner *v.* Sonya Kingsley. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-51. James E. Mallen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-54. Michael Vitiello, etc., et al., Petitioners *v.* I. Kahlowsky and Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-56. Nick Kane, Petitioner *v.* Armin Emrani and Zahra Amirdivani. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-57. Herbert M. Friedman, Petitioner *v.* Patrick Hall, Joseph Kennedy, James Wright and Frank Meharg. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-59. United Steel & Wire Company, Petitioner *v.* Carl Stallworth, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-62. Clifford Olson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-65. Byrnece S. Green, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-67. Allen Organ Company, Petitioner *v.* Kimball International, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-68. Otis Delay, Jr., Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-69. Basil G. Greanias, Petitioner *v.* E. Irene Wrigley. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-71. Robert H. Wedinger, et ux., Petitioners *v.* Helene G. Goldberger, Assistant Regional Attorney, Department of Environmental Conservation, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-75. Willie Herman Ellis, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, First District, denied.

No. 88-77. Romeo Ureste, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-78. Jane Doe, by her Parent and Natural Guardian, John Doe, Petitioner *v.* Thomas Sobol, Commissioner, New York State Education Department. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-79. \$173,081.04 in U.S. Currency, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-80. Holywell Corporation and Theodore B. Gould, Petitioners *v.* Fred Stanton Smith, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-83. Arthur N. Economou, et ux., Petitioners *v.* United States Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-84. Maurice John, Petitioner *v.* City of Salamanca, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-85. John Pilarowski, Petitioner *v.* Macomb County. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-86. Shelter Creek Development Corporation, et al., Petitioners *v.* City of Oxnard. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-87. Production Credit Association of Northern Ohio, et al., Petitioners *v.* Farm Credit Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-88. Illinois, Petitioner *v.* Ronald Struebin, etc., et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 88-91. Norman L. Walker, et al., Petitioners *v.* Dino Bello, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-92. Fikry Khalil, Petitioner *v.* University of Medicine and Dentistry of New Jersey-New Jersey Medical School. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-98. Brenda Perkinson, et al., Petitioners *v.* Monty Manion, et al. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 88-99. Ronald A. Williams, Petitioner *v.* David A. Hepting, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-100. Chris Polychron, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-101. Leroy J. Blackwelder, Petitioner *v.* Virginia. Petition for writ of certiorari to the Court of Appeals of Virginia denied.

No. 88-103. Willie Bigford, Jr., Petitioner *v.* Joe Max Taylor, Individually and as Sheriff of Galveston County, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-104. Jean E. Eischen, Petitioner *v.* Frank N. Kaney, Circuit Judge, Orange County, Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-105. Alabama, Petitioner *v.* Ronald Weeks. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-107. Circuit Court of the 19th Judicial Circuit, Lake County, Illinois, Petitioner *v.* Jeffrey Lovinger. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-108. North San Diego County Transit Development Board, etc., et al., Petitioners *v.* Mary Lou Haynes, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-109. American Protein Corporation, Petitioner *v.* AB Volvo & Volvo Lastvagnar AB, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-111. James W. Austin, et al., Petitioners *v.* City and County of Honolulu. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-112. David McDowell, et ux., Petitioners *v.* Credit Bureaus of Southeast Missouri, Inc. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-114. Mashuq Ahmad Qureshi, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-116. Jonathan Stern, etc., *Petitioners v. Leucadia National Corporation, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-117. Tony and Susan Alamo Foundation, *Petitioner v. Charles D. Ragland, Commissioner of the Arkansas Department of Finance and Administration, et al.* Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 88-119. Herb Levin, dba Levin Beauty Supply and Levin Beauty Supply, Inc., *Petitioners v. Redken Laboratories, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-123. James G.P. Collins, *Petitioner v. Associated Pathologists, Ltd., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-125. Lewis Simon, et al., *Petitioners v. F/S Airlease, II, Inc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-126. Oliver Marshall, et al., *Petitioners v. Western Grain Company, Inc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-128. John Carmen Cincotti, *Petitioner v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-129. Harry A. Cooper, *Petitioner v. Bernard J. Amster, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-132. Raymond O'Neill Scott and Scott Farms, Inc., *Petitioners v. Richard Demenna.* Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-133. Neil F. McCarron, Jr., *Petitioner v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-134. Ernest N. Tharp, *Petitioner v. Phyllis M. Tharp.* Petition for writ of certiorari to the Court of Appeals of Washington, Division 2, denied.

No. 88-135. John DeSimone, et ux., *Petitioners v. Richard L. Bove.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-136. Bill Horner, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division, denied.

No. 88-138. Charles S. Liberis, et al., Petitioners *v.* D. Broward Craig, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-140. William Patrick Cousins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-142. Estate of Cloyd A. Payne, by David Marlin Payne, Personal Representative, etc., Petitioner *v.* Grant County Court, et al. Petition for writ of certiorari to the Court of Appeals of Indiana, Second District, denied.

No. 88-143. City of Philadelphia, et al., Petitioners *v.* Concerned Citizens of Bridesburg, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-144. Richard R. Syre, Petitioner *v.* Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-145. James E. Dixon, Petitioner *v.* Penrod Drilling Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-149. Summa Corporation and William R. Lummis, etc., Petitioners *v.* Trans World Airlines, Inc. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 88-151. Andrew C. Manzo, Petitioner *v.* Lorraine M. Manzo. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-154. J. Leland Byrd, dba Kilgore Real Estate, Petitioner *v.* Gardinier, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-156. Martha Davison, et al., Petitioners *v.* Sam Lowery, et al. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-159. Unisys Corporation, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-164. Weyerhaeuser Company, Petitioner *v.* Ruben Bracamontes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-165. John F. Romann, Petitioner *v.* Securities and Exchange Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-166. Jo Ann Purcell Levert, Petitioner *v.* Samuel Logan Levert, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-167. John Francis Finnegan, III, Petitioner *v.* Maryland. Petition for writ of certiorari to the Circuit Court of Maryland, Montgomery County, denied.

No. 88-172. Francis Skaw, etc., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-174. Egon Loebner, et ux., Petitioners *v.* Franchise Tax Board of California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-175. William H. Wade, Petitioner *v.* Tommy Goodwin, Director of Arkansas State Police. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-178. Matthew A. Brozyna, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-184. Horace Douglas, Sr., Petitioner *v.* Mapother and Mapother, et al. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 88-185. Link Manufacturing Company, Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-186. Thomas Tew, etc., Petitioner *v.* Arky, Freed, Stearns, Watson, Greer, Weaver & Harris, P.A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-187. Howard Gross, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-188. Peter J. Palughi, Petitioner *v.* City of Mobile, et al. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-193. Joseph Sciambra, dba Periodical Marketing and Consulting Company, Petitioner *v.* ARA Services, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-194. Charles T. Weaver, et al., Petitioners *v.* Anderson County Fiscal Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-199. Deborah Bell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-200. David Alan Morgenstern and Frederick Earl Morgenstern, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-203. Westinghouse Electric Corporation, Petitioner *v.* West Virginia Department of Highways. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-204. Schiavone Construction Company, Petitioner *v.* Tulia Merola, Administratrix of Estate of Mario Merola, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-207. John T. Roberts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-208. James R. Wardell, Petitioner *v.* Diamond Farms Condominium. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-209. Mark Autorino, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-211. Philip D. Lehman, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Harrisburg Office, denied.

No. 88-216. Jane Andre, Petitioner *v.* Bendix Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-221. Hugh Miller, Petitioner *v.* Kansas. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 88-222. John T. O'Reilly, et al., Petitioners *v.* New York Times Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-223. Kathryn Reilly, et vir, Petitioners *v.* Blue Cross and Blue Shield United of Wisconsin. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-224. Michael T. Hull, Petitioner *v.* Attleboro Savings Bank. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 88-225. Frank B. Shaver, Petitioner *v.* F.W. Woolworth Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-227. Lewis O. Ferguson, Petitioner *v.* Norfolk Southern Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-231. N & C Properties, et al., Petitioners *v.* Charles D. Pritchard, et al. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-233. Leonard J. Kerpelman, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-262. Keith Deerman and Francis G. Kinney, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-270. John Marlin Foster, et ux., Petitioners *v.* G. D. Milliken, Jr. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 88-275. White Industries, Inc., et al., Petitioners *v.* Cessna Aircraft Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-289. Donald E. Cannon, Petitioner *v.* Lewanne Rowen, et vir. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-292. Rudy G. Reinhard, et al., Petitioners *v.* Barbara Conner. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-303. West Coast Truck Lines, Inc., Petitioner *v.* Arcata Community Recycling Center. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-312. Billie James Ledbetter, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-341. John J. Gillies, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5002. Chester Eastham, Petitioner *v.* Oklahoma, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-5003. Louis Pirovolos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5008. Herman Lynch, Petitioner *v.* Seybert Nicholas Printing Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5010. Charles E. Marshall, Petitioner *v.* American Motorist Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5012. James Carpenter, Petitioner *v.* Paul W. Reed. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5013. Osvaldo Haedo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5016. Royal Feaster, Petitioner *v.* Thomas Miksch, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5018. Charles Robert Wren, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5019. Imre Domby, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5020. Leon R. Jackson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5021. Melvin Washington, Petitioner *v.* Robert H. Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5023. Lealofi Seau, III, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5025. Richard Townes, Jr., Petitioner *v.* Charles Thompson, Warden. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-5026. John Shewchun, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5027. Lyle H. Prenzler, Petitioner *v.* Orange County Board of Supervisors. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5028. Albert Earle Smith, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5029. John Henry West, Petitioner *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5030. Jerry Witherspoon, Individually, and as the mother and next friend on behalf of Eric Gerald Gaines, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5036. Leslie Arthur Byrd, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-5037. Frank William Costanzo, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 88-5038. Ray Anthony Kinnard, Petitioner *v.* Oklahoma, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5039. Leroy Rudy Jeffers, Petitioner *v.* Jack R. Duckworth, Superintendent, Indiana State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5045. Emmanuel Patterson, Petitioner *v.* Walter Kelley, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5046. Flora Grace Dozier, Petitioner *v.* Department of Education. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5047. Vern W. Englert, Petitioner *v.* Small Business Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5051. Carl H. Greeno, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5056. Anant Kumar Tripathi, Petitioner *v.* Clarence A. Brimmer. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5058. Silverio Rodriquez, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-5059. Daniel Socey and Robert Socey, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5060. James Fornino, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-5063. Jerry D. Fairchilde, Petitioner *v.* Daniel W. Moylan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5065. Herman Malcom Ingram, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5067. Alvin Charles Duncan, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5068. Albert Dickens, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5069. John Lindquist, Petitioner *v.* Walter Kelley, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5072. David Barrera, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5076. Milton E. Causey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5079. John Shannon, Petitioner *v.* Paul J. Klinecar, Chairman, Illinois Prison Review Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5080. Seferino P. Nieto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5081. Dennis Smith, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5083. Leonard McKibbon, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-5085. Michael L. Martin, Petitioner *v.* Sheriff Cunningham, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5086. Richard Ralph Martinez, Petitioner *v.* New Mexico. Petition for writ of certiorari to the District Court of New Mexico, Ninth Judicial District, denied.

No. 88-5087. Estella L. Gowin, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 88-5090. Joe Edward Hall, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5093. Vernon Leroy Rich, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5094. Thomas P. Littlefield, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5095. Roberto Chavez, Petitioner *v.* John B. Taylor, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5096. Leroy Brown, Petitioner *v.* Joseph Ryan, Superintendent, State Correctional Institution at Dallas, Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5097. Michael A. Jones, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-5100. Jackie Ray Beasley, Petitioner *v.* Jerry Hedrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5101. Samuel Ibekwe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5102. Constantin Horia Nicolau, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5103. James Birth, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-5105. Gabriel A. Bury, Petitioner *v.* John S. Herrington, Secretary of Energy. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5106. Vinko Logarusic, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5108. Eugene J. Hutch, Petitioner *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 88-5109. Luke J. Kusek, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5110. John G. Bryce, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5111. Leon Washington, Petitioner *v.* Michael P. Lane, Director, Illinois Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5116. Glenn D. Woolstrum, Petitioner *v.* Oregon State Board of Parole. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 88-5117. Raymond Bradley Nottingham, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5118. Lynne Simon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5119. Lloyd Eugene Swinson, Petitioner *v.* United States Parole Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5120. Hubert Lee Taylor, Petitioner *v.* John Desmond, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5121. Clifton Sykes, Petitioner *v.* James E. Sullivan, Superintendent, Sing Sing Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5122. Wilburt J. Richter, Petitioner *v.* Internal Revenue Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5123. Frank George Prantil, Petitioner *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5124. Earl Nash, Petitioner *v.* James L. Mayfield. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5129. Anthony Wayne Kelly, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5130. Donald Ray Amos, Petitioner *v.* Minnesota, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5132. Donald Couture, Petitioner *v.* Raymond Lopes, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5134. Anthony W. Burrows, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 88-5137. David Lee Koplou, Petitioner *v.* City of Portland, Maine, et al. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 88-5139. Nancy Jewell Cross, Petitioner *v.* San Mateo County Transit District, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-5142. Miguel A. Rivera-Medina, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5144. Frank Whiteshield, Petitioner *v.* Thomas G. Toombs, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5145. Ahmad Abdul Jabbar-Al Samad, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Institution (and Diagnostic and Classification Center) at Graterford, Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5146. Gregory L. Johnson, Petitioner *v.* Samuel F. Irby, Jr. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-5149. William Allen Spencer, Petitioner *v.* Danville Police Department. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5150. Daniel Turner, Petitioner *v.* Mary Ann Hoffman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5153. Israel Sanchez, Petitioner *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 88-5154. Lyle H. Prenzler, Petitioner *v.* Department of Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5155. Ernest L. Citron, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5156. Roger Beach, Petitioner *v.* Florida. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5161. Ethel Dotson, Petitioner *v.* Steven Bohte, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-5163. Robert W. Ashby, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5170. Norman Matthews, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5171. Clyde Nubine, Petitioner *v.* Texas Board of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5172. Michael L. Martin, Petitioner *v.* Richard Tyson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5175. Carlo Palella, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5177. Raymond Edward James, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5181. Charles Martin, Petitioner *v.* Warden Gramley, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5183. Henry Antonio Aguas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5184. Luther Shamlin, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Court of Appeals of Arkansas denied.

No. 88-5185. Sovilia Pratt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5186. Gerald T. Ouimette, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5187. Joseph Henderson, Petitioner *v.* Kenneth D. McKellar, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5191. David L. Culverhouse, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-5192. Robert Alan Litchfield, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5195. Earvil L. Watson, Petitioner *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5196. Floyd Leon Watson, Petitioner *v.* Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5200. Josefa Dopico-Fernandez, Petitioner *v.* Grand Union Supermarket, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5201. Rayford Conner, Petitioner *v.* George Bowen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5202. Robert Ray Glenna, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-5204. Steven Szarewicz, Petitioner *v.* Irma Gardner. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5205. Gregory L. Oakley, Jr., Petitioner *v.* George Wilson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5206. Carroll Eugene Strader, Petitioner *v.* John Does, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5207. Theophilis Ervin, Petitioner *v.* George Bowen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5208. Dennis Nelson Fixel, Petitioner *v.* H. L. Whitley, Warden. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-5209. Wynn Earl Westover, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5210. Dennis Savarese, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5212. Thomas Riley, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District III, denied.

No. 88-5214. Frank C. Lechiara, Jr., Petitioner *v.* Southern Ohio Coal Company. Petition for writ of certiorari to the Circuit Court of West Virginia, Marion County, denied.

No. 88-5217. Robert A. Johnson, Jr., Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5218. John K. W. Bondzie, Petitioner *v.* David Lively, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5219. Glen F. Redding, Petitioner *v.* Earl Allen, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5220. Patsy Marie Galberth, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5221. Ralph M. Lepiscopo, Petitioner *v.* Richard B. Traub. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 88-5224. Arthur Lee Harriatt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5225. Sam Aimone, Petitioner *v.* Charles Scully, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5226. Ronald Leroy Howard, Petitioner *v.* James E. Johnson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5227. Michael Ricardo Leviston, Petitioner *v.* Charles Black, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5229. Forrest P. Brown, Petitioner *v.* Boeing Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5232. Faris Abdul Matiyn, Petitioner *v.* Edwin Gould Services for Children, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5233. Charles Kramer, Petitioner *v.* Robert H. Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5236. Karal H. E. Battle, Petitioner *v.* Marty O'Keefe, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5238. Richard Francois, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5242. Marvin Beach, Petitioner *v.* Carl Humphreys, Superintendent, Hocking Correctional Facility, Nelsonville, Ohio. Petition for

writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5243. Reid Evans, Petitioner *v.* Thomas Fulcomer, Superintendent, State Correctional Institution at Huntingdon, Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5244. Paul Valenzuela, Petitioner *v.* Robert Goldsmith, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5245. Amill Andrew Smith, Petitioner *v.* Dewey Sowders, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5248. Landrum Powell, Petitioner *v.* Thomas Fulcomer, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5251. Roger Reeker Nichols, Petitioner *v.* City of Erie Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5256. Jesse L. Wade, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5258. Tommy Lee Thompson, Petitioner *v.* Vernon Housewright, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5259. Richard S. Maulick, Petitioner *v.* Richard H. C. Taylor. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-5261. Frank Citro, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5264. Mary Jane Davis, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-5275. Garry De Young, Petitioner *v.* Bonnie Campbell, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5278. Gary Lee Yarbrough, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5280. Wera Szemborski, Petitioner *v.* First Wisconsin National Bank of Milwaukee. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District I, denied.

No. 88-5284. John Spinelli, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5285. Mark Samuel Richardson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5288. Freddie M. Alcazar, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5296. Larry Gray, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5302. Richard Allen Lumbar, Petitioner *v.* United States; and

No. 88-5324. Bradley Dennis Goodsky, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5303. Riley Larkins, Jr., Petitioner *v.* LeRoy Zimmerman, Attorney General of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5304. Lun Woon Tam, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5306. Frank J. Landi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5309. Leevester Pennington, Petitioner *v.* Stephen Gosselin, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5320. William Herrmann, Petitioner *v.* Richard Thornburgh, Attorney General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5321. Ruben Gonzales, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5327. Keith Gabriel, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-5337. Jeffrey L. Blackston, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5350. Rodney William Klein, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5356. Samuel Wallace, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5358. Eduardo Vence, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5361. John C. Tarantino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5375. Cleothia Hall and Edward Thomas, Petitioners *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-5376. Jackson T. Ellerbe, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-5379. Ronald Eugene Hefner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5380. Chester Zukowski, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5398. David Lee Gibson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1646. Sequoia Books, Inc., Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied. Justice Brennan and Justice Marshall would grant the petition for a writ of certiorari and reverse the judgments of conviction.

No. 87-1660. Illinois, Petitioner *v.* Jimmy Marinez, et ux. The motion of respondents for leave to proceed *in forma pauperis* is granted. Peti-

tion for writ of certiorari to the Appellate Court of Illinois, Third District, denied. Justice White would grant certiorari.

No. 87-1869. Arctic Slope Regional Corporation, Petitioner *v.* Federal Energy Regulatory Commission, et al. The motion of Alaska Federation of Natives for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-1962. Walter Untermeyer, Petitioner *v.* Valhi, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice White took no part in the consideration or decision of this petition.

No. 87-2082. MacArthur Company, et al., Petitioners *v.* Johns-Manville Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice White took no part in the consideration or decision of this petition.

No. 88-5199. Boyd E. Graves, Petitioner *v.* BidNet, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice White took no part in the consideration or decision of this petition.

No. 87-1968. Dino Bello, et al., Petitioners *v.* Norman L. Walker, et al. The motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-1972. Vernon Lee Bounds, Commissioner, North Carolina Department of Corrections, et al., Petitioners *v.* Robert (Bobby) Smith, et al. The motion of respondents for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-1975. Sequoia Books, Inc., Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied. Justice Brennan and Justice Marshall would grant the petition for a writ of certiorari and reverse the judgment of conviction.

No. 87-1997. Blinder, Robinson & Co., Inc., et al., Petitioners *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Marshall took no part in the consideration or decision of this petition.

No. 87-2085. Arkansas State Board of Education, et al., Petitioners *v.* Little Rock School District, et al. Petition for writ of certiorari to the

United States Court of Appeals for the Eighth Circuit denied. Justice Marshall took no part in the consideration or decision of this petition.

No. 87-2003. Illinois, Petitioner *v.* Alejandro Hernandez; and

No. 87-2004. Illinois, Petitioner *v.* Rolando Cruz. The motions of respondents for leave to proceed *in forma pauperis* are granted. Petitions for writs of certiorari to the Supreme Court of Illinois denied.

No. 87-2080. Jack R. Duckworth, et al., Petitioners *v.* Arnold Mauricio, Jr. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-2102. Indiana, Petitioner *v.* Sidney Jones. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-147. Richard L. Dugger, Secretary, Florida Department of Corrections, Petitioner *v.* Robert Brian Waterhouse. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-196. Florida, Petitioner *v.* Willie Potts, Jr. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-201. Florida, Petitioner *v.* Rigoberto Caso. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 87-2016. N. Howard Brandt, Jr., Petitioner *v.* M. A. Brandt. Petition for writ of certiorari to the Court of Appeals of Minnesota denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 87-2093. Indiana Hospital, et al., Petitioners *v.* Ralph J. Miller. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 87-7238. James L. Martin, Petitioner *v.* Dale F. Shughart, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 87-2025. Robert Perez, Petitioner *v.* Scripps-Howard Broadcasting Company, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 87-2027. Colorado, Petitioner *v.* Western Paving Construction Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Blackmun would grant certiorari.

No. 87-2083. The Mozart Company, Petitioner *v.* Mercedes-Benz of North America, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White would grant certiorari.

No. 87-2094. Gordon Taub, Petitioner *v.* Kentucky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan, Justice White and Justice Marshall would grant certiorari.

No. 87-2096. Oahu Gas Service, Inc., Petitioner *v.* Pacific Resources, Inc., Gasco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan and Justice White would grant certiorari.

No. 87-2123. Department of Agriculture and Consumer Services, Petitioner *v.* Mid-Florida Growers, Inc., et al. The motion of Lykes Bros., Inc., et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 87-6745. John Thompson, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-6830. Rocky Lee Coker, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-6956. Tommy Hamilton, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-6962. Gary Bradford Cone, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-6979. Robert Allen Walls, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-6981. Robert Anthony Murray, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7018. Donald Eugene Harding, Petitioner *v.* Samuel A. Lewis, Director, Arizona Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7047. Daniel Remeta, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7088. Aaron Lee Jones, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7117. Maurice Andrews, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7145. Roy Willard Blankenship, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7158. Jerry William Correll, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7190. Thomas Henry Battle, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7217. Clarence Jackson, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7235. William Melvin White, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7264. Clyde Cade, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7265. Carl Puiatti, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7335. Billy Wayne Waldrop, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7352. John Gary Hardwick, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-271. Syvasky L. Poyner, Petitioner *v.* Toni V. Bair, Warden;

No. 88-272. Syvasky L. Poyner, Petitioner *v.* Toni V. Bair, Warden; and

No. 88-273. Syvasky L. Poyner, Petitioner *v.* Toni V. Bair, Warden. Petitions for writs of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5007. Joseph Roger O'Dell, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5009. William R. Jones, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5032. Alejandro Gilbert Ruiz, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5034. Terry Michael Mincey, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5049. Leonard Jenkins, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5052. Willie Thompkins, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5066. Roger P. Buehl, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5075. Jeffery Joseph Daugherty, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5091. Richard A. Hovey, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5107. Gary Lee Howard, Sr., Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5112. Eric Kimble, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5114. Kwan Fai Mak, Petitioner *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5138. D. H. Fleenor, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5147. Frank Middleton, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5178. William Kenny Stephens, Petitioner *v.* Ralph Kemp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5190. Malcolm Rent Johnson, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5194. James Free, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-6983. Daniel Patrick Munoz, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied. Justice Brennan would grant certiorari.

No. 87-6984. Michael E. Sharp, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 87-6987. William Anthony Lipham, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 87-7054. Prudence Sui-Ning Chou, Petitioner *v.* University of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Kennedy took no part in the consideration or decision of this petition.

No. 87-7076. Stanley M. Juras, Petitioner *v.* Aman Collection Service Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Kennedy took no part in the consideration or decision of this petition.

No. 88-321. Floyd H. Daniels, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Kennedy took no part in the consideration or decision of this petition.

No. 87-7094. Brian A. Brown, Petitioner *v.* Covington and Burling, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit before judgment denied.

No. 87-7098. Anthony Keith Johnson, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 87-7101. Anthony James Mann, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 87-7116. Alvie James Hale, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 87-7199. Jesse Lee, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 87-7208. Brian Brown, Petitioner *v.* Richard S. Lurye, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia before judgment denied.

No. 87-7303. John Doe, Petitioner *v.* Thomas A. Coughlin, III, Commissioner, New York State Department of Correctional Services, et al. The motion of petitioner to seal portions of the petition for a writ of certiorari is granted. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-5. Gerard W. McCall, Petitioner *v.* Chesapeake & Ohio Railway Company. The motion of American Diabetes Association, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of

certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Blackmun would grant certiorari.

No. 88-22. Averil D. Vallier, et al., Petitioners *v.* United States District Court for the Central District of California (Southern Pacific Transportation Company, Real Party in Interest). Petition for writ of certiorari and/or mandamus to United States Court of Appeals for the Ninth Circuit denied.

No. 88-72. Pinney Dock & Transport Company, Petitioner *v.* Norfolk & Western Railway Company, et al. The motion of C.D. Ambrosia Trucking Co., et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-137. Edith Mae Gracey, Petitioner *v.* C. Denson Day, et al. The application for stay addressed to Justice Stevens and referred to the Court is denied. Petition for writ of certiorari to United States Court of Appeals for the Third Circuit denied.

COMMON LAW CERTIORARI DENIED

No. 87-7157. In Re V. R. Hylton, Jr., Petitioners;

No. 87-7183. In Re Jessie D. McDonald, Petitioner;

No. 87-7220. In Re Jessie D. McDonald, Petitioner;

No. 87-7236. In Re Billy Thomas Pearson, Petitioner; and

No. 88-5006. In Re Jessie D. McDonald, Petitioner. The petitions for writs of certiorari are denied.

HABEAS CORPUS DENIED

No. 88-5148. In Re Dan P. Vella, Petitioner. The petition for writ of habeas corpus is denied.

MANDAMUS DENIED

No. 87-1989. In Re Theodore B. Gould, et al., Petitioners;

No. 87-7043. In Re Theodore Griffin, Petitioner;

No. 87-7051. In Re Jack Redden, et ux., Petitioners;

No. 87-7114. In Re Alan B. Davis, Petitioner;

No. 87-7115. In Re Robert Lee Gill, Jr., Petitioner;

No. 87-7135. In Re Martha Phillips and Joseph Phillips, Petitioners;

No. 87-7232. In Re Jeffrey Balawajder, Petitioner;

No. 87-7349. In Re Debra Mingleddolph, Petitioner;

No. 88-55. In Re David C. Roberts, Petitioner;

No. 88-152. In Re All American Services, Ltd., Petitioner; and

No. 88-310. In Re Michael W. Mason, et ux., Petitioners. The petitions for writs of mandamus are denied.

No. 87-7176. In Re Jeffrey Balawajder, Petitioner. The petition for a writ of mandamus and/or certiorari is denied.

No. 87-7002. In Re Ali Shah Shah Sharif, Petitioner; and

No. 88-5140. In Re Stanley A. Radvan-Ziemnowicz, Petitioner. The petitions for writs of mandamus and/or prohibition are denied.

No. 87-7024. In Re Charles Arthur Pote, Petitioner. The motion of petitioner for imposition of sanctions is denied. The petition for writ of mandamus and/or prohibition is denied.

PROHIBITION DENIED

No. 88-260. In Re Eugene H. Davis, Petitioner. The petition for writ of prohibition is denied.

REHEARINGS DENIED

No. 86-1944. Soung O. Kwoun, et al., Petitioners *v.* Southeast Missouri Professional Standards Review Organization, et al.;

No. 87-6801. Morgan Dawns, Petitioner *v.* Canon U.S.A., Inc.;

No. 87-6933. Mitchell Williams, Petitioner *v.* Planned Parenthood Association of the Atlanta Area, Inc., et al.; and

No. 87-7038. Joseph Samuel Kinsey, Petitioner *v.* United States. The petitions for rehearing are denied.

No. 87-6759. Larry Darnell Graves, Petitioner *v.* Stephanie Brown. The motion for leave to file a petition for rehearing is denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|---------------------------|
| Charles G. Albert | Chicago, IL | Michael Sennett |
| Alice Sweet Alden | Phoenixville, PA | Paul Stephen Cherry |
| Rodman Wesley Benedict | New York, NY | Louis Lee Stanton, Jr. |
| Janet Fraser Bentley | San Francisco, CA | Robert Bernard Pringle |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-----------------------|-----------------------------|
| Peter Knowlton Binder | Gardner, MA | Andrew Lawrence Mandell |
| J. Lawrence Blades | New York, NY | Harvey D. Myerson |
| Craig R. Bockman | Los Angeles, CA | Eugene W. Bell |
| William J. Brinkman | Champaign, IL | David Alan Bailie |
| W. Joseph Bruckner | Minneapolis, MN | Richard J. Bruckner |
| Carl H. Brumund | Salem, OR | Rodney W. Miller |
| Douglas Todd Burns | New York, NY | George Benjamin Daniels |
| Kristin Maria Cano | Newport Beach, CA | Joseph C. Sullivan |
| Joel W. Cantrick | Denver, CO | David K. Rees |
| Susan Jane Caton | Cheyenne, WY | A. G. McClintock |
| Danny Michael Chappell | Houston, TX | James R. Leahy |
| Anthony C. Ching | Los Angeles, CA | Charles Pereyra- Suarez |
| Frederick B. Cohen | Buffalo, NY | Ralph L. Halpern |
| Louis J. Colagreco, Jr. | West Chester, PA | Thomas A. Riley, Jr. |
| James W. Coleson | Denton, TX | Richard D. Hayes |
| Thomas George Collins | Rochester, NY | Robert Oppenheimer |
| Charles T. C. Compton | Palo Alto, CA | Patrick Lynch |
| Carlos Jose Cuevas | New York, NY | John Michael Schwartz |
| James Anderson Davis, Jr. | Nashville, TN | Harold D. Hardin |
| Vereen Andrews Dennis | Greenville, SC | Richard Bevins Kale, Jr. |
| Ernest J. DiSantis, Jr. | Erie, PA | Paul John Susko |
| Bruce E. Didesch | Nespelem, WA | Michael Edward Taylor |
| William Alexander Ellis, III | Trussville, AL | Virginia A. Vinson |
| Beth Mina Farber | Baltimore, MD | Stephen J. Cribari |
| Harold L. Fridkin | Kansas City, MO | James W. Shaffer |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|---------------------------------|
| Mayo J. Galindo | San Antonio, TX | Eugene S. Prashner |
| June E. Gilson | Philadelphia, PA | Arthur Thomas Donato, Jr. |
| Wayne D. Goter | Mandan, ND | Robert Pierce Bennett |
| David W. Gruning | New Orleans, LA | Patrick Ryan Hugg |
| Daniel Guttman | Washington, DC | Daniel Ira Davidson |
| William Trigg Harter | Los Angeles, CA | Andrew Davidson Amerson |
| Elton Scott Hartsook | Des Moines, IA | John Cotter Barrett |
| Andrew P. Hier | Boston, MA | Margaret Hilary Marshall |
| John Allen Howard | Atlanta, GA | Warren Candler Fortson |
| Andrew Irving | New York, NY | James F. Gill |
| Joel David Johnson | Moorehead, MN | Duane A. Lillehaug |
| Charles L. Kaiser | Denver, CO | Clyde O. Martz |
| Melvin J. Kalish | New York, NY | Robert Mark Wasko |
| Edward J. Ledogar | West Islip, NY | Donald J. Zimmer |
| Robert Taylor Lemon, II | New Orleans, LA | Robert B. Acomb, Jr. |
| Ross A. Lewin | Hopewell, NJ | Deborah Tobias Poritz |
| Kathleen M. Logan | Pittsburgh, PA | James H. Logan |
| Susan Joan Mack | Washington, DC | Waddell Alexander Biggart |
| Earl Michael Maltz | Rosemont, PA | Robert Forrest Williams |
| Samuel Austin Mann | Wilmington, NC | Melinda Haynie Crouch |
| Harold E. Molaison | Gretna, LA | Jon A. Gegenheimer |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|-----------------------------|
| Michael J. Monroe | Tucson, AZ | Ronald Nelson Sutter |
| Charles N. Nauen | St. Paul, MN | Vance Keith Opperman |
| Michael R. Pennington | Birmingham, AL | James P. Alexander |
| William F. Pepper | London, England | J. Phillip Jordan |
| William B. Pettus | Frankfort, KY | James M. Ringo |
| Andrew L. Plauche, Jr. | New Orleans, LA | James R. Nieset |
| Gary A. Ratner | Atlanta, GA | Robert William Cullen |
| Olan W. Reeves | Little Rock, AR | Jack Gillean |
| V. James Robinson, Jr. | Evergreen, CO | J. Bayard Young |
| Judith Rossi | Wallingford, CT | Julia DiCocco Dewey |
| William T. Salisbury | Quincy, MA | Sumner B. Gillette |
| Robert J. Schmit | Minneapolis, MN | Frank Claybourne |
| David Alan Schwartz | Montclair, NJ | Michael A. Posnock |
| Franklin G. Shaw | New Orleans, LA | Walter John Leger, Jr. |
| Thomas G. Singley | Houston, TX | Ralph Joseph Coselli |
| Alan Philip Solow | Chicago, IL | Terry F. Moritz |
| Charles T. Speth, II | Greenville, SC | Richard Bevins Kale, Jr. |
| Charles Henry Stitt | Kansas City, MO | James W. Shaffer |
| Jeffrey John Stuetz | San Diego, CA | Handy Horiye |
| Ulric Richard Sullivan | New York, NY | Peter W. Rodino, Jr. |
| Jay Joseph Szuba | Baton Rouge, LA | John Dale Powers |
| Norman Allan Thomas | Norfolk, VA | Philip R. Trapani |
| David A. Tracy | Tulsa, OK | Randall Eugene Rose |
| Brian Wade Walker | Lafayette, IN | Joseph T. Bumbleburg |
| Edgar P. Walsh | Mobile, AL | Mylan R. Engel |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|----------------------------|
| Deborah Strange Ward | Tucson, AZ | James Middleton Howard |
| Gary M. Weiner | Chicago, IL | Linda J. Kroning |
| Debra Ruth Wolin | Roslyn, NY | William Jay Thomashower |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------------|-----------------------|--------------------------------|
| George Walter King Snyder, Jr. | Santa Fe, NM | Pete V. Domenici |
| Marci Talbot Liles | Little Rock, AR | John Steven Clark |
| Gary Damon Secrest | Indianapolis, IN | William Earl Daily |
| Peggy Maureen Coleman | Tupelo, MS | Bruce A. Taylor |
| Paul J. McGeady | New York, NY | Bruce A. Taylor |
| Donald Steven Miller | Oakland, CA | Stephen John Pollak |
| Alice Jane Washington | Winston-Salem, NC | Joseph Francis Healy, Jr. |
| Dennis Timothy O'Madigan | Winston-Salem, NC | Joseph Francis Healy, Jr. |
| Inez M. Alfonzo-Lasso | Washington, D.C. | Jeffrey J. Bernstein |
| Steven A. Shapiro | Frederick, MD | Jay Paul Krupin |
| Scott Thomas Welch | New Orleans, LA | H. Karl Zeswitz, Jr. |
| Thomas J. Finan, Jr. | Washington, D.C. | George McCall Courts Oulaha |
| Robert Claude Knuepfer, Jr. | Chicago, IL | John N. Erlenborn |
| George Peter Eliopoulos | Washington, D.C. | Robert Davis Metcalf, III |

ORAL ARGUMENTS

No. 87-821. Pittston Coal Group, et al., Petitioners v. James Sebben, et al.;

No. 87-827. Ann McLaughlin, Secretary of Labor, et al., Petitioners v. James Sebben, et al.; and

No. 87-1095. Director, Office of Workers' Compensation Programs, United States Department of Labor, Petitioner v. Charlie Broyles,

et al. Argued by Mr. Donald B. Ayer for the federal petitioners, by Mr. Mark E. Solomons for the private petitioners and by Mr. Paul March Smith for the respondents.

No. 87-764. Florida, Petitioner *v.* Michael A. Riley. Argued by Mr. Parker D. Thomson for the petitioner and by Mr. Marc H. Salton for the respondent.

No. 87-470. Fort Wayne Books, Inc., Petitioner *v.* Indiana, et al.; and

No. 87-614. Ronald W. Sappenfield, et al., Petitioners *v.* Indiana. Argued by Mr. John H. Weston for the petitioners and by Mr. Stephen Goldsmith for the respondents.

No. 87-1277. A. L. Lockhart, Director, Arkansas Department of Corrections, Petitioner *v.* Johnny Lee Nelson. Argued by Mr. J. Steven Clark for the petitioner and by Mr. John Wesley Hall, Jr., for the respondent.

Adjourned until tomorrow at 10 o'clock.

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No. A-260. William Armontrout, Warden, Applicant *v.* Gerald Smith, etc. The application of the Attorney General of Missouri for an order to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Eighth Circuit presented to Justice Blackmun and by him referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|------------------|
| Barbara Ann Bachochin | Fort Lauderdale, | Edward Royce |
| Curtis | FL | Curtis |
| Michael James Langston | Santa Rosa, CA | Gerald S. Rourke |
| Patricia Peterson | Bethesda, MD | Martin H. |
| Richardson | | Freeman |

ORAL ARGUMENTS

No. 87-1190. United States, Petitioner *v.* Ray C. Broce and Broce Construction Co., Inc. Argued by Mr. Roy T. Englert, Jr., for the petitioner and by Mr. Glenn E. Casebeer, II, for the respondent.

No. 87-984. Shell Oil Company, Appellant *v.* Iowa Department of Revenue. Argued by Mr. Kenneth S. Geller for the appellant, by Mr. Harry M. Griger for the appellee, and by Mr. Lawrence G. Wallace for the United States as *amicus curiae* in support of the appellee.

No. 87-981. Beech Aircraft Corporation, Petitioner *v.* John C. Rainey, etc., et al.; and

No. 87-1028. Beech Aerospace Services, Inc., Petitioner *v.* John C. Rainey, etc., et al. Argued by Mr. Jos. W. Womack for the petitioners and by Mr. Dennis K. Larry for the respondents.

No. 87-5259. Frank Dean Teague, Petitioner *v.* Michael Lane, Director, Illinois Department of Corrections, et al. Argued by Ms. Patricia Unsinn for the petitioner and by Mr. David E. Bindi for the respondents.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|---------------------------|
| Diane Catran Roth | Riverside, CA | John Hardin Young |
| Alan Charles Raul | New York, NY | Phillip D. Brady |
| Donna Helen Triptow | Chicago, IL | Michael H. Salsbury |
| K. Michael Leavitt | Las Vegas, NV | Patrick Mayes McLain |
| Jeffrey Lewis Staniels | Philadelphia, PA | Gerald Thomas McFadden |

ORAL ARGUMENTS

No. 87-1061. National Collegiate Athletic Association, Petitioner *v.* Jerry Tarkanian. Argued by Mr. Rex Lee for the petitioner and by Mr. Samuel S. Lionel for the respondent.

No. 87-998. City of Richmond, Appellant *v.* J. A. Croson Company. Argued by Mr. John Payton for the appellant and by Mr. Walter H. Ryland for the appellee.

No. 87-7028. John M. Mistretta, Petitioner *v.* United States; and

No. 87-1904. United States, Petitioner *v.* John M. Mistretta. One hour and twenty minutes allowed for oral argument. Argued by Mr. Alan B. Morrison for John M. Mistretta, by Mr. Solicitor General Charles Fried for the United States and by Mr. Paul M. Bator for the United States Sentencing Commission as *amicus curiae* supporting the United States.

Adjourned until Tuesday, October 11, 1988 at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 88-76. Crocker National Bank, et al., Appellants *v.* City and County of San Francisco. Appeal from the Supreme Court of California. The appeal is dismissed for want of a substantial federal question. The Chief Justice would note probable jurisdiction and set the case for oral argument.

No. 88-179. Jonathan Club, Appellant *v.* California Coastal Commission. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 88-253. Denzil Pritchard, et ux., Appellants *v.* Board of Commissioners of Calvert County, Maryland, et al. Appeal from the Court of Appeals of Maryland. The appeal is dismissed for want of a substantial federal question.

No. 88-298. Market Street Mission, Appellant *v.* Bureau of Rooming and Boarding House Standards, New Jersey Department of Community Affairs. Appeal from the Supreme Court of New Jersey. The appeal is dismissed for want of a substantial federal question.

No. 88-219. Mannheim Books, Inc., Appellant *v.* County of Cook, Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a substantial federal question. Justice Brennan and Justice Marshall would note probable jurisdiction and set the case for oral argument.

No. 88-258. Helmut Rampp and Layton Sorber, Appellants *v.* Gilbert Gleco, et al. Appeal from the United States Court of Appeals for the Third Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-377. Robert A. Fraychineaud, Jr., Appellant *v.* City of New Orleans. Appeal from the Court of Appeal of Louisiana, Fourth Circuit.

The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-405. Arthur Ditmar, Appellant *v.* Needham, Harper, Worldwide, Inc., et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-295. Local Union 598, Plumbers & Pipefitters Industry Journeymen & Apprentices Training Fund, Appellant *v.* J. A. Jones Construction Company, et al. Appeal from the United States Court of Appeals for the Ninth Circuit. The motion of Foundation for Fair Contracting for leave to file a brief as *amicus curiae* is granted. The judgment is affirmed.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1929. Mark Lynn Fortney, et al., Petitioners *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Berkovitz v. United States*, 486 U.S. — (1988). Dissenting opinion by Justice Scalia with whom the Chief Justice, Justice O'Connor and Justice Kennedy join.

No. 88-5215. Charles A. Foster, Petitioner *v.* Oklahoma. On petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Criminal Appeals of Oklahoma for further consideration in light of *Maynard v. Cartwright*, 486 U.S. — (1988).

ORDERS IN PENDING CASES

No. A-176. John T. Fort, Applicant *v.* National American Insurance Company, et al. The application for stay and other relief addressed to Justice Marshall and referred to the Court is denied.

No. A-242. Metromedia, Inc., et al., Applicants *v.* April Enterprises, Inc. The application for stay presented to Justice O'Connor and by her referred to the Court is granted and it is ordered that the judgment of the Court of Appeal of California, Second Appellate District, case

No. BO22890, entered June 9, 1988, is stayed pending the timely filing and disposition of a petition for writ of certiorari. In the event the petition for a writ of certiorari is denied, this order terminates automatically. Should the petition for a writ of certiorari be granted, this order is to remain in effect pending the issuance of the mandate of this Court. This order is further conditioned upon the bond presently in force remaining in effect. Justice Stevens took no part in the consideration or decision of this order.

No. D-686. In the Matter of Disbarment of David Warren. Disbarment order entered.

No. D-691. In the Matter of Disbarment of Richard Glenn Newhouse. Disbarment order entered.

No. D-712. In the Matter of Disbarment of Abraham J. Brill. Disbarment order entered.

No. D-714. In the Matter of Disbarment of Marshall Word Watkins. Disbarment order entered.

No. D-718. In the Matter of Disbarment of Frank C. Morales. Disbarment order entered.

No. D-733. In the Matter of Disbarment of Robert N. Bussey. It is ordered that Robert N. Bussey, of St. Petersburg, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-734. In the Matter of Disbarment of Marvin A. Newman. It is ordered that Marvin A. Newman, of Monticello, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-735. In the Matter of Disbarment of Peter Richard Stoll. It is ordered that Peter Richard Stoll, of Los Angeles, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-736. In the Matter of Disbarment of Calvin W. Chesson. It is ordered that Calvin W. Chesson, of Charlotte, North Carolina, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 86-492. Delbert Boyle, Personal Representative of the heirs and Estate of David A Boyle, Deceased, Petitioner *v.* United Technologies Corporation. The motion of respondent to retax costs is granted.

No. 86-1856. Northwest Central Pipeline Corporation, Appellant *v.* State Corporation Commission of Kansas, et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 86-1879. National Treasury Employees Union, et al., Petitioners *v.* William Von Raab, Commissioner, United States Customs Service. The motion of petitioners for leave to file a reply brief, out-of-time, is denied.

No. 87-56. Javan Owens and Daniel G. Lessard, Petitioners *v.* Tom U. U. Okure. The motion of petitioners for leave to file a reply brief, out-of-time, is denied.

No. 87-470. Fort Wayne Books, Inc., Petitioner *v.* Indiana, et al. The motion of Burke H. Mendenhall for leave to intervene is denied.

No. 87-1622. Philip Brendale, Petitioner *v.* Confederated Tribes and Bands of Yakima Indian Nation, et al.;

No. 87-1697. Stanley Wilkinson, Petitioner *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al.; and

No. 87-1711. County of Yakima, et al., Petitioners *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al. The motion of petitioner Brendale for divided argument and for additional time for oral argument is denied.

No. 87-1703. F. Dale Robertson, Chief of the Forest Service, et al., Petitioners *v.* Methow Valley Citizens Council, et al.; and

No. 87-1704. John O. Marsh, Jr., Secretary of the Army, et al., Petitioners *v.* Oregon Natural Resources Council, et al. The motion of respondents Oregon Natural Resources Council, et al. for divided argument is denied.

No. 87-5666. Jose Martinez High, Petitioner *v.* Walter Zant, Warden. The motion of West Virginia Council of Churches for leave to file a brief as *amicus curiae* is granted.

No. 87-6026. Heath A. Wilkins, Petitioner *v.* Missouri. The motion of West Virginia Council of Churches for leave to file a brief as *amicus curiae* is granted.

No. 88-148. Southern Natural Gas Company, Petitioner *v.* Joseph F. Fritz, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-155. Texas, Petitioner *v.* Gregory Lee Johnson. The application for stay addressed to the Chief Justice and referred to the Court is granted and it is ordered that the mandate of the Court of Criminal Appeals of Texas, case No. 372-86, is recalled and stayed pending this Court's action on the petition for a writ of certiorari. In the event the petition for a writ of certiorari is denied, this order terminates automatically. Should the petition for a writ of certiorari be granted, this order is to remain in effect pending the issuance of the mandate of this Court.

APPEAL—JURISDICTION NOTED

No. 87-329. The Florida Star, Appellant *v.* B. J. F. Appeal from the District Court of Appeal of Florida, First District. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 87-1428. Patricia A. Lorance, et al., Petitioners *v.* AT&T Technologies, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 88-23. Lauro Lines s.r.l., Petitioner *v.* Sophie Chasser, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 87-1661. ASARCO Incorporated, et al., Petitioners *v.* Frank Kadish, et ux., et al. The motion of Alaska Miners Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of Clinton Campbell Contractor, Inc. for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of Arizona granted. Justice O'Connor took no part in the consideration or decision of these motions and this petition.

No. 87-5765. Kevin N. Stanford, Petitioner *v.* Kentucky. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Kentucky granted.

No. 87-7023. Tyrone Victor Hardin, Petitioner *v.* Dennis Straub. The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted limited to Question 1 presented by the petition.

No. 88-64. Missouri, et al., Petitioners *v.* Kalima Jenkins, by her friend, Kamau Agyei, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted limited to Questions 1 and 4 presented by the petition.

No. 88-305. South Carolina, Petitioner *v.* Demetrius Gathers. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of South Carolina granted.

No. 88-317. Jack R. Duckworth, Petitioner *v.* Gary James Eagan. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

CERTIORARI DENIED

No. 87-2039. George Fahmy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-2057. Geoffrey B. Smith, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-2067. Jo B. Bankston, et al., Petitioners *v.* American Telephone and Telegraph Co., et al.; and

No. 88-246. Robert A. Bache, Jr., et al., Petitioners *v.* American Telephone & Telegraph Company, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-2068. Alabama Power Co., et al., Petitioners *v.* Lee M. Thomas, Administrator, Environmental Protection Agency, et al.; and

No. 88-61. National Coal Association and Edison Electric Institute, Petitioners *v.* Natural Resources Defense Council, et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 87-2114. Luis Rodriguez and Raul Reyes, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7082. Samuel Procter, Petitioner *v.* Robert H. Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7125. Vernetta Steele, Petitioner *v.* Felix Chevrolet, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 87-7144. Robert Carter, Petitioner *v.* C. A. Turner, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7165. Pedro Bastidas, Petitioner *v.* Robert J. Henderson, Superintendent, Auburn Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7270. John R. Vaughn, Petitioner *v.* George Wilson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-14. Hector L. Toledo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-24. Helen Campo, Petitioner *v.* New York City Employees' Retirement System, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-25. Celotex Corporation, et al., Petitioners *v.* John Howard Grimes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-27. Rusco Industries, Inc., Petitioner *v.* Ann McLaughlin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-39. Joe G. Garcia, etc., et al., Petitioners *v.* San Antonio Metropolitan Transit Authority. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-50. Kalima Jenkins, et al., Petitioners *v.* Missouri, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-52. Buffalo Wire Works Company, Inc., Petitioner *v.* Department of Housing and Urban Development, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-53. Boeing Company, Petitioner *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-58. Charles Fulton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-63. Department of Public Safety, Commonwealth of the Northern Mariana Islands, Petitioner *v.* Lawrence M. Fleming. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-70. John Deklewa, Theodore Deklewa and Robert Deklewa, dba John Deklewa & Sons and/or John Deklewa & Sons, Inc., Petitioners *v.* National Labor Realties Board, et al.; and

No. 88-306. International Association of Bridge, Structural and Ornamental Iron Workers, etc., Local 3, AFL-CIO, Petitioner *v.* National Labor Relations Board, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-73. Ben Farrell Kirk, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-74. Ingersoll Milling Machine Company, et al., Petitioners *v.* Hydril Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-89. Golden Pacific Bancorp., Petitioner *v.* Robert L. Clarke, Comptroller of the Currency, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-106. Oscar S. Wyatt, Jr., Petitioner *v.* George P. Joufflas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-118. Go Air, Inc., Petitioner *v.* Administrator, Federal Aviation Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-122. County Line Joint Venture, Petitioner *v.* City of Grand Prairie, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-183. Santos Torres, et al., Petitioners *v.* J.F. Enterprises, Inc., et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Wood County, denied.

No. 88-248. Rubloff Inc., Petitioner *v.* Larry Smith. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-249. Stitt Spark Plug Company, Petitioner *v.* Champion Spark Plug Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-251. Hue Kim Sidman, Petitioner *v.* Supreme Court of Florida, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-254. Colin C. J. Anglicker, Petitioner *v.* Benjamin F. Miller, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-257. Casey Rzepka, Petitioner *v.* Gary Jacobsen. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-259. Alton Packaging Corporation, Petitioner *v.* Pollution Control Board, et al. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 88-264. William H. Vogt, III, Petitioner *v.* Sheldon Abish and Mahoney, Cohen & Co., P.C. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-265. John James Badger, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-267. Claire Kelley, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-268. James A. Williams, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-269. Henry Haines Stockton, Petitioner *v.* Beverly Ann Lansiquot, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-277. Seawinds Limited, Petitioner *v.* Nedlloyd Lines, B.V., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-279. Lester D. Antrim, et al., Petitioners *v.* Burlington Northern, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-281. Patricia Sheehan, et al., Petitioners *v.* Purolator, Inc., and Purolator Courier Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-282. William Alter, et al., Petitioners *v.* Edwin M. Schroeder, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-285. Pacindat Mutual Protection & Indemnity Association, Ltd., Petitioner *v.* Travelers Indemnity Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-286. Joseph M. Flynn, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-288. Thomas R. Becnel, et al., Petitioners *v.* Steven J. Dupuis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-290. Donald E. Cannon, Petitioner *v.* Lewanne Rowen, et vir. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 88-294. Guys & Dolls Billiards, Inc., Petitioner *v.* John E. McHale, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-300. National Rifle Association of America, et al., Petitioners *v.* Minnesota State Ethical Practices Board. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-301. Zora S. Gill, Petitioner *v.* Mercy Hospital, et al. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 88-307. Mortgage Mart, Inc., Petitioner *v.* Martin Rechnitzer, etc., et al.; and Ivan Berger, DDS Pension Trust, Petitioner *v.* Elsie Davis, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-308. James N. Constant, Petitioner *v.* Advanced Micro-Devices, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-311. Empire Lumber Company, Petitioner *v.* Washington Water Power Company, et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 88-314. Richard Jackson, Petitioner *v.* St. Joseph State Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-316. Lodell Parks, Sr., Petitioner *v.* Armentris Parks. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 88-319. Thornbury Township, et al., Petitioners *v.* W.D.D., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-343. Patrick T. Murphy, Guardian of Virginia Prange, Petitioner *v.* Margaret Benson, Guardian Ad Litem of Virginia Prange. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-358. Norris Thompson, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-360. John Byron, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-361. Jeffrey L. Lucas, Petitioner *v.* Philadelphia Naval Shipyard, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-362. Robert Wilson, et al., Petitioners *v.* Donald E. Kuenzi, et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-366. Howard S. Levin, et al., Petitioners *v.* Anthony J. Parrillo, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-370. Merle Lee Matlock, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 88-378. Donald A. Boling, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-379. Richard R. Phillips, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-383. Bernard J. Dillon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-388. Fairness in Media, Petitioner *v.* Federal Communications Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-397. Brahma S. Kaushiva, Petitioner *v.* Board of Trustees of the University of the District of Columbia, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-398. Pennsylvania Public Utility Commission, Petitioner *v.* National Railroad Passenger Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-407. Henry Vance, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-409. First National Bank, Lexington, Tennessee, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-425. Robert A. Levy, Petitioner *v.* Regents of the University of California, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-431. Community Federal Savings & Loan Association, Petitioner *v.* Director of Revenue, State of Missouri, et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-439. Philip Leonetti and Salvatore Scafidi, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-440. Gobel Lee Newsome, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-442. Hipolito Rivera-Ramirez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5017. Elvis Jenkins, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-5040. Joseph Lena, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5044. Raymond Luc Levasseur, Thomas William Manning, Carol Ann Manning, Jaan Karl Laaman, Barbara Curzi-Laaman, Richard Charles Williams, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5048. Jeffrey Balawajder, Petitioner *v.* United States District Court for the Northern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5053. William Allen Spencer, Petitioner *v.* United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5055. Anthony Alexander, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5057. Jirik Perez, Petitioner *v.* United States District Court for the Southern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5064. Jerry D. Fairchilde, Petitioner *v.* Laura U. Erickson, aka Laura U. Schuller, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5073. William L. Gallo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5078. John Doe, a Minor, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5115. George Lee Mixon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5127. Adib Aqeel, Petitioner *v.* United States District Court for the Southern District of Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5128. William Alexander Lewis, William Lenard Lewis, Muriel S. King, Robert A. McGee, Theodore R. Jones, Larry E. Branson, and Eddie L. Green, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5133. Milton Dale Falkner, Petitioner *v.* Charlie Jones, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5203. Andrew John Walker, Petitioner *v.* Maryland Public Defender Office, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5230. John A. Caldwell, Petitioner *v.* Bureau of Federal Prisons. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5234. Shawn Flynn, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 88-5235. Raymond E. James, Petitioner *v.* Federal Bureau of Investigation, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5250. Mirza M. Sherazee, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5253. Willis F. Streater, Petitioner *v.* Hallem H. Williams, Jr., Director, District of Columbia Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5257. Steven J. Wood, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-5260. John M. Ferenc, Petitioner *v.* Internal Revenue Service. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5265. Leonard E. Fleegle, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-5268. Philip M. Kitchen, Petitioner *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 88-5269. Keith D. Bell, Petitioner *v.* Robert G. Borg, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5272. Daniel Hines, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 88-5277. Danny Lee Worley, Petitioner *v.* West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 88-5282. Garry De Young, Petitioner *v.* Lucas De Koster, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5283. Garry De Young, Petitioner *v.* Dave O'Brien, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5287. Charles R. Burrell, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5289. Ronald Leroy Koehler, Petitioner *v.* Robert Rees, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5290. Henryne A. Hines, Petitioner *v.* Superior Court of California, Sacramento County, et al. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 88-5291. Jay Cutler, Petitioner *v.* Municipality of Anchorage, Alaska. Petition for writ of certiorari to the Court of Appeals of Alaska denied.

No. 88-5292. Roy Dean Chatman, Petitioner *v.* Jack Cowley, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5293. Robert Earl Cherry, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-5294. Thomas Patrick Empey, Petitioner *v.* Texas Board of Pardons and Paroles, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5295. Daniel Jean Lipsman, Petitioner *v.* Percy Mason. Petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, First Judicial Department, denied.

No. 88-5298. T. B., Sr., Petitioner *v.* Iowa Department of Human Services, et al. Petition for writ of certiorari to the Court of Appeals of Iowa denied.

No. 88-5299. Robert L. Garza, Petitioner *v.* Gary Grammer, Assistant Director, Nebraska Department of Correctional Services, Adult Institutions. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5301. Shirley L. Jupin, Petitioner *v.* Samuel Stetzer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5308. Steven Szarewicz, Petitioner *v.* John P. Joyce, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5311. Alphonso Rogers, Petitioner *v.* George Petsock, Superintendent, State Correctional Institution and Diagnostic and Classification Center at Pittsburgh. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5313. Earl Nash, Petitioner *v.* Tom Ervin. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5316. Catlin Twitty, Petitioner *v.* Manfred Maass. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5317. Mark Lee Pollock, Petitioner *v.* Ronald C. Marshall. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5329. Anthony Casamento, Jr., Petitioner *v.* Northern Virginia Mental Health Institute. Petition for writ of certiorari to the Circuit Court of Virginia, Fairfax County, denied.

No. 88-5331. Leonard O'Neal Sheffield, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5333. Robert L. McClain, Petitioner *v.* William L. Caputo, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5335. John Lee Fisher, Jr., Petitioner *v.* Frank Riddick, Judge, Madison County, Alabama Probate Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5338. Mannie Graves, Jr., Petitioner *v.* Otis Thurman, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5340. Robert C. Hemphill, Petitioner *v.* Daily Gazette Co., Incorporated, et al. Petition for writ of certiorari to the Circuit Court of West Virginia, Kanawha County, denied.

No. 88-5341. Samuel Brown, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 88-5348. Robert Steven Bell, Petitioner *v.* Robert M. Freeman, Superintendent, State Correctional Institution at Camp Hill, Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5351. Donald M. Davis, Petitioner *v.* Ann McLaughlin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5357. Juan V. Perales, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5359. Harry Plyler, et al., Petitioners *v.* Parker Evatt, Commissioner, South Carolina Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5371. Edward Lee Langley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5374. Daniel Henderson Jones, Petitioner *v.* Glenn Haberlain, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5385. Frederick Payne, Petitioner *v.* Carl Robinson, Warden. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-5389. Alfredo Ochoa-Ochoa, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5395. Johnny Bermudez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5426. David Daloia, Petitioner *v.* Charles Rose, Assistant U.S. Attorney, Robert Shea, F.B.I. Agent, Ronald Kosednar, Special F.B.I. Agent, John Coleman, Special F.B.I. Agent, Robert Daley, New York City Police Officer. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5436. David Allen Mann, Petitioner *v.* James Adams, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5500. Erich Otto Freiwald, Petitioner *v.* John Jabe, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-1565. Texas, Petitioner *v.* Otis Len Modgling. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Justice White and Justice Kennedy would grant certiorari.

No. 87-1649. Barbara Boyle, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied. Justice White would grant certiorari.

No. 87-1853. Michael Lauritzen, et ux., Individually and dba Lauritzen Farms, Petitioners *v.* Ann McLaughlin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice White would grant certiorari.

No. 87-1907. John B. Young, Petitioner *v.* Carl E. Langley, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice White would grant certiorari.

No. 87-2037. David Lawrence Kahn, Petitioner *v.* Avnet, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice White would grant certiorari.

No. 87-2047. James B. Feaster, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice White would grant certiorari.

No. 87-7111. Leo Gruenholz and Andrew Federinko, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice White would grant certiorari.

No. 88-93. Union Pacific Railroad Company, et al., Petitioners *v.* Terry F. Moritz, Trustee of Iowa Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice White would grant certiorari.

No. 88-195. Denzil G. Kreisher, Petitioner *v.* Mobil Oil Corporation. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Justice White would grant certiorari.

No. 88-338. Kevin Robinson, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied. Justice White would grant certiorari.

No. 88-339. John H. Stamler, et al., Petitioners *v.* John N. Zamboni. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice White would grant certiorari.

No. 87-1800. Neil Robertson, Executor of the Will of Nora Hand, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Dissenting opinion by Justice Blackmun with whom Justice O'Connor joins.

No. 87-1864. Cleveland Newspaper Guild, Local 1, et al., Petitioners *v.* Plain Dealer Publishing Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice White and Justice Blackmun would grant certiorari.

No. 87-1877. Steve Hartenstine, Petitioner *v.* Superior Court of California, County of San Bernardino (Blue Cross of Southern California, et al., Real Parties in Interest). Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice White would grant certiorari. Justice O'Connor took no part in the consideration or decision of this petition.

No. 87-7118. James B. Ashford, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7119. Raymond Lee Stewart, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7136. Dennis Emerson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7137. Leroy Orange, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7174. Alton Garner Green, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5074. Edgar M. Hendricks, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5131. Samuel Christopher Hawkins, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5198. Raymond Landry, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5300. Terry Dwight Barber, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Western Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5310. Steven Wesley Parkus, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5314. Melvin Meffery Wade, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5330. Keith Daniel Williams, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5383. Richard Norman Rojem, Jr., Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5393. George Mercer, Petitioner *v.* William Armontrout, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5440. Alton Coleman, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-60. Ohio Power Company, Petitioner *v.* Lee M. Thomas, Administrator, United States Environmental Protection Agency, et al. The motion of petitioner to defer consideration of the petition for certiorari is denied. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-182. General Electric Company, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice White and Justice O'Connor would grant certiorari.

No. 88-5135. Oscar Torres-Arboledo, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice White would grant certiorari.

No. 88-5276. Duncan Peder McKenzie, Jr., Petitioner *v.* Jack McCormick, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall. Justice Kennedy took no part in the consideration or decision of this petition.

No. 88-5281. Mitchell Williams, Petitioner *v.* Milton Barwick. Petition for writ of certiorari before judgment to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5315. Earnest Wilson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 88-5319. Donald R. Lego, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

COMMON LAW CERTIORARI DENIED

No. 88-5088. In Re Gregory Hurt, Sr., Petitioner. The petition for a writ of certiorari and/or mandamus is denied.

MANDAMUS DENIED

No. 88-5197. In re Ross Aaron, aka Rosauna Kuran, Petitioner. The petition for writ of mandamus is denied.

REHEARINGS DENIED

No. 87-6489. William Howard, Petitioner *v.* City of Fort Myers, Florida, et al. The petition for rehearing is denied.

No. 87-1149. Laura Reagin, Petitioner *v.* Charles Lawrence Terry and Troy Virgil Terry, etc., et al. The motion of petitioner for leave to file second petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from Monday, October 17, 1988 until Monday, October 31, 1988.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|-------------------------------|
| Gordon Richard Alphonso | Atlanta, GA | Michael J. Bowers |
| Victor M. Arellano | Madison, WI | John H. Bowers |
| Kerry Wallace Bowman | Irving, TX | David A. Donohue |
| James M. Braden | Manassas, VA | David Alan French |
| Blair Gerard Brown | Washington, DC | James William Klein |
| Stephen C. Bruner | Chicago, IL | George B. Christensen |
| Jack J. Burke | Tulsa, OK | Howard Douglas Perkins Jr. |
| Richard L. Byrne | Pittsburgh, PA | William H. Webb |
| Fred James Cassibry | New Orleans, LA | Jack Pierce Brook |
| Michael A. Catalano | Miami, FL | Calianne P. Lantz |
| John J. Chernoski | Trenton, NJ | Joseph L. Yannotti |
| Melanie Rovner Cohen | Chicago, IL | Robert Edward Ginsberg |
| Theodore A. Cohen | Beverly Hills, CA | John H. Weston |
| Robert F. Cohen Jr. | Fairmont, WV | Richard Paul Cohen |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------------|-----------------------|---------------------------------|
| Robert Lynn Coleman | Blytheville, AR | Dan M. Burge |
| John H. Cox | Chicago, IL | Anthony Stanley DiVincenzo |
| Benjamin J. Cox | Leesburg, FL | James F. Keedy |
| Carlos Antonio Del Valle Cruz | San Juan, PR | Irizarry Marcos A. Ramirez |
| Robert William Dace | Oklahoma City, OK | Reid Edward Robison |
| James R. Dagate | Houma, LA | Richard A. Breux |
| Lois C. Davis | New Orleans, LA | Ivan L. R. Lemelle |
| Robin Williams Denick | Baltimore, MD | Lawrence Arthur Wright |
| Michael R. Dreeben | Washington, DC | William Curtis Bryson |
| Karen Wallace Duncan | Benton, AR | Ray Baxter |
| Richard Vincent Earl | Albuquerque, NM | Thomas L. Grisham |
| Hatem Hassanein El-Gabri | Chicago, IL | Judge William J. Bauer |
| David Thomas Evrard | Harrisburg, PA | Vincent Butler |
| Steven August Fabbro | San Francisco, CA | Melvin Belli |
| How Guin Robert Fong | Los Angeles, CA | Joseph Choate |
| Christopher J. Fox | Kirkland, WA | Lowell K. Halverson |
| Michael D. Freeborn | Chicago, IL | Leland William Hutchinson Jr |
| George Louis Fricker | Minneapolis, MN | Robert Warren Gislason |
| Thomas W. Frizzell | Missoula, MT | Raymond P. Tipp |
| Paul E. Galvin | Dallas, TX | Robert Edward Goodfriend |
| Mark Neil Gamson | Los Angeles, CA | Frank H. Menaker Jr. |
| Barbara Joan Gislason | Minneapolis, MN | Robert Warren Gislason |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-------------------------|---------------------------------|
| Robert Jonas Gross | Washington, DC | Nancy Ellen Fridman |
| David Allison Hardesty | Bloomfield Hills, MI | Grady Avant Jr. |
| Charles V. Harrington | Tucson, AZ | John Edmund Lindberg |
| Steven M. Hartmann | Chicago, IL | Leland William Hutchinson Jr |
| John David Hawkins | Bradenton, FL | Larry K. Coleman |
| Bruce Harrison Henderson | Memphis, TN | Frederick John Lewis |
| John H. Herbig | Richmond, VA | Edward R. Parker |
| Thomas Patrick Hogan IV | Oakland, CA | Thomas Herbert Burcham |
| David W. Holman | Houston, TX | Michael W. Perrin |
| John K. Hoover | Orange, CA | John Richard Parker |
| Mary Adele W. Hornish | Madison, NJ | Richard Ernest Arvidson |
| Philip W. Horton | Washington, DC | Steven Gordon Reade |
| Dean K. Hunt | Lexington, KY | Harold Patrick Quinn Jr. |
| Elizabeth MacKay Inkster | Madison, CT | Joette Katz |
| John Alexander Irvine | Houston, TX | John Davis Roady |
| Myles D. Jacobson | Springfield, MA | Linda Jean Thompson |
| Robert A. Kaiser | St. Louis, MO | James E. McDaniel |
| Debra L. Kasper | San Francisco, CA | Daniel Mark Elkort |
| Joshua J. Kaufman | Washington, DC | Ronald L. Goldfarb |
| Jeffrey D. Komarow | Washington, DC | Harold Lee Talisman |
| Rosalie Berger Levinson | Merrillville, IN | John Kappos |
| H. Lee Lewis Jr. | Houston, TX | J. Douglas Sutter |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-------------------------|----------------------------|
| Ernest A. Lindstrom | Minneapolis, MN | Robert Warren Gislason |
| Stafford Mitchell Liss | New York, NY | Michael C. Rosenthal |
| John R. Lively | Fort Worth, TX | Thomas J. Williams |
| Marilyn F. Longwell | Chicago, IL | Robert P. Sheridan |
| Jerry W. Markham | Washington, DC | William P. Rogers |
| Susan C. Marks | Hartford, CT | Julia DiCocco Dewey |
| Charles Stanley Martin | Barre, VT | William A. Nelson |
| William Francis Mastro | Brooklyn, NY | Louis Sangiorgio |
| Robert A. Maxwell | Bloomfield Hills, MI | Grady Avant Jr. |
| Patrick Walter McGovern | Morristown, NJ | Noel C. Crowley |
| Michael R. McMahon | Louisville, KY | Don H. Major |
| Robert Edward McManus | Houston, TX | Mark Lewis Evans |
| Gerard George Metzger | Metairie, LA | Charles T. Curtis Jr. |
| Matthew J. W. Michels | Vermillion, SD | Robert William Michels |
| Gwendolyn T. Mosley | Harrisburg, PA | Amy Zapp |
| John Lawrence Munsch | Pittsburgh, PA | Thoma J. Munsch Jr. |
| Daniel P. Murphy | Winamac, IN | John Arthur Kocher |
| Michael Steven Mussman | Tucson, AZ | Donald Schott Klein |
| Donald Solomon Nathan | Chicgao, IL | Marshall N. Minster |
| Christopher B. Nelson | Chicago, IL | Max Gordon Brittain Jr. |
| Paul L. Nelson | Grand Rapids, MI | Peter R. Tolley |
| Mark E. Newell | Washington, DC | Maureen E. Mahoney |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------------|
| Thomas D. Nissen | Chicago, IL | William J. Harte |
| Richard John O'Brien Jr. | Chicago, IL | Thomas Harvey Morsch |
| Paul R. O'Malley | Chicago, IL | William J. Harte |
| Lynn S. Okin | New York, NY | Mark J. Mandell |
| Avery Eli Okin | Brooklyn, NY | Julius Okin |
| Patrick Hannon Patrick | New Orleans, LA | Robert B. Acomb Jr. |
| Terrill Elise Pierce | Chicago, IL | Max Gordon Brittain Jr. |
| J. Victor Price Jr. | Montgomery, AL | Walter Sanderson Turner |
| Russell H. Putnam Jr. | Columbia, SC | Ernest F. Hollings |
| Lynn E. Quinley | Daphne, AL | Gary Lee Armstrong |
| Carmin C. Reiss | Boston, MA | Francis H. Fox |
| Gino J. Rendeiro | New Orleans, LA | John Roumain Peters Jr. |
| James R. Reynolds | Kennett, MO | Wendell W. Crow |
| William G. Ripp | Commack, NY | Floyd Sarisohn |
| Douglas Stuart Roberts | Columbus, OH | Harry Robert Reinhart |
| Stephen T. Rodd | New York, NY | Stephen P. Hoffman |
| Kim Ellen Rosenfield | Birmingham, AL | Harold I. Apolinsky |
| Wanda Hill Rouzan | Sacramento, CA | Janice Rogers Brown |
| Stephen G. Rudisill | Chicago, IL | Thomas O. Arnold |
| Dan T. Ryerson | Minneapolis, MN | Robert Warren Gislason |
| Wendy Butcher Samuel | Columbia, MD | Jerome S. Plapinger |
| Jane S. Schacter | Cambridge, MA | James M. Shannon |
| A. James Scholz | Millbrae, CA | Merrill Glen Emerick |
| William B. Schwartz | New Orleans, LA | James G. Burke Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-----------------------------|
| David M. Shaw | Evansville, IN | William J. Brune |
| David Taylor Shelledy | Washington, DC | Douglas Eurico Rosenthal |
| James Theo Shirley Jr. | Ewing, NJ | Richard G. Ashworth |
| Henry E. Sikorski | San Francisco, CA | Bernard Tannenbaum |
| Fred Chris Smith | Sante Fe, NM | Jeff Bingaman |
| Chester Leo Smith | Los Angeles, CA | Aaron Martin Peck |
| Garry W. Solmonson | San Jose, CA | Donald Joe Devries |
| Ray M. Stewart | Picayune, M | Delos H. Burks |
| John Stephen Stoppelman | Washington, DC | Richard Gregory Littell |
| Jeanne T. Tate | Tampa, FL | David G. Hanlon |
| Keith R. Taylor | Lenexa, KS | Andrew D. Lyons |
| Adam Thurschwell | Philadelphia, PA | Hubert Thurschwell |
| Jan T. VanLoon | New Orleans, LA | Jack Pierce Brook |
| John Edmund Varpness | Minneapolis, MN | Robert Warren Gislason |
| Judith Best Wait | Philadelphia, PA | Ralph W. Brenner |
| John Knox Walkup | Nashville, TN | W. J. Michael Cody |
| William Tracey Weber Jr. | Weston, WV | E. Barrett Prettyman Jr. |
| Joe Louis Webster | Chapel Hill, NC | Steven Alan Bernholz |
| Peter Wessel | New York, NY | Milton R. Wessel |
| Steven Gregory White | Waco, TX | Pat Beard |
| George Burns White Jr. | Gadsden, AL | Thomas E. Davis |
| Kent C. Wilson | San Ramon, CA | David W. Girard |
| Amy Elise Wind | Washington, DC | James H. Heller |
| Christopher H. Wing | Sacramento, CA | Clyde Maurice Blackmon |
| Ronald Dee Wren | Dallas, TX | C. L. Mike Schmidt |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------|-----------------------|---------------------------|
| Kerry William Young | Dallas, TX | Michael Edward Keasler |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|------------------------------|
| Roger Charles Mitten | Phoenix, AZ | John J. O'Connor, III |
| Brenda McGee | Knoxville, TN | Dean Hill Rivkin |
| G. Michael German | San Francisco, CA | Mark S. Flynn |
| Edith Shafrock Newman | Los Angeles, CA | Joel S. Aaronson |
| Daniel Charles McKay, II | Washington, DC | John Joseph Spidi |
| John Albert Gonnella | Caldwell, NJ | Ely Hurwitz |
| George Alpheus Lyons | Columbus, OH | Gregory Lawrence Ayers |

ORAL ARGUMENTS

No. 87-1097. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Georgetown University Hospital, et al. Argued by Mr. Richard J. Lazarus for the petitioner and by Mr. Ronald N. Sutter for the respondents.

No. 87-746. Michael H. and Victoria D., Appellants *v.* Gerald D. Argued by Mr. Robert A. W. Boraks for the appellants and by Mr. Larry M. Hoffman for the appellee.

No. 86-1904. Arizona, Petitioner *v.* Larry Youngblood. Argued by Mr. John R. Gustafson for the petitioner and by Mr. Daniel F. Davis for the respondent.

No. 87-751. Frank C. Carlucci, Secretary of Defense, et al., Petitioners *v.* John Doe. Argued by Mr. Michael K. Kellogg for the petitioners and by Mr. John G. Gill, Jr., for the respondent.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|-----------------------|
| Ivy L. Davis | Newark, NJ | Peter W. Rodino, Jr. |
| Jonathan David Morgenstern | Dallas, TX | Conrad J. Morgenstern |
| Christine Kitchel | Portland, OR | Frederick Porter Hitz |
| Jan Kelly Kitchel | Portland, OR | Frederick Porter Hitz |
| Wendie Ann Gerus | Columbus, OH | David Clark Stebbins |
| Ilene Davidson Johnson | Chicago, IL | Jerome F. Goldberg |
| William G. Clark, Jr. | Chicago, IL | Jerome F. Goldberg |
| William Robert Irvin | Washington, DC | Dennis Gange Linder |
| Jane B. McCullough | Chicago, IL | Kimball R. Anderson |
| Clifford Gregory Stewart | Trenton, NJ | Arthur Kinoy |
| Barbara G. Stephenson | Albuquerque, NM | Douglas Ross |
| Arleen C. Anderson | Chicago, IL | Terence M. Madsen |
| Robert J. Ruiz | Chicago, IL | Terence M. Madsen |

ORAL ARGUMENTS

No 87-107. Brenda Patterson, Petitioner *v.* McLean Credit Union. Reargued by Mr. Julius LeVonne Chambers for the petitioner and by Mr. Roger S. Kaplan for the respondent.

No. 87-826. Jerome F. Goldberg and Robert McTigue, Appellants *v.* Roger D. Sweet, Director, Illinois Department of Revenue, et al.; and

No. 87-1101. GTE Sprint Communications Corporation, Appellant *v.* Roger D. Sweet, etc., et al. Argued by Mr. Walter A. Smith, Jr., for the appellants and by Mr. Andrew L. Frey for the appellees.

No. 87-6116. Steven A. Penson, Petitioner *v.* Ohio. Argued by Mr. Gregory L. Ayers for the petitioner and by Mr. Mark B. Robinette for the respondent.

No. 87-5677. Warren Lee Harris, Petitioner *v.* Marvin Reed, Warden, et al. Argued by Mr. Kimball R. Anderson for the petitioner and by Mr. Robert V. Shuff, Jr., for the respondents.

Adjourned until Monday, October 17, 1988 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-289. Walter Bell, Jr., Applicant *v.* James A. Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of sentence of death, presented to Justice White and by him referred to the Court, is granted pending the timely filing and disposition by this Court of a petition for a writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for a writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice Marshall, Justice Blackmun, Justice Stevens, and Justice O'Connor.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

OPINION PER CURIAM

No. 88-139. James A. Rhodes, et al., Petitioners *v.* Larry Stewart. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The petition for a writ of certiorari is granted. Judgment reversed and case remanded to the United States Court of Appeals for the Sixth Circuit for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Justice Marshall. Dissenting opinion by Justice Blackmun with whom Justice Brennan joins.

APPEAL—SUMMARY DISPOSITION

No. 86-1034. Virginia, Appellant *v.* American Booksellers Association, Inc., et al. Appeal from the United States Court of Appeals for the Fourth Circuit. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Commonwealth of Virginia v. American Booksellers Association, Inc., et al.* — Va. — (Sept. 23, 1988)

ORDERS IN PENDING CASES

No. D-710. In the Matter of Disbarment of Terrence J. Ford. Disbarment order entered.

No. D-715. In the Matter of Disbarment of Charles A. Youts. Disbarment order entered.

No. D-737. In the Matter of Disbarment of Gerald Weatherly. It is ordered that Gerald Weatherly, of Dallas, Texas, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-738. In the Matter of Disbarment of Jerome Joseph Burke, Jr. It is ordered that Jerome Joseph Burke, Jr., of West Hempstead, New York, be suspended from the practice of law in this Court and that a

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

No. D-739. In the Matter of Disbarment of Ronald R. Benjamin. The motion of Ronald R. Benjamin to be suspended from the practice of law in this Court for six months, *nunc pro tunc*, is denied.

It is ordered that Ronald R. Benjamin, of Binghamton, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-201. Gerald E. Mansell, Appellant *v.* Gaye Mansell. The motion of the Solicitor General for leave to file a brief as *amicus curiae*, out-of-time, is granted.

No. 87-1245. Texas Monthly, Inc., Appellant *v.* Bob Bullock, Comptroller of Public Accounts of the State of Texas, et al. The motion of appellant for leave to file a reply brief, out-of-time, is denied.

No. 87-1383. United States, Appellant *v.* Irwin Halper. John G. Roberts, Jr., Esquire, of Alexandria, Virginia, a member of the Bar of this Court, is invited to brief and argue this case, as *amicus curiae*, in support of the judgment below.

No. 87-1868. Mead Corporation, Petitioner *v.* B. E. Tilley, et al. The motion of respondents to substitute Richard H. Wall, Executor of the Estate of David H. Wall, in place of David H. Wall, deceased, is denied.

No. 87-5765. Kevin N. Stanford, Petitioner *v.* Kentucky. The order of October 11, 1988, granting the petition for a writ of certiorari is amended as follows:

"The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted limited to Question VIII presented by the petition. The case is set for oral argument in tandem with No. 87-6026, *Wilkins v. Missouri*, in place of No. 87-5666, *High v. Zant*."

No. 88-348. New Orleans Public Service, Inc., Petitioner *v.* Council of City of New Orleans, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

APPEAL—JURISDICTION NOTED

No. 88-389. Public Employees Retirement System of Ohio, Appellant *v.* June M. Betts. Appeal from the United States Court of Appeals for the Sixth Circuit. The motion of appellee for leave to proceed *in forma pauperis* is granted. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-10. Harte-Hanks Communications, Inc., *Petitioner v. Daniel Connaughton*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 88-155. Texas, *Petitioner v. Gregory Lee Johnson*. Petition for writ of certiorari to the Court of Criminal Appeals of Texas granted.

No. 88-40. United States, *Petitioner v. Frank S. Zolin, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Justice Brennan took no part in the consideration or decision of this petition.

CERTIORARI DENIED

No. 87-2006. Illinois, *Petitioner v. Lowell Madison*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 87-2111. Easter House, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-7203. Willie Burton, Jr., *Petitioner v. Marvin Evans, Jr.* Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7226. Steven Mark Gibbons, aka "Turk", *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7244. Titus Edwin Aaron, *Petitioner v. George E. Sullivan, Warden, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7254. Kenneth E. Murphy, *Petitioner v. Jerry Hedrick, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7282. Thereza Goes Macioce, *Petitioner v. California*. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-121. Larry D. Barnette, et al., *Petitioners v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-146. Miguel Matos, *Petitioner v. Eugene S. LeFevre, Superintendent, Clinton Correctional Facility*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-158. Phoenix Canada Oil Company Limited, Petitioner *v.* Texaco Petroleum Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-169. Samuel Loring Morison, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-173. Lois Linnquist, etc., Petitioner *v.* Otis R. Bowen, Secretary, Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-205. Doyle E. Campbell, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-255. Warren Garrett, Petitioner *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-313. Hallmark Cards, Incorporated, et al., Petitioners *v.* Hartford House, Ltd., dba Blue Mountain Arts, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-329. Stephen J. Bodnar, et al., Petitioners *v.* Synpol, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-330. American Cyanamid Company, Petitioner *v.* Tracy Isabel Abbot, a minor, who sues by her mother and next friend Deborah Abbot. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-331. Michael Lane, et al., Petitioners *v.* James Davenport, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-332. Amos E. Reed, Petitioner *v.* Guenter Mannhalt. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-335. Flip Side Productions, Inc., et al., Petitioners *v.* Jam Productions, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-337. Pierce County District Court Probation Office, et al., Petitioners *v.* Jean Elliott, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-344. G. Robin Oscar, Petitioner *v.* Clovervale Foods Processing, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-346. Anthony Minizza, et al., Petitioners *v.* Stone Container Corp. Corrugated Container Div. East Plant, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-351. Richard Drinkwater, Petitioner *v.* Metropolitan Life Insurance Co. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-359. Dale G. Button, et ux., Petitioners *v.* Connecticut General Life Insurance Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-363. Daniel Fournier, et ux., Petitioners *v.* Petroleum Helicopters, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-365. April Rivard, et al., Petitioners *v.* Chicago Fire Fighters Union, Local No. 2, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-368. Thomas G. Koch, Petitioner *v.* City of Hutchinson, Kansas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-430. Gerald Drasen, Anthony Aleo, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-457. Gilbert Nelson and George Shamy, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-471. Joe Watts Martin, Sr., et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-475. Fernando de Izaguirre, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-498. Nicodemo Scarfo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-501. C. Michael Leigh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-509. Vito Giacalone, Mario Agosta, Albert Hady, Jack V. Giacalone and Anthony D. Giacalone, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5004. Michael Leon Hill, Petitioner *v.* Edward W. Murray, Director, Virginia Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5104. Gregory Lewis Harden, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5160. Juel James Sitting Holy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5222. Robert Gacho, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-5266. Terrence L. Lewis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5344. Marvin Bobo, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-5352. Charles Bowens, Petitioner *v.* Wayne Snow, Jr., Chairman, Georgia Board of Pardons and Paroles, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5364. James Sundstrom Sullivan, et ux., Petitioners *v.* James F. Crawford, et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-5365. Wera Szemborski, Petitioner *v.* Bonanza Investment Company. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District I, denied.

No. 88-5366. George Taylor, Petitioner *v.* Bunge Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5367. Harriett Ross, Petitioner *v.* Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5369. Larry D. Thomas, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-5370. John Joseph Simmons, Petitioner *v.* Robert Lewis Vogle, Jr, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5372. Robert L. Jones, Petitioner *v.* Lanson Newsome, Superintendent, Georgia State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5386. Michael Sindram, Petitioner *v.* Theodore Taylor. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-5387. Albert W. White, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5401. Hercules William Cowling, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5402. Kent Oppel, Petitioner *v.* Larry R. Meachum, Commissioner, Connecticut Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5405. Zakee Muhammad Iddeen *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5409. Ronald H. Pacheco, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5413. Russell Thomas Peppard, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5417. Beauvais Brunot, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5423. Michael Lynn Kelley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5427. Paul E. M. Collin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5431. Bartehqua Nimely Wisseh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5444. Victor Lara, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5453. Angel Rodriguez-Quinones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5456. Jose David Hurtado, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5457. R. J. Bauer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5458. Leonard Duty, Jr., Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5460. Ronald Servidio, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5463. Scott Little, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5466. Charles Alva Parker, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5476. Edwin Madamba, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5484. Gilbert Madrid, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5485. David Michael Scates, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5490. Charles Edward Gordon, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5494. Elias Rodriguez-Delgado, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5499. Salvador Sandoval Vargas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5502. Edward Locke, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 87-1942. Florida, Petitioner *v.* Horace Brown. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-345. Florida, Petitioner *v.* Oliver Wendall Belcher. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 87-6703. Douglas Vincent Metheny, Petitioner *v.* M. C. Hamby, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Dissenting opinion by Justice White.

No. 87-7311. Dewaine Poindexter, Petitioner *v.* Ohio. Petition for writ of certiorari to Supreme Court of Ohio denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 87-7322. William Bryant, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice White would grant certiorari for the reasons set forth in his dissent in No. 87-6703, *Metheny v. Hamby*, 488 U.S. — (1988)

No. 88-115. United Kingdom Mutual Steamship Assurance Association (Bermuda) Ltd., et al., Petitioners *v.* State Establishment for Agricultural Product Trading. The motion of Maritime Law Association of the United States for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-153. Texaco Petroleum Company, et al., Petitioners *v.* Phoenix Canada Oil Company, Limited. The motion of Rule of Law Committee for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-191. United Gas Pipe Line Company, Petitioner *v.* Louisiana Power & Light Company, et al. The motion of Interstate Natural Gas Association of America for leave to file a brief as *amicus curiae*

is granted. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 88-220. Cheryl Ann Vielle, Petitioner *v.* William Joseph Baisley. The motion of Blackfeet Tribe of the Blackfeet Reservation in Montana for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-247. Prudential-Bache Securities, Inc., Petitioner *v.* J. Richard Finn, et ux. The motion of respondents for award of attorney's fees and costs is denied. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 88-274. David O. Wilson, Petitioner *v.* Anna M. Harelson, et al. The motion of petitioner to defer consideration of the petition for certiorari is denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5173. Edward Spreitzer, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5193. Willie Enoch, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5432. James Richard Odle, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-5270. In Re Joseph Dennis, Petitioner. The petition for writ of mandamus and/or prohibition is denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|---------------------------|
| Richard Nicholson Adams | New York, NY | Marlene Welch Lee |
| Thomas Stuart Anderson | Vallejo, CA | William H. Archambault |
| Erica Borden Baird | New York, NY | John Roscoe Hupper |
| Courtenay Lee Bass | Dallas, TX | James Jay Lee |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|------------------------|---------------------------|
| Alice Lane Bodley | Washington, DC | H. Stephan Gordon |
| S. Franklin Burford | Elkins, WV | J. Fred Queen |
| Mark Ellis Burt | Chicago, IL | Michael Ellis Pildes |
| Robert H. Cohen | Silver Spring, MD | Marshall Fox Berman |
| Martin J. Cunningham, Jr. | Blue Bell, PA | Armand I. Robinson |
| J. David Dantzler, Jr. | Atlanta, GA | Charles E. Campbell |
| Guy Britton Davidson, Sr. | Baton Rouge, LA | Philip Collins Kobetz |
| Robert Bruce Ebersole | Lansing, MI | Kim Warren Eddie |
| Steven P. Fixler | Cincinnati, OH | Christian B. Stegeman |
| Marguerite Ruth Goodman | Philadelphia, PA | Harold E. Kohn |
| Fred H. Grimes | Paducah, KY | Joseph S. Freeland |
| Russell Henry Harbaugh, Jr. | Tulsa, OK | James R. Ryan |
| Louis N. Hiken | Davis, CA | Roger L. Gambatese |
| Douglas Lee Inhofe | Tulsa, OK | John S. Athens |
| C. Brian James | Detroit, MI | Charles Gerald Hemming |
| Charles Eric Jones, Jr. | Sweetwater, TX | Charles R. Griggs |
| Jeffrey Leon Kantowitz | Newark, NJ | Arnold K. Mytelka |
| James Michael Kaup | Topeka, KS | Brian John Moline |
| Jeffrey H. Kay | Fort Lauderdale, FL | Jon May |
| Brian Coleman Kelly | Reno, NV | Richard W. Horton |
| George Lavdas | Washington, DC | Lois Williams |
| Michael R. Longo, III | Los Angeles, CA | Burton R. Popkoff |
| David A. Lourie | Portland, ME | Robert Edmond Mittel |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|---|
| Laurel Pyke Malson | Washington, DC | Joel I. Klein |
| Paul Joseph McMahon | Weston, CT | Thomas E. Mellon, Jr. |
| M. Scott Nickson, Jr. | Dallas, TX | Andrew M. Kramer |
| Timothy O. Nolen | Blue Bell, PA | Armand I. Robinson |
| Anthony A. Petrocchi | Dallas, TX | Robert Henry Renneker |
| Denise Martino Phelan | Hartford, CT | Andrew Joseph O'Keefe |
| Laurence L. Priddy | Fort Worth, TX | Arthur John Brender, Jr. |
| Daniel Harold Pyscher | Mt. Pleasant, MI | Timothy J. Taylor |
| Bernard J. Rosenthal | New York, NY | Harold A. Segall |
| James Hayward Roussel | New Orleans, LA | George W. Healy, III |
| James W. Rude | Minneapolis, MN | Charles Alexander Porter, Jr. |
| Peter F. Sheridan | Sweetwater, TX | Charles R. Griggs |
| James Douglas Skaar | Geneva, IL | Allen Lee Landmeier |
| Karla Denyce Smith | Washington, DC | Irwin Bernard Rothschild, II |
| Raymond K. Stafford | Westfield, NJ | Honorable Charles Fried, Solicitor General of the United States |
| Paul E. Stanzler | Boston, MA | Peter J. Schneider |
| Raymond C. Thompson | Diboll, TX | James R. Cornelius, Jr. |
| Rolf Ulleberg | Duluth, MN | Keith M. Brownell |
| Charles Augustus Verderame | New Orleans, LA | Thomas Lewis Giraud |
| James M. Vukelic | Bismarck, ND | Laurie J. Loveland |
| Jack Gumpert Wasserman | New York, NY | Louis Schneider |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|------------------------|
| Marc Gerhard Wilhelm | Anchorage, TX | R. Collin Middleton |
| Wendy Ellen York | Albuquerque, NM | Stephen D. McCue |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|--------------------------|
| Trisha Anne Zeller James | Louisville, KY | Romano L. Mazzoli |
| Michael Leslie James | Louisville, KY | Romano L. Mazzoli |
| John Gregory Burton | Louisville, KY | Romano L. Mazzoli |
| John Catlett Bruffey Jr. | Atlanta, GA | Patrick K. Hetrick |
| James Franklin Cook Jr. | Atlanta, GA | Patrick K. Hetrick |
| John Graham Clark III | Greenville, NC | Patrick K. Hetrick |
| Isaac Cortes Jr. | Clinton, NC | Patrick K. Hetrick |
| James Durant Foster | Concord, NC | Patrick K. Hetrick |
| William Paul Harper Jr. | Raleigh, NC | Patrick K. Hetrick |
| Billy Davis Horne Jr. | Raleigh, NC | Patrick K. Hetrick |
| Donald Williams Marcari | Virginia Beach, VA | Patrick K. Hetrick |
| Beverly Wheeler Massey | Buies Creek, NC | Patrick K. Hetrick |
| Warren Thomas Portwood Jr. | Hickory, NC | Patrick K. Hetrick |
| Andrew Peter Tennent | Charlotte, NC | Patrick K. Hetrick |
| William Philip Carlucci | Williamsport, PA | John C. Youngman Sr. |
| Dudley N. Anderson | Williamsport, PA | John C. Youngman, Sr. |
| David R. Bahl | Williamsport, PA | John C. Youngman, Sr. |
| Robert Walton Ferrell III | Picture Rocks, PA | John C. Youngman, Sr. |
| Richard A. Gray | Williamsport, PA | John C. Youngman, Sr. |
| J. Howard Langdon | Muncy, PA | John C. Youngman, Sr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-------------------------|--------------------------|
| Norman M. Lubin | Williamsport, PA | John C. Youngman, Sr. |
| Daniel K. Mathers | Williamsport, PA | John C. Youngman, Sr. |
| Steven John Moff | Williamsport, PA | John C. Youngman, Sr. |
| William E. Nichols | Williamsport, PA | John C. Youngman, Sr. |
| George R. Price Jr. | Williamsport, PA | John C. Youngman, Sr. |
| Stephen Charles Sholder | Williamsport, PA | John C. Youngman, Sr. |
| Ralph Weymouth Thorne | Williamsport, PA | John C. Youngman, Sr. |
| Richard Anthony Vanderlin | Williamsport, PA | John C. Youngman, Sr. |
| Kristine L. Waltz | Williamsport, PA | John C. Youngman, Sr. |
| Robert B. Wayne | Williamsport, PA | John C. Youngman, Sr. |
| Gary L. Weber | Williamsport, PA | John C. Youngman, Sr. |
| Robert James Wollet | Williamsport, PA | John C. Youngman, Sr. |
| Virginia Hommel Gaburo | San Diego, CA | Helane H. Smith |
| Judith M. Cordover | Greenwich, CT | Helane H. Smith |
| Cynthia R. Exner | New Milford, CT | Helane H. Smith |
| Andrew F. Kordas | Norwalk, CT | Helane H. Smith |
| Beverly M. Krieger | Norwalk, CT | Helane H. Smith |
| Claudia Jackson Marchak | New Milford, CT | Helane H. Smith |
| John E. McCauley | Bethel, CT | Helane H. Smith |
| Janet A. Johnson | White Plains, NY | Helane H. Smith |
| Toni Belford Damiano | Little Falls, NJ | Helane H. Smith |
| James Bernard Dudley | Metuchen, NJ | Helane H. Smith |
| Edwin A. Andrews III | Pelham, NY | Helane H. Smith |
| Patricia L. Campanaro | Hopewell Junction, N | Helane H. Smith |
| Richard Henry Davidson | Mahopac, NY | Helane H. Smith |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------------|--------------------------|-----------------|
| Susan D. Fitzpatrick | Ossining, NY | Helane H. Smith |
| Salvatore Anthony Gaetani | White Plains, NY | Helane H. Smith |
| Cynthia Martha Harris | New York, NY | Helane H. Smith |
| James J. Hennessey | Albany, NY | Helane H. Smith |
| Jay J. Hochfelsen | Bayside Hills, NY | Helane H. Smith |
| John Albert Humbach | Mount Vernon, NY | Helane H. Smith |
| Diane Kathryn Kanca | New York, NY | Helane H. Smith |
| Jeffrey Mark Katz | Scarsdale, NY | Helane H. Smith |
| Jeffrey Steven Kuropatkin | Mount Kisco, NY | Helane H. Smith |
| Catherine T. O'Toole Lauritano | New Rochelle, NY | Helane H. Smith |
| Arleen Lewis | New City, NY | Helane H. Smith |
| Christopher Lynn | New York, NY | Helane H. Smith |
| Paul Hamilton Martinez | White Plains, NY | Helane H. Smith |
| Elizabeth B. McCormick | White Plains, NY | Helane H. Smith |
| Ruth M. Melnikoff | White Plains, NY | Helane H. Smith |
| Joan Teresa Murphy | New Windsor, NY | Helane H. Smith |
| Danielle Newman | Queens, NY | Helane H. Smith |
| Terrence Michael Parker | Belfast, NY | Helane H. Smith |
| Marla B. Rubin | New York, NY | Helane H. Smith |
| Richard A. Santana | Croton-on- Hudson, NY | Helane H. Smith |
| Irma Slavin | White Plains, NY | Helane H. Smith |
| Stuart Martin Steinberg | Garden City, NY | Helane H. Smith |
| Karen J. Suraci | New Rochelle, NY | Helane H. Smith |
| Carol Ellen Thorne | Peekskill, NY | Helane H. Smith |
| Michael J. Tomkovitch | Hopewell Junction, N | Helane H. Smith |
| Adele K. Waine | White Plains, NY | Helane H. Smith |
| Eric Alan Wughalter | Bronx, NY | Helane H. Smith |
| Marc P. Zylberberg | Poughkeepsie, NY | Helane H. Smith |
| Michael George Stuart | Portland, OR | Helane H. Smith |
| Lisa Britt Dickens | Bridgton, ME | Helane H. Smith |

Adjourned until Monday, October 31, 1988 at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 65, **Original**. State of Texas, Plaintiff *v.* State of New Mexico. It is ordered that D. Monte Pascoe, Esquire, of Denver, Colorado, be appointed Special Master in place of Charles J. Meyers, deceased.

The Special Master shall have authority to fix the time and conditions for the filing of additional pleadings and to direct subsequent proceedings, and with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem it necessary to call for. The Special Master is directed to submit such reports as he may deem appropriate.

The compensation of the Special Master, the allowances to him, the compensation paid to his legal, technical, stenographic, and clerical assistants, the cost of printing his report, and all other proper expenses, including travel expenses, shall be charged against and be borne by the parties in such proportion as the Court may hereafter direct.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-317. William Armontrout, Warden, Applicant *v.* George Mercer. The application for the Attorney General of Missouri for an order to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Eighth Circuit presented to Justice Blackmun and by him referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 88-5687. Leo E. Edwards, Jr., Petitioner *v.* Gene A. Scroggy, Commissioner, Mississippi Department of Corrections, et al. The application for stay of execution of sentence of death presented to Justice White and by him referred to the Court is granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court. Justice Scalia took no part in the consideration or decision of this application.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-319. Ronald Woods, Applicant *v.* Florida. The application for stay of execution of sentence of death, presented to Justice Kennedy and by him referred to the Court, is denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Blackmun and Justice Stevens would grant the application for stay.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

OPINION PER CURIAM

No. 88-161. Pennsylvania, Petitioner *v.* Thomas A. Bruder, Jr. On petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office. The petition for a writ of certiorari is granted. Judgment reversed and case remanded to the Superior Court of Pennsylvania for further proceeding not inconsistent with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Justice Marshall. Dissenting opinion by Justice Stevens with whom Justice Marshall joins.

APPEALS—SUMMARY DISPOSITION

No. 87-2058. Cornhusker Christian Childrens Home, Inc., Appellant *v.* Department of Social Services of Nebraska, et al. Appeal from the Supreme Court of Nebraska. The appeal is dismissed for want of a substantial federal question.

No. 88-177. VECO International, Inc., et al., Appellants *v.* Alaska Public Offices Commission. Appeal from the Supreme Court of Alaska. The appeal is dismissed for want of a substantial federal question.

No. 88-228. Jeffrey St. Hilaire, Appellant *v.* Maine. Appeal from the Supreme Judicial Court of Maine. The appeal is dismissed for want of a substantial federal question.

No. 88-320. Thomas Robert Kammer, Appellant *v.* Christine J. Young. Appeal from the Court of Special Appeals of Maryland. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-413. Raymond L. Bovino, Appellant *v.* Middlesex County Board of Social Services. Appeal from the Superior Court of New Jersey, Appellate Division. The appeal is dismissed for want of jurisdic-

tion. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5439. Matthew S. Ikeni, Appellant *v.* California Superior Court of Fresno County and State Farm Fire and Casualty Insurance Company. Appeal from the Court of Appeal of California, Fifth Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5464. Lowell Buller, et al, Appellants *v.* Hurley State Bank. Appeal from the Supreme Court of South Dakota. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-381. John Geever, et ux., Appellants *v.* Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of jurisdiction. Justice Brennan, Justice Marshall and Justice Stevens would note probable jurisdiction and set the case for oral argument.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1467. Exxon Company, U.S.A., Petitioner *v.* Banque de Paris et des Pays-Bas. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The judgment is vacated and case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Kerr Construction Co. v. Plains National Bank*, No. 07-86-0205-CV. (Tex. App. — Amarillo 1987, writ denied).

No. 88-28. Cyril Onwuasoanya, Petitioner *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the District of Columbia Circuit with instructions to dismiss the proceedings arising out of petitioner's Rule 41(e) motion as moot. *United States v. Muningswear*, 340 U.S. 36, 38-39 (1950).

No. 88-41. Board of Governors of State Colleges and Universities, et al., Petitioners *v.* Robin Akins, et al. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Torres v. Oakland Scavenger Company*, 487 U.S. — (1988).

ORDERS IN PENDING CASES

No. A-253. Vincent Victor Roggio, Applicant *v.* United States. The application for release pending appeal addressed to Justice Brennan and referred to the Court is denied.

No. 65, **Original.** State of Texas, Plaintiff *v.* State of New Mexico. The motion for allowance of fees and disbursements on behalf of the late Charles J. Meyers, Special Master, is granted and the allocation for total services and disbursements set forth in the motion is approved. This amount is to be paid equally by the parties. Justice Stevens took no part in the consideration or decision of this motion.

No. 112, **Original.** State of Wyoming, Plaintiff *v.* State of Oklahoma. The motion of defendant to dismiss the complaint is denied. Defendant is allowed 30 days within which to file an answer.

No. 87-201. Gerald E. Mansell, Appellant *v.* Gaye Mansell. The motion of Women's Equity Action League, et al., for leave to file a brief as *amici curiae* is granted.

No. 87-1855. Thomas K. Gilhool, Secretary of Education of Pennsylvania, Petitioner *v.* Russell A. Muth, Jr., et al. The motion of respondent Russell A. Muth for leave to proceed further herein *in forma pauperis* is granted.

No. 87-1939. Geoffrey W. Barnard, etc., Petitioner *v.* Susan Esposito Thorstenn, et al.; and

No. 87-2008. Virgin Islands Bar Association, Petitioner *v.* Susan Esposito Thorstenn, et al. The motion of Paul Hoffman, et al., for leave to file a brief as *amici curiae* is granted.

No. 87-2066. W. S. Kirkpatrick & Co., Inc., et al., Petitioners *v.* Environmental Tectonics Corporation, International. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-399. Billie Hammond, Petitioner *v.* Terminal Railroad Association of St. Louis. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-317. Jack R. Duckworth, Petitioner *v.* Gary James Eagan. The motion for appointment of counsel is granted and it is ordered that Howard B. Eisenberg, Esquire, of Carbondale, Illinois, is appointed to serve as counsel for the respondent in this case.

No. 88-5412. Agnes L. Foy, et vir, Petitioners *v.* Northeast Suburban Life. The motion of petitioners for leave to proceed *in forma*

pauperis is denied. Petitioners are allowed until November 21, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5416. Jacques D. Christian, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 21, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5480. Oscar E. Weigang, Jr., Appellant, *v.* Pearl River County Board of Supervisors, et al. The motion of appellant for leave to proceed *in forma pauperis* is denied. Appellant is allowed until November 21, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a statement as to jurisdiction in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would dismiss the appeal without reaching the merits of the motion to proceed *in forma pauperis*.

APPEAL—JURISDICTION NOTED

No. 87-2127. American Foreign Service Association, et al., Appellants *v.* Steven Garfinkel, Director, Information Security Oversight Office, et al. Appeal from the United States District Court for the District of Columbia. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-411. Edward W. Murray, Director, Virginia Department of Corrections, et al., Petitioners *v.* Joseph M. Giarratano, Johnny Watkins, Jr., and Richard T. Boggs, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

CERTIORARI DENIED

No. 87-1350. O.N.E. Shipping, Ltd., Petitioner *v.* Flota Mercante Grancolombiana, S.A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7129. Vincent Scartz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7143. Louis Cosentino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-7159. Arthur Minkoff Clawson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7168. Roy Wolf and Lorna Manlolo Wolf, aka Lorna Manlolo McDevitt, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-7170. James Michael Whittington, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 87-7223. Lawrence Lewis, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7228. Juanita W. Dailey, Petitioner *v.* West Virginia Department of Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7243. John E. Lameron, Petitioner *v.* Larry W. Powers, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7276. Hughes Anderson Bagley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7284. William E. Martin, Petitioner *v.* Terry L. Morris. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-7347. Ramon Sosa, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-12. George M. Morton, et ux., Petitioner *v.* Tom Gardner, Executive Director, Department of Natural Resources of Florida. Peti-

tion for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 88-20. James A. Bradshaw, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-37. Carlin Communications, Inc., et al., Petitioners *v.* Federal Communications Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-120. Venita VanCaspel, et al., Petitioners *v.* Charles T. Corwin, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-168. Kansas, Petitioner *v.* Lloyd D. Clothier. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 88-170. Mary Dangerfield Bengivenga, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-189. Bell Atlantic, Petitioner *v.* American Telephone and Telegraph Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-197. Ithaca Industries, Inc., Petitioner *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-202. Victor Herrera-Diaz, a Minor, by and through his Guardian, Janet Mary Herrera-Diaz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-210. Ira Henderson Murphy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-215. William Hohri, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-218. Wayne Pierson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-237. Paul Emile Noel, Petitioner *v.* Department of Sanitation of City of New York. Petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, First Judicial Department, denied.

No. 88-244. John D. Olitsky, Petitioner *v.* Spencer Gifts, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-245. Claridge Hotel & Casino, Petitioner *v.* Ann McLaughlin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-252. Billy H. Hartness and Brenda K. Keener, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-256. M. M. Winter, Petitioner *v.* Interstate Commerce Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-304. Daniel E. Mayon, Petitioner *v.* Southern Pacific Transportation Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-323. Charles J. Rakowski, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-324. Kenneth Hastings, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-364. Ronald Lachman, et ux., on behalf of Benjamin Lachman, a minor, Petitioners *v.* Illinois State Board of Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-369. Drake Publishers, Inc., dba High Society Magazine, Petitioner *v.* Jaber A. Samad, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-376. Arthur R. Nelson, Petitioner *v.* Stephen Nelson, Special Administrator of the Estate of Marjorie Nelson, Deceased. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-382. Scott A. Walker, Petitioner *v.* Roger Endell, Director of Alaska Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-384. John Lagos, Petitioner *v.* Modesto City Schools District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-386. Yellow Bus Lines, Inc., et al., Petitioners *v.* Drivers, Chauffeurs and Helpers Local Union No. 639, etc., et al. Petition for

writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-391. James J. Krajewski, Individually and in his capacity as Judge of the Lake County Court, Division III, Petitioner *v.* Steven A. Kurowski, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-392. W. Monroe Stephenson, Petitioner *v.* Paine, Webber, Jackson & Curtis, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-393. Team, Inc., et al., Petitioners *v.* Jonathan Overstreet, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-403. American Board of Endodontics, et al., Petitioners *v.* Joan Elena Lanier. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-404. Roger Brent Davis, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-408. Middle South Utilities, Inc., et al., Petitioners *v.* Rita Isquith, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-414. Cluett, Peabody & Company, Inc., Petitioner *v.* LHLC Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-416. Louella F. Benson, Petitioner *v.* Lois F. Bearb and Leslie Faul. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-417. Texas Extrusion Corporation, et al., Petitioners *v.* Lockheed Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-418. Dewey D. Shanks, et ux., et al., Petitioners *v.* Estes Park Bank. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-419. John Joseph Grabner, III, Petitioner *v.* Lawrence Conti. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-422. William C. Rado, Sr., Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-426. Auburn National Bank of Auburn, Petitioner *v.* Francis M. Sanda and Edward Gossett. Petition for writ of certiorari to the Court of Appeals of Indiana, Fourth District, denied.

No. 88-432. Gabriel Electronics, Inc., Petitioner *v.* Andrew Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-433. Terrydale Liquidating Trust, Petitioner *v.* Herbert Barness, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-435. Marianne B. Gear, Petitioner *v.* Boulder Community Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-438. Lance R. Dozier, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-444. Robert W. Lott, Petitioner *v.* Firemen and Policemen's Pension Fund Board of Trustees of San Antonio, Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourth District, denied.

No. 88-445. Paul Broad, et ux., Petitioners *v.* William F. Conway, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-455. Roger J. De Wiest, Petitioner *v.* Tarleton State University. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-460. Robert B. Payne, Petitioner *v.* Fred G. Gannon. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 88-466. John S. Trinsey, Jr., Petitioner *v.* State Ethics Commission of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-476. Romeo G. Delumen, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-531. Herman Solem, Warden and Richard D. Rist, Associate Warden, Petitioners *v.* Willard Ralph Vosburg. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-546. Lawrence David Morderosian, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-547. Richard Watts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-551. Jason Anguilo and William Kazonis, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-562. Terry Lewis Cole, Petitioner *v.* H. Gary Wells. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-563. Arnold W. Kramer, Petitioner *v.* Department of Commerce. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-566. Albert John Thame, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-574. John Albert Strand, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5005. Douglas James, Petitioner *v.* Robert Tansy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5022. Willie Ray Turner, Petitioner *v.* William Armontrout, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5071. Reginald J. Holzer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5092. Brian Hoffman, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-5099. Louis M. Parker Ford, Petitioner *v.* William Seabold, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5143. George A. Robinson, Petitioner *v.* David A. Williams, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5164. John Lewis S., Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-5211. Wardell Smith, etc., Petitioner *v.* Verne Orr, Secretary, Department of the Air Force, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5249. Billy Lloyd Edwards Punchard, II, Petitioner *v.* United States District Court. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5273. Timothy Reddy, Petitioner *v.* Phillip Coombe, Superintendent, Eastern Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5274. Harold Cattouse, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5322. Peter Gligorijevic, Petitioner *v.* Thomas Kean, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5325. Jerry D. Fairchilde, Petitioner *v.* John Earnst, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5326. Jerry D. Fairchilde, Petitioner *v.* Donald Hodel, Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5360. Cecilia Ann Shinn, Petitioner *v.* United States Department of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5368. Emmett J. Stebbins, Petitioner *v.* District of Columbia, et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-5377. John Michael Ferenc, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5378. Jerry Larry Collier, Petitioner *v.* A. Thomas Jones. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5388. Louis S. Wilson, Petitioner *v.* Louis F. Mann, Superintendent, Shawangunk Correctional Facility, et al. Petition for writ of

certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5390. Robert Eugene Jackson, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5391. Stedson A. Linkous, Jr., Petitioner *v.* S. Dutton Olinger. Petition for writ of certiorari to the Circuit Court of Virginia, Montgomery County, denied.

No. 88-5394. Robert Kaltenbach, Petitioner *v.* Richard Stalder, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5396. Lamar Gilmore, Petitioner *v.* Kansas Parole Board. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 88-5399. Denver O'Dell, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Southern District, denied.

No. 88-5408. Jesus Delgadillo, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-5410. Henry George Krohe, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 88-5411. Arthur E. Johnson, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, First District, denied.

No. 88-5418. George Dewitt Butcher, Petitioner *v.* Jerry Johnson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5419. John C. Smith, Petitioner *v.* George Sumner, Attorney General. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5422. Lois Neal, Petitioner *v.* City of Dayton, Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied.

No. 88-5424. Major Melvin Johnson, Petitioner *v.* R. M. Muncy, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5430. Lyle Prenzler, Petitioner *v.* Superior Court of California, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-5433. Aaron B. Scruggs, Petitioner *v.* Alfred W. Moellering, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5434. George W. Skatzes, Petitioner *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5441. John E. Dolenc, Jr., Petitioner *v.* Thomas A. Fulcomer, Superintendent, State Correctional Institution at Huntingdon, Pennsylvania and Attorney General of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5448. Eldridge Armstead, Petitioner *v.* Charlene Yvonne Mays. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5449. Phillip Brown, Petitioner *v.* Lanson Newsome, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5451. James Larry Thompson, Petitioner *v.* Southeastern Toyota Distributors, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5452. Morris May, Petitioner *v.* Warner Amex Cable Communications. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5455. Sherill DeWayne Harston, Petitioner *v.* William Seabold, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5467. Charles Edward Taylor, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-5469. Billy Holmes, aka Bill Richards and Daniel Johnson, Petitioners *v.* Ray Hardy and Harris County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5471. Marlon Stern Johnson, Petitioner *v.* Texas Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5472. Margaret Slade Collins, et vir, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5474. Phelix Roberts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5477. Kerry Lee Smith, Petitioner *v.* Howard Barrett, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5479. David L. Sohmer, Petitioner *v.* Robert M. Freeman, Superintendent, State Correction Institution (and Diagnostic and Classification Center) at Camp Hill, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5482. Wilbert Leon Smith, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5493. Lenn Roy Stephenson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5501. Cesar Castano, Sylvio Sinisterra, Gilberto Pinto, Enrique Moreno, Luis Moreno, Carlos Marin-Orozco, Frederico Gonzalez and Hugo Enriquez, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5503. Mark W. Gensler, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-5511. Elmer W. Bigg, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5518. Jerry D. Ferrell, Petitioner *v.* Arthur Tate, Jr., Superintendent, Chillicothe Correctional Institution, Chillicothe, Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5525. Romulo Lon Kuntze, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5527. Paul John Leisure, aka John Paul Leisure, Petitioner *v.* United States;

No. 88-5528. David R. Leisure, Petitioner *v.* United States; and

No. 88-5529. Anthony J. Leisure, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5533. Ken Anderson, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-5535. Alfred Lee Apodaca, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5537. William Boggs, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5541. John Regis King, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5553. Sonja Rawlins Bush, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5554. Dale E. Birdsell, Petitioner *v.* C. L. Mike Schmidt and Steven A. Springer. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5564. David Earl Fleming, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5567. Gambize Schardar, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5571. Walter Orchard, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5585. James Allen Whitten, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5587. Jorge Zavala-Serra, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5637. Sidney Dennis Barber, Petitioner *v.* Thomas I. Cooper, Superintendent, Shadow Mountain Correctional Facility, Canon City, Colorado, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-1908. Franklyn Novak, Petitioner *v.* Mutual of Omaha Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting opinion by Justice White.

No. 87-1951. Michigan, Petitioner *v.* James E. Brower. Petition for writ of certiorari to the Court of Appeals of Michigan denied. Justice White would grant certiorari.

No. 88-242. Marjorie Linder Cooley, Petitioner *v.* Federal Energy Regulatory Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 88-340. Alexander Perumal, et al., Petitioners *v.* Saddleback Valley Unified School District, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Brennan, Justice Marshall and Justice Blackmun would grant certiorari.

No. 88-371. Vermont, Petitioner *v.* Rick A. Preston. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 88-387. Alcan Aluminio Do Brasil, S.A., Petitioner *v.* Lucrecia Hernandez. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 88-427. Mark B. Harmon, et al., Petitioners *v.* Richard L. Thornburgh, Attorney General of the United States, et al. Petition for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit before judgment is denied.

No. 88-441. Charles J. Kozakiewicz, Gary Knotts and Edward DeSabato, Petitioners *v.* Terry A. Boring, Andre Calhoun, Weldon Fells, Dale E. Geidel, Ronald Perry and David Beatty. The motion of respondents for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5519. Carlos O. Salinas, Petitioner *v.* United States. The motion of petitioner to file portions of petition for writ of certiorari under seal is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5001. David Carl Duncan, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5162. William Hamilton Little, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5342. Ian Deco Lightbourne, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5382. James Andrew Melton, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5406. Dallas Bernard Holiday, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5420. Ed Harrell, Jr., Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5443. Tommie J. Smith, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5445. Alfred Dyer, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5446. West Cole, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-5487. In Re Jeffrey Balawajder. Petition for writ of mandamus is denied.

No. 88-5318. In Re Barbara S. Youngs-Settle, Petitioner;

No. 88-5354. In Re Charles Douglass, Petitioner; and

No. 88-5400. In Re Stanley Radvan-Ziemnowicz, Petitioner. The petitions for writs of mandamus and/or prohibition are denied.

REHEARINGS DENIED

No. 87-2097. Jerome S. Cardin, Petitioner *v.* Maryland. The petition for rehearing is denied.

No. 87-5734. Michael Sindram, Petitioner *v.* George Reading. The motion for leave to file a petition for rehearing is denied. Justice Kennedy took no part in the consideration or decision of this motion.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------------|-----------------------|---------------------------|
| James J. Ahearn | Ligonier, PA | David F. Weiner |
| James S. Altman | Atlanta, GA | John Rea Myer |
| Laurence L. Angelo | Sacramento, CA | Dianna Zbarsky Hoffman |
| Bruce Albert Bagin | Pittsburgh, PA | Arnold M. Friedman |
| Nina Bang-Jensen | Washington, DC | William P. Rogers |
| Steven David Barnhart | Atlanta, GA | Charles Lane Drew |
| Laurie Therese Baulig | Alexandria, VA | Ann Malester |
| Alletta d'Andelot Belin | Santa Fe, NM | Robert N. Hilgendorf |
| Mark Richardson Bell | Gary, IN | Lynne Huskey Wetzell |
| Cynthia Michelle Bull Benedict | San Antonio, TX | William Wendell Hall |
| Agustin Rafael Benitez | Orlando, FL | Richard A. Culbertson |
| Neal Louis Betancourt | Jacksonville, FL | Howard William Skinner |
| A. Jeffery Bird | Arlington, VA | Erwin N. Griswold |
| Christopher C. S. Blattner | Portland, OR | Thomas Paul Joseph Jr. |
| Jeffrey Hidy Burton | Philadelphia, PA | Harry Anthony Rissetto |
| Thomas E. Cahill | Cheyenne, WY | Brent Rulon Kunz |
| Robert Carl Carlson Jr. | Orange, CA | William J. Keeler |
| Gilbert F. Casellas | Philadelphia, PA | Ralph W. Brenner |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|---|
| Baila H. Celedonia | New York, NY | Roger L. Zissu |
| Mark L. Chester | Camp Springs, MD | Joseph Frederick Vallario Jr |
| Arnold Chin | San Francisco, CA | Charles R. Garry |
| W. Gregory Chuck | Honolulu, HI | John Sanford Edmunds |
| Scott Charles Clarkson | Washington, DC | Scott Cameron Whitney |
| Daniel Clearfield | Harrisburg, PA | Irwin A. Popowsky |
| William Joseph Corbett | Oxnard, CA | Louis Edward Goldberg |
| Michael Joseph Corcoran | Bay Shore, NY | Michael Charles Kennedy |
| Robert M. Courtney | Milwaukee, WI | Louis Bennett Butler Jr. |
| Susan Deborah Cox | Juneau, AK | Ronald Walter Lorensen |
| Kent Cprek | Villanova, PA | Thomas William Jennings |
| James R. Crassweller | Saint Paul, MN | Eugene M. Warlich |
| Carol A. Curran | Montrose, CO | Judson W. Detrick |
| Richard M. Currie Jr. | Kingsport, TN | James W. Bradford Jr. |
| David Anthony Dalia | New Orleans, LA | Jesse James Marks |
| Howard H. Dana Jr. | Portland, ME | Roger A. Putnam |
| Wayne Howard Davis | LaPlata, MD | Mark Robert Land |
| Lorraine Charlotte Davis | Washington, DC | Gwendolyn Young Reams |
| Chritopher H. Dillon | New York, NY | Max Taylor |
| Daniel B. Doherty | Houston, TX | James Bruce Cameron-Stuart |
| Donald Guy Douglass | Scranton, PA | Joseph E. Gallagher |
| W. Neil Eggleston | Washington, DC | Chief Justice Warren E. Burger, Retired |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--|--|--|
| Leroy E. Einspahr Jonathan Eisenberg | Tustin, CA Washington, DC | David R. Cooksey Karla Wayne Letsche |
| Charles J. Engel III Gary A. Ensor | Washington, DC South Hadley, MA | Lois G. Williams Charles Brian McDonald |
| Raymond Leslie Erickson | Duluth, MN | Richard J. Leighton |
| Michael Jay Finifter Michael Joseph Finkle | Baltimore, MD Los Angeles, CA | Alex J. Soled Raymond Stanley Ilgunas |
| Timothy E. Foley | Scranton, PA | Joseph E. Gallagher |
| Jody E. Forchheimer Lori R. Fregolle Edward W. Gardner | Boston, MA New Orleans, LA Lexington, KY | E. Susan Garsh Robert Glass Theresa L. Holmes |
| Margaret Schneider Garvey | Chicago, IL | William Norman Krucks |
| Roland Gomez | Miami, FL | Steven A. Edelstein |
| George W. Gossman | St. Paul, MN | George North Craig |
| John Armstrong Green | Salt Lake City, UT | Eugene B. Jacobs Jr. |
| Peter Michael Groff Jr. | Salinas, CA | Stephen Arthur Lankes |
| Timothy M. Guerriero | Detroit, MI | Thomas M. J. Hathaway |
| Eric T. Haas | New York, NY | Jo-Ann H. Whitehorn |
| Thomas H. Hannigan Jr. R. Louis Harrison Jr. | Boston, MA Bedford, VA | Edward B. Hanify William Thurlo Brotherton Jr |
| Edward F. X. Hart | New York, NY | Leonard J. Koerner |
| Loretta Hazel Hellen | Sacramento, CA | Raymond John Thielen |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|---------------------------------|
| Paul C. Hetterman | St. Louis, MO | Robert Forcier Ritter |
| Deborah Ann Whitmore Hicks | Eufaula, AL | William Vinkley Neville Jr. |
| Richard W. Hill | Louisville, KY | Stephen L. Frank |
| Scott D. Hillstrom | Minneapolis, MN | Robert A. Hillstrom |
| Jon R. Hunt | Seattle, WA | David Joseph Balint |
| Ralph L. Jacobson | Berkeley, CA | Malcolm E. Wheeler |
| Karen L. Johnson | Wilmington, DE | E. N. Carpenter II |
| Neal Glen Johnson | Monroe, LA | Jerry L. Jones |
| J. Philip Johnson | Fargo, ND | Kermit Edward Bye |
| Herbert Jung | Los Angeles, CA | James Michael McFaul |
| Harold Phillip Juren | Norfolk, VA | Philip R. Trapani |
| Julian L Kalkstein | New York, NY | Leonard J. Koerner |
| Stephen Robert Kaufmann | Springfield, IL | Judge Richard H. Mills |
| Jay Pearson Kennedy | Indianapolis, IN | Robert M. Kroger |
| Joel R. Kirshenbaum | San Francisco, CA | Peter Ronald Silten |
| David Timothy Kluz | Harrisburg, PA | James Vincent Wade |
| Edward B. Krugman | Atlanta, GA | Harold Turner Daniel Jr. |
| Malcolm Leader-Picone | San Francisco, CA | Samuel B. Picone |
| Steven Levine | Middleton, WI | Stephen W. Kleinmaier |
| Marvin S. Lieberman | Washington, DC | Frank James Costello Jr. |
| William M. Lindeman | Orlando, FL | William Thomas McGrath |
| Carolyn K. Longstreth | Wallingford, CT | Steven Merrill Allen Sellers |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-------------------------|-----------------------------|
| Robert James Mack | Colorado Springs, CO | Mervin Allen Ziegler Jr. |
| Patrick John Madden | Hurley, WI | Anthony R. Varda |
| John Foster Maddrey | Raleigh, NC | Andrew A. Vanore Jr. |
| Richard J. Makoul | Allentown, PA | Richard J. Orloski |
| Michael James Mangapora | Flint, MI | John S. Beagle |
| Andrew Paul Marks | White Plains, NY | Carole O. O'Blenes |
| Joseph Maselli Jr. | New Orleans, LA | Andrew L. Plauche Jr. |
| Cynthia Ann McCann | Vancouver, WA | Thomas Paul Joseph Jr. |
| Wilmot Hill McCutchen | Houston, TX | Raymond M. Hill |
| Robert G. McDowell | Nashville, TN | Louis C. Woolf |
| Michael Scott Messenger | Thermopolis, WY | Michael Douglas White |
| Chris R. Miltenberger | Dallas, TX | Richard L. Adams |
| Ethel Carr Hunter Mitchell | St. Thomas, VI | Brenda Joyce Hollar |
| Cleta Deatherage Mitchell | Oklahoma City, OK | Andrew M. Coats |
| H. Lamar Mixson | Atlanta, GA | Harold Turner Daniel Jr. |
| Donald L. Moler Jr. | Topeka, KS | David J. Gottlieb |
| Neal David Mollen | Washington, DC | Harry Anthony Rissetto |
| Daniel Lloyd Monroe IV | Monticello, FL | Winston E. Arnow |
| William K. Moore | Midway, KY | Ryan Martin Halloran |
| Larry Charles Moorner | Mobile, AL | Ronnie Lee Williams |
| Nicholas C. Moraitakis | Atlant, GA | William Meade Burns Jr. |
| Robert Lane Morris | Los Angeles, CA | Thomas Frazer Hozduk |
| Jeffrey D. Morrison | Reno, NV | William P. Beko |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|------------------------|
| Lawrence Craig Moss | New York, NY | Christopher Keith Hall |
| Michael K. Murry | Huber Heights, O | James A. Hensley |
| Thomas Peter Newell | Los Angeles, CA | Robert C. Vanderet |
| Richard E. Olson | Roswell, NM | Stuart Deaton Shanor |
| William Kent Paschal | Amarillo, TX | Ronald D. Nickum |
| Eric David Paulsrud | St. Louis, MO | Robert B. Hoemeke |
| Robert Michael Pine | Santa Monica, CA | Robert M. Dato |
| Wendell B. Porterfield Jr. | Denver, CO | Judson W. Detrick |
| Ronald Vincent Rawlin | Cleveland, OH | Oliver Thompson |
| Thomas E. Redding | Houston, TX | William David Elliott |
| Michael S. Reeves | Atlanta, GA | Howell Hollis III |
| Roger Sheman Reigner Jr. | Atlanta, GA | Carl Edward Sanders |
| Catherine Amy Rivlin | San Francisco, CA | Lewis Allen Rivlin |
| Ronald Davis Roberts | Southfield, MI | Daniel Gerard Galant |
| Kenneth Paul Roberts | Woodland Hills, CA | Mitchell S. Shapiro |
| Sarah Penelopeque Robinson | Washington, DC | Anne Swift Almy |
| Glenn Michael Rocca | Westwood, NJ | Bruce S. Koppel |
| Malcolm Pierce Rosenberg | Philadelphia, PA | Joseph M. Smith |
| Neal D. Rosenfeld | Chicago, IL | Louis Leo Biro |
| Charles Nicholas Rostow | New Haven, CT | Eugene V. Rostow |
| Marilyn Jean Salzman | Great Neck, NY | Stanley P. Salzman |
| Lawrence C. Sandberg Jr. | Houston, TX | George Arthur Sellnau |
| Philip W. Sandler | Chicago, IL | Robert Short Bailey |
| Marc Bruce Schram | Red Bank, NJ | Abraham J. Zager |
| Dana Kathryn Schumacher | Pittsburgh, PA | Eileen Deborah Yacknin |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|---------------------------|
| G. Dennis Sheehan | Fort Worth, TX | Lawrence Andrew Gaydos |
| Stephen W. Smith | Houston, TX | Alfred John Harper II |
| Daniel Carey Smith | Washington, DC | S. Mark Lindsey |
| Howard E. Smith Jr. | Geneva, IL | Allen Lee Landmeier |
| Rene A. Sotorrio | Miami, FL | Morris C. Proenza |
| Laura Steinberg | Boston, MA | Joseph Auberbach |
| Roberta Susan Stick | Lincoln, NE | Herbert J. Friedman |
| Richard Guy Taft | Cincinnati, OH | David Frank Boehm |
| Penfield Wallace Tate III | Denver, CO | W. Harold Flowers Jr. |
| Prince Altee Thomas | Philadelphia, PA | Roland J. Atkins |
| Robert Frederick Tyler Jr. | Sacramento, CA | Robert D. Milam |
| Fred Vendig | Los Angeles, CA | Karen L. Tachiki |
| T. Michael Wall | Houston, TX | J. Currie Bechtol |
| Jeffery Kurt Ward | Bise, ID | R. B. Rock |
| John Ward | San Francisco, CA | Gail R. Weinheimer |
| Verna Jean Wefald | San Diego, CA | Judy Clare Clarke |
| Charles Thomas Wesner Jr. | Dallas, TX | Larry Ray Boyd |
| Peter Westen | Ann Arbor, MI | Douglas A. Kahn |
| Kathleen E. Whatley | Potomac, MD | Marlene Gross |
| Steven Wolowitz | New York, NY | Kenneth Steven Geller |
| Robert Wiley Wooldredge | New York, NY | Robert M. Tosti |
| Thomas Jon Wright | Chattanooga, TN | Gerald Howard Summers |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------------|-----------------------|----------------------------|
| Charlotte Elaine Hemker- Smith | Sacramento, CA | Lawrence Gerald Wallace |
| Nelson E. Bahler | Stockton, CA | Lawrence Gerald Wallace |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|--------------------------|
| Mark W. Knobel | Reno, NV | Michael A. Hess |
| Linda Ann Warren | Annapolis, MD | Wm. R. Pringle |
| James Mitchell Collin | Cleveland, OH | Robert W. Bruce Jr. |
| Kevin E. Rockitter | Woodbury, NY | Donald J. Parmet |
| Thomas E. Drendel | Reno, NV | James J. Freeman |
| Robert C. Bell | Reno, NV | James J. Freeman |
| Bridget Baynes | Newport Beach, CA | Alan A. Parker |
| Estelle A. Schleicher | Sacramento, CA | Alan A. Parker |
| Judith A. Ferrell | Sacramento, CA | Jacqueline Marie Saue |
| Melva Menzies Warriner | Sacramento, CA | Jacqueline Marie Saue |

ORAL ARGUMENTS

No. 87-1043. United States, Petitioner *v.* Ron Pair Enterprises, Inc. Argued by Mr. Lawrence G. Wallace for the petitioner and by Mr. I. William Cohen for the respondent.

No. 87-1241. Pennsylvania, Petitioner *v.* Union Gas Company. Argued by Mr. John G. Knorr, III, for the petitioner and by Mr. Robert A. Swift for the respondent.

No. 87-271. Harbison-Walker Refractories, a Division of Dresser Industries, Inc., Petitioner *v.* Eugene F. Brieck. Argued by Mr. Andrew M. Kramer for the petitioner, by Mr. Brian J. Martin for the United States and Equal Employment Opportunity Commission as *amici curiae* in support of respondent, and by Mr. James H. Logan for the respondent.

No. 87-1167. Price Waterhouse, Petitioner *v.* Ann B. Hopkins. Argued by Ms. Kathryn A. Oberly for the petitioner and by Mr. James H. Heller for the respondent.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|-----------------------|
| Kenneth David Auerbach | Bethesda, MD | Dinah Stevens |
| David John Freeman | Larchmont, NY | John L. Freeman |
| Lionel Kim Purbaugh | Riverside, CA | Lew Wallace Cramer |

ORAL ARGUMENTS

No. 87-996. Coit Independence Joint Venture, Petitioner *v.* Federal Savings and Loan Insurance Corporation, as Receiver of FirstSouth, F. A. Argued by Mr. Robert E. Goodfriend for the petitioner and by Mr. Jeffrey P. Minear for the respondent.

No. 87-121. Richard L. Dugger, Secretary, Florida Department of Corrections, and Robert A. Butterworth, Attorney General of Florida, Petitioners *v.* Aubrey Dennis Adams, Jr. Argued by Ms. Margene A. Roper for the petitioners and by Mr. Ronald J. Tabak for the respondent.

No. 87-1245. Texas Monthly, Inc., Appellant *v.* Bob Bullock, Comptroller of Public Accounts of the State of Texas, et al. Argued by Mr. Roger James George, Jr., for the appellant and by Ms. Harriet D. Burke for the appellees.

No. 87-56. Javan Owens and Daniel G. Lessard, Petitioners *v.* Tom U. U. Okure. Argued by Mr. Peter H. Schiff for the petitioners and by Mr. Kenneth Kimerling for the respondent.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

CERTIORARI DENIED

No. 88-5815. Donald Gene Franklin, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of sentence of death presented to Justice White and by him referred to the Court is denied. The petition for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|------------------------------|
| Frank Emmett Howard Jr. | Oakland, CA | Edwin Meese III |
| Philip James Pfeifer | Knoxville, TN | James Erwin Fox |
| Thomas C. Buchanan | Bryn Mawr, PA | Daniel Clifford Crook III |
| Sandra Lee Schneider | Washington, DC | Daniel Clifford Crook III |
| Stephen Page Smith | Washington, DC | Daniel Clifford Crook III |
| Rodney R. Parker | Salt Lake City, UT | Harold Graham Christensen |

ORAL ARGUMENTS

No. 87-1555. James J. Burnley, IV, Secretary of Transportation, et al., Petitioners *v.* Railway Labor Executives' Association, et al. Argued by Mr. Attorney General Dick Thornburgh for the petitioners and by Mr. Lawrence M. Mann for the respondents.

No. 86-1879. National Treasury Employees Union, et al., Petitioners *v.* William Von Raab, Commissioner, United States Customs Service. Argued by Ms. Lois G. Williams for the petitioners and by Mr. Solicitor General Charles Fried for the respondent.

No. 87-154. Joshua Deshaney, a Minor, by his Guardian ad Litem, and Melody Deshaney, Petitioners *v.* Winnebago County Department

of Social Services, et al. Argued by Mr. Donald James Sullivan for the petitioners, by Mr. Mark J. Mingo for the respondents and by Mr. Donald B. Ayer for the United States as *amicus curiae*, supporting respondents, by special leave of Court.

No. 87-1031. G. P. Reed, Petitioner *v.* United Transportation Union, et al. Argued by Mr. John W. Gresham for the petitioner and by Mr. Clinton J. Miller, III, for the respondents.

Adjourned until Monday, November 7, 1988 at 10 o'clock. .

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

OPINION PER CURIAM

No. 87-1961. Town of Huntington, New York, et al., Appellants *v.* Huntington Branch, National Association for the Advancement of Colored People, et al. Appeal from the United States Court of Appeals for the Second Circuit. The motion of New York Planning Federation for leave to file a brief as *amicus curiae* is granted. Judgment affirmed. Opinion *per curiam*. Justice White, Justice Marshall, and Justice Stevens would note probable jurisdiction and set the case for oral argument.

APPEALS—SUMMARY DISPOSITION

No. 88-461. Kimber Petroleum Corporation, Appellant *v.* Christopher J. Daggett, Acting Commissioner, New Jersey Department of Environmental Protection. Appeal from the Supreme Court of New Jersey. The appeal is dismissed for want of a substantial federal question.

No. 88-477. Joe Monastero, Sam Katzman, and Marlene "Mardy" McCullough, Appellants *v.* Nebraska. Appeal from the Supreme Court of Nebraska. The appeal is dismissed for want of jurisdiction.

No. 88-478. Stanley Sterner and Rick S. Sterner, Appellants *v.* Carol J. Jones, et al. Appeal from the Supreme Court of Virginia. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

ORDERS IN PENDING CASES

No. D-699. In the Matter of Disbarment of Richard J. Hopkins. Disbarment order entered.

No. D-726. In the Matter of Disbarment of Chester L. Chowaniec. Disbarment order entered.

No. D-727. In the Matter of Disbarment of William J. Blumthal. Disbarment order entered.

No. D-740. In the Matter of Disbarment of Russell B. Smith, III. It is ordered that Russell B. Smith, III, of Houston, Texas, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-1022. Board of Estimate of City of New York, et al., Appellants *v.* Beverly Morris, et al.; and

No. 87-1112. Frank V. Ponterio, Appellant *v.* Beverly Morris, Joy Clarke Holmes and Joanne Oplustil. The motion of appellant Frank V. Ponterio for divided argument and for additional time for oral argument is denied.

No. 87-1437. Melvin R. Blanton and Mark D. Fraley, Petitioners *v.* City of North Las Vegas, Nevada. The motion of City of Las Vegas, Nevada, for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

No. 87-1614. John W. Martin, et al., Petitioners *v.* Robert K. Wilks, et al.;

No. 87-1639. Personnel Board of Jefferson County, Alabama, et al., Petitioners *v.* Robert K. Wilks, et al.; and

No. 87-1668. Richard Arrington, Jr., et al., Petitioners *v.* Robert K. Wilks, et al. The motion of petitioners for leave to file a reply brief, out-of-time, is granted.

No. 87-1622. Philip Brendale, Petitioner *v.* Confederated Tribes and Bands of Yakima Indian Nation, et al.;

No. 87-1697. Stanley Wilkinson, Petitioner *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al.; and

No. 87-1711. County of Yakima, et al., Petitioners *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al. The motion of petitioner Philip Brendale for reconsideration of order denying motion for additional time for oral argument and for divided argument is denied.

No. 87-1848. City of Dallas, et al., Petitioners *v.* Charles M. Stanglin, Individually, and dba Twilight Skating Rink. The motion of petitioners to dispense with printing the joint appendix is granted.

No. 87-1882. Dean Neitzke, etc., et al., Petitioners *v.* Harry Lawrence Williams, Sr. The motion for appointment of counsel is granted and it is ordered that George A. Rutherglen, Esquire, of Charlottes-

ville, Virginia, is appointed to serve as counsel for the respondent in this case.

No. 88-5054. James W. Sullivan, Appellant *v.* Katherine J. Sullivan. The motion of appellant for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

No. 88-5526. Rolf Betka, Appellant *v.* A-T Industries, Inc., etc., et al. The motion of appellant for leave to proceed *in forma pauperis* is denied. Appellant is allowed until November 28, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a statement as to jurisdiction in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U. S. 928 (1983), we would dismiss the appeal without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5563. Paul D. Johnson, Jr., Petitioner *v.* United States. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 28, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U. S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

APPEAL—JURISDICTION NOTED

No. 87-6997. Eugene John Carella, Appellant *v.* California. Appeal from the Appellate Department, Superior Court of California, Los Angeles County. The motion of appellant for leave to proceed *in forma pauperis* is granted. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-293. Community for Creative Non-Violence, et al., Petitioners *v.* James Earl Reid. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 87-1729. Caplin & Drysdale, Chartered, Petitioner *v.* United States. The petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted. The case is set for oral argument in tandem with No. 88-454, *United States v. Monsanto*.

No. 87-2084. Norman Jett, Petitioner *v.* Dallas Independent School District; and

No. 88-214. Dallas Independent School District, Petitioner *v.* Norman Jett. The petition for a writ of certiorari in No. 87-2084 to the United States Court of Appeals for the Fifth Circuit is granted limited to Question 1 presented by the petition. The petition for a writ of certiorari in No. 88-214 to the United States Court of Appeals for the Fifth Circuit is granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-357. Norm Maleng, etc., et al., Petitioners *v.* Mark Edwin Cook. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 88-454. United States, Petitioner *v.* Peter Monsanto. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. The case is set for oral argument in tandem with No. 87-1729, *Caplin & Drysdale, Chartered v. United States*.

CERTIORARI DENIED

No. 87-2099. James Loudermill, Petitioner *v.* Cleveland Board of Education. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 87-6947. Robert F. Miner, Jr., Petitioner *v.* New York State Department of Correctional Services. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 87-7150. Darrell Prows, Petitioner *v.* D. C. Kastner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-7189. William T. Wohlford, et ux. Petitioners *v.* United States Department of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7263. Isiah Evans, III, Petitioner *v.* Gary L. Henman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-7272. Marva Tingling, Petitioner *v.* United States; and

No. 88-5042. Lloyd Archer, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-7334. Henry Idowu Silva and Edna Silva, aka Edna O. McDaniel, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-81. Victoria Voge, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-94. Kentucky West Virginia Gas Company, et al., Petitioners *v.* Pennsylvania Public Utility Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-131. Washington, Petitioner *v.* Donald R. Hooper. Petition for writ of certiorari to the Court of Appeals of Washington, Division 1, denied.

No. 88-160. Carl Cronk, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-235. Barry M. Wolfe, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-241. National Gypsum Company, Petitioner *v.* United States Environmental Protection Agency. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-261. Marilyn Arons, Petitioner *v.* New Jersey Board of Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-296. Walter J. Shostak, Petitioner *v.* Federal Energy Regulatory Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-443. Teresa Taylor, et vir, Petitioners *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Lucas County, denied.

No. 88-448. Carl Leroy Williams, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-450. Edward Dudosh, Administrator of the Estate of Kathleen Dudosh, Petitioner *v.* Daniel Warg, Dean Schwartz, and City of Allentown. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-453. Ruskin Hardware, Inc., et al., Petitioners *v.* Fleming Companies, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-456. Kenneth G. Mance, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-465. Huron Valley Hospital, Inc. and Martin L. Trepel, Petitioners *v.* City of Pontiac, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-469. William B. Richardson, Petitioner *v.* Peoples Natural Gas Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-470. Jonathan Melin, Sr., et ux., Petitioners *v.* North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 88-474. Robert J. Neville, Petitioner *v.* Milton Mollen, Presiding Justice, Appellate Division, Supreme Court of New York, Second Judicial Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-480. Alvin Hammock, et al., Petitioners *v.* Charles E. Plunkett, Judge, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-482. Robert E. Howell, et al., Petitioners *v.* United States Fire Insurance Company. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-490. Paul M. Cross, Petitioner *v.* State Insurance Fund of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-529. James P. Youngberg, dba Maki, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-552. Robert John Arko, Petitioner *v.* United States Department of the Air Force, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-561. Narcisa Savinovich, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-570. Brookside Veneers, Ltd., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-583. Texarkana Trawlers, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-584. Maria Graciela Ramirez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-591. James VanderWeyst, et al., Petitioners *v.* First State Bank of Benson, et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 88-600. Jaime Ramos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-601. Mike Conway, Judy Thompson and Ted Schwartz, Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-620. Baddour, Inc., Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-634. Bonnie Krugman, Petitioner *v.* Palmer College of Chiropractic, et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 88-5031. Francisco Quintana, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5089. Irma M. Gaitan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5151. Zenous Whaley, Petitioner *v.* Ramon Rodriguez, Chairman, New York Board of Parole. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5166. Marvin Washington, Petitioner *v.* Electrical Joint Apprenticeship and Training Committee of Northern Indiana. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5267. Larry Bruce Johnson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5286. Lorenzo Allen, Francis Sylvester Lindsey and Roger Lee Harrell, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5349. Brice Anderson, Petitioner *v.* Department of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5470. Morris Lavon Brown, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-5483. Jesse Ray Gilley, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Eleventh District, denied.

No. 88-5488. Garry De Young, Petitioner *v.* Philip W. Nelson, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5489. Garry De Young, Petitioner *v.* Dave O'Brien. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5491. Kent C. Cross, Petitioner *v.* John D. Morgan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5496. Barbara Youngs, Petitioner *v.* Lawyers Surety Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5497. Alfred Fleming, Petitioner *v.* Richard A. Deak, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5504. David M. Cirocco, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5505. Robert Holley, Petitioner *v.* Amanda Bull, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5506. John S. Folio, aka Sam, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5507. Nancy S. Bradshaw, Petitioner *v.* Zoological Society of San Diego. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5512. William J. Noll, Petitioner *v.* C. A. Turner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5513. Ricky Ricardo Harris, Petitioner *v.* Patuxent Institution. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5514. Larry A. Bratton, Petitioner *v.* Monroe County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5515. Robert Green, Petitioner *v.* Charles Scully, Superintendent, Green Haven Correctional Facility, Stormville, New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5531. Deborah A. Redman, Petitioner *v.* Michigan State University, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5540. Jeffrey Noel Brown, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-5543. Michael Todd Ernst, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5552. Mahmoud Safari, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5566. Troy Lee Triplett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5595. Moses Benton Ulmer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5596. Nathan Cross, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5604. Samuel E. Rogers, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5608. Curtis Lee Brewer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5613. Morton Berger, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5618. Bruce A. Mandell, et ux., Petitioners *v.* United States Army. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5626. Kevin Joseph Rankin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5627. Harry Spence, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5634. Anthony D. Kendrick, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5638. Warner Livingston, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-82. Starrett City Associates, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice White would grant certiorari.

No. 88-162. Cleveland Board of Education, Petitioner *v.* James Loudermill. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-229. Dow Jones & Company, Inc., et al., Petitioners *v.* Stanley Simon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Justice White with whom Justice Brennan and Justice Marshall join. Justice Stevens took no part in the consideration or decision of this petition.

No. 88-263. General Motors Corporation, Petitioner *v.* Sheila Ann Glenn, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan and Justice White would grant certiorari.

No. 88-452. Tenneco Oil Company, Petitioner *v.* Kern Oil & Refining Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Stevens took no part in the consideration or decision of this petition.

No. 88-5347. Keith Patillo, Petitioner *v.* Georgia. The petition for a writ of certiorari to the Supreme Court of Georgia is denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 88-5011. Patrick James Jeffries, Petitioner *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5336. Martin G. Gonzalez, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5461. Charles R. Campbell, Petitioner *v.* Larry Kincheloe, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5544. Eric D. Clemmons, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5593. Harvey Lee Heishman, III, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-5546. In Re Ronald Mitchell, Petitioner. The petition for writ of mandamus is denied.

No. 88-5397. In Re Jessie D. McDonald, Petitioner;

No. 88-5428. In Re Jessie D. McDonald, Petitioner; and

No. 88-5429. In Re Jessie D. McDonald, Petitioner. The petitions for writs of mandamus and/or prohibition are denied.

REHEARINGS DENIED

No. 87-6807. Michael Christopher Wicks, Petitioner *v.* United States;

No. 87-7005. James L. Martin, Petitioner *v.* Rowland Shank, et al.;

No. 87-7033. Johnny M. Young, Petitioner *v.* Alabama;

No. 87-7097. Joseph Johns, Petitioner *v.* Ellen Bostwick;

No. 87-7135. In Re Martha Phillips and Joseph Phillips, Petitioners;

No. 87-7188. Jerry Montgomery, Petitioner *v.* Indiana;

No. 87-7190. Thomas Henry Battle, Petitioner *v.* Missouri;

No. 87-7212. William Allen Spencer, Petitioner *v.* Illinois;

No. 87-7227. Matthew Faison, Petitioner *v.* Lenore C. Nesbitt, Judge, United States District Court for the Southern District of Florida, et al.;

- No. 87-7237. Thomas J. Smith, Petitioner *v.* Florida;
- No. 87-7316. Edward Lawrence, Petitioner *v.* OAO Corporation;
- No. 88-137. Edith Mae Gracey, Petitioner *v.* C. Denson Day, et al.;
- No. 88-5084. James L. Martin, Appellant *v.* Maryland State Board of Law Examiners, et al.;
- No. 88-5140. In Re Stanley A. Radvan-Ziemnowicz, Petitioner;
- No. 88-5146. Gregory L. Johnson, Petitioner *v.* Samuel F. Irby, Jr.;
- No. 88-5171. Clyde Nubine, Petitioner *v.* Texas Board of Corrections, et al.;
- No. 88-5313. Earl Nash, Petitioner *v.* Tom Ervin; and
- No. 88-5323. Martha B. Gaunce, Appellant *v.* St. Paul Mercury Insurance Company, et al. The petitions for rehearing are denied.
- No. 87-7238. James L. Martin, Petitioner *v.* Dale F. Shughart, et al. The petition for rehearing is denied. Justice Blackmun took no part in the consideration or decision of this petition.

RECESS ORDER

The Court will take a recess from Monday, November 14, 1988 until Monday, November 28, 1988.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-------------------------|------------------------------|
| Jerry Alan Ackerman | Olympia, WA | Edward B. Mackie |
| Garry D. Adel | Ocala, FL | Lauren Evert Merriam III |
| Alphonse Michael Alfano | Chevy Chase, MD | Robert Stuart Bassman |
| Gary I. Amendola | Juneau, AK | G. Thomas Koester |
| Alan Leigh Armstrong | Huntington Beach, CA | John Richard Parker |
| Denise M. Bainton | Tucson, AZ | James William Brammer Jr. |
| Craig C. Beles | Seattle, WA | Russell A. Austin Jr. |
| Howard J. Berman | New York, NY | Max F. Schutzman |
| Kenneth D. Chestek | Erie, PA | James Daniel McDonald Jr. |
| Stephen Randolph Chew | Sacramento, CA | H. Richard Chew |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|--------------------------------|
| Howard Louis Close | Beaumont, TX | John G. Tucker |
| Jeffrey A. Conciatori | New York, NY | Daniel R. Murdock |
| Joseph Connor Jr. | Morristown, NJ | John J. O'Reilly |
| Linda Sharpe Cowen | Jonesboro, GA | Martin Lindsey Cowen III |
| John William Davis Jr. | Goshen, IN | Charles W. Ainlay |
| Jeffrey B. Davison | St. Joseph, MO | James R. Mueller |
| Mark Christopher Davison | Webster, NY | Michael A. Telesca |
| Charles Michael Deese | Vienna, VA | Frank Myers Northam |
| James H. Delman | Montrose, CO | Robert Maxwell Noone |
| Theodore E. Dinsmoor | Boston, MA | Stuart Todd Rossman |
| Vincent J. Dooley | New Haven, CT | Harry David Weller |
| Emanuel Clabon Edwards | Roanoke, VA | William B. Poff |
| William Joel Einhorn | Philadelphia, PA | Thomas William Jennings |
| Bruce Farmer | Jefferson City, MO | Deborah Jean Neff |
| Richard Charles Fleming | Norfolk, VA | Robert Kenneth Skolrood |
| Michael D. Foster | Morgantown, WV | W. Warren Upton |
| Clifford Scott Gadye | New York, NY | Wayne Marcus Scriven |
| Kenneth R. Gaines | Chicago, IL | Lionel G. Gross |
| Philip C. Gallagher | San Francisco, CA | Melvin Belli |
| Thomas Franklin Guernsey | Richmond, VA | Joseph D. Harbaugh |
| David Robert Gutierrez | Corpus Christi, TX | C. Gerard Miller Jr. |
| Jon F. Holder | Portland, ME | Daniel McIntyre |
| William M. Hudson III | Lafayette, LA | George Marion Strickler Jr. |
| Albert James Jones Jr. | Pittsburgh, PA | Robert V. Racunas |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|---|
| William S. Katchen | Newark, NJ | Arnold K. Mytelka |
| Charles William Kircher Jr. | Los Angeles, CA | Arthur Nakazato |
| Stephen P. Kyne | New Yor, NY | Raymond J. Burke Jr. |
| Raymond D. Large Jr. | Sylva, NC | Chief Justice Warren E. Burger, Retired |
| Ricky Lawton | Fallon, NV | William P. Beko |
| Wayne J. Lee | New Orleans, LA | Michael R. Fontham |
| Loralyn McKinley | Philadelphia, PA | Andrew F. Erba Jr. |
| Lee Elizabeth McMahon | Las Vegas, NV | Roberta Joan O'Neale |
| John Ridgway McNeill | Montrose, CO | Robert Maxwell Noone |
| Gary Douglas Merigian | Royal Oak, MI | Judge Michael David Schwartz |
| Kelly Ann Miller | Louisville, KY | David Alan Friedman |
| John Paul Moran | Washington, DC | Gene Wallace Stockman |
| Juan E. Munoz-Cortes | San Juan, PR | Wilfredo Munoz Roman |
| Leo George O'Biecunas Jr. | Los Angeles, CA | Thomas Zide |
| Jack G. Orr | Seattle, WA | Sanford G. Kinzer |
| Frederick S. Otto | Vail, CO | Judson W. Detrick |
| Martin Ozga | Des Moines, IA | Elton Scott Hartsook |
| Vincent Frank Papalia | Newark, NJ | Arnold K. Mytelka |
| Denise M. Pilie | New Orleans, LA | Phillip A. Wittmann |
| Michael George Prestia | Gulfport, MS | Jason H. Floyd |
| Joseph Edward Preston | Petersburg, VA | Mark Burton Robinette |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-------------------------------|
| Frederick T. Rasmussen | Seattle, WA | Herman L. Wacker |
| Marcia Rees | Newark, DE | Fred S. Silverman |
| David T. Robertson | Hackensack, NJ | Anthony Michael Carlino |
| Walter R. Roher | Kansas City, MO | John P. Hurley |
| Wayne R. Rosenlicht | Atlantic City, NJ | Jacob Gorny |
| Alain Rozan | New York, NY | Richard Kent Bernstein |
| Richard Lynn Scheer | Beaumont, TX | William B. Coffey Jr. |
| Douglas Ross Shepherd | Everson, WA | William Joseph Johnston |
| Sue G. Simon | Louisville, KY | Nathan Goldman |
| Larry A. Sonnenshein | New York, NY | Leonard J. Koerner |
| Patrick John Stewart | Washington, DC | Benjamin Richard Civiletti |
| Martin Tatsuo Tachiki | Santa Monica, CA | Joseph Lawrence |
| Michael William Thrall | Des Moines, IA | Kasey W. Kincaid |
| Scott F. Tilsen | St. Paul, MN | Daniel Martin Scott |
| Marc Thomas Treadwell | Macon, GA | Joseph Hiram Chambless |
| Paul Lawrence Wehrle | Dallas, TX | Mark Lewis Evans |
| Mark Elliot Weiss | Southfield, MI | Kenneth M. Mogill |
| Thomas Lyle Willhite Jr. | Los Angeles, CA | William Robert Weisman |
| Douglas E. Winter | Washington, DC | James J. Murphy |
| Christine M. Wiseman | Milwaukee, WI | Thomas Cannon |
| James Robert Young | Washington, DC | Jane C. Luxton |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|------------------------|
| Amy Totenberg | Atlanta, GA | Francis John Lorson |
| Patrick Joseph Carome | Washington, DC | Timothy Belcher Dyk |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------|-----------------------|-----------------------|
| Gary W. Sanders | Orange, CA | Dee V. Benson |
| Steven Lieberman | New York, NY | Ruben D. Silverman |
| Carl Willner | Washington, DC | Daniel Marcus |

ORAL ARGUMENTS

No. 87-1168. Commissioner of Internal Revenue, Petitioner *v.* Donald E. Clark, et ux. Argued by Mr. Alan I. Horowitz for the petitioner and by Mr. Walter B. Slocombe for the respondents.

No. 87-1160. Duquesne Light Company and Pennsylvania Power Company, Appellants *v.* David M. Barasch, etc., et al. Argued by Mr. Peter Buscemi for the appellants and by Mr. Irwin A. Popowsky for the appellees.

No. 87-548. Trans World Airlines, Inc., Petitioner *v.* Independent Federation of Flight Attendants. Argued by Mr. Murray Gartner for the petitioner, by Mr. Lawrence S. Robbins for the National Labor Relations Board, as *amicus curiae*, in support of the petitioner by special leave of Court, and by Mr. John P. Hurley for the respondent.

No. 86-1940. Sheet Metal Workers' International Association, et al., Petitioners *v.* Edward Lynn. Argued by Mr. Donald W. Fisher for the petitioners and by Mr. Bruce M. Stark for the respondent.

Adjourned until tomorrow at 10 o'clock.

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 ORDER IN PENDING CASE

No. A-363. Jeffery J. Daugherty, Applicant *v.* Florida, et al.; and

No. A-366. Jeffery J. Daugherty, Applicant *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The applications for stay of execution of sentence of death presented to Justice Kennedy and by him referred to the Court are denied. Dissenting opinion by Justice Brennan with whom Justice Marshall joins and with whom Justice Blackmun joins as to Part II. Justice Stevens would grant the applications for stay.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINION

No. 87-984. Shell Oil Company, Appellant *v.* Iowa Department of Revenue. Appeal from the Supreme Court of Iowa. Judgment affirmed. Opinion by Justice Marshall.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|----------------------|
| Emanuella D. Groves | Cleveland, OH | David Rudovsky |
| John Frederick Beukema | Minneapolis, MN | John Dwyer French |
| Stephen T. Refsell | Minneapolis, MN | John Dwyer French |

ORAL ARGUMENTS

No. 87-1344. Richard L. Thornburgh, Attorney General of the United States, et al., Petitioners *v.* Jack Abbott, et al. Argued by Mr. William C. Bryson for the petitioners and by Mr. Steven Ney for the respondents.

No. 86-1088. City of Canton, Ohio, Petitioner *v.* Geraldine Harris, et al. Argued by Mr. Carter G. Phillips for the petitioner and by Mr. David Rudovsky for the respondents.

No. 87-6325. Donald Ray Perry, Petitioner *v.* William D. Leeke, Commissioner, South Carolina Department of Corrections, et al. Argued by Mr. W. Gaston Fairey for the petitioner and by Mr. Donald J. Zelenka for the respondents.

No. 87-1252. H. J. Inc., et al., etc., Petitioners *v.* Northwestern Bell Telephone Company, et al. Argued by Mr. Mark Reinhardt for the petitioners and by Mr. John D. French for the respondents.

Adjourned until Monday, November 14, 1988 at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice Marshall, Justice Blackmun, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 86-1593. *Shell Oil Company, Appellant v. Department of Revenue, State of Florida*. Appeal from the Supreme Court of Florida. The judgment is vacated and the case is remanded to the Supreme Court of Florida for further consideration in light of *Shell Oil Company v. Iowa Department of Revenue*, 488 U.S. — (1988).

No. 88-534. *Jim Shoulders, et al., Appellants v. McCracken County, Kentucky, et al.* Appeal from the Supreme Court of Kentucky. The motion of appellees for award of costs is denied. The appeal is dismissed for want of a substantial federal question.

No. 88-560. *Theresa F. Mitan, Appellant v. Frank J. Mitan*. Appeal from the Court of Appeals of Michigan. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5510. *Antonio Javier Barta, Appellant v. Texas*. Appeal from the District Court of Texas, 227th Judicial District, Bexar County. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5549. *James L. Martin, Appellant v. C. Itoh & Co. (America), Inc., et al.* Appeal from the Supreme Court of Pennsylvania, Eastern District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5642. *James David Rowe, Petitioner v. Department of the Army*. Appeal from the United States Court of Appeals for the District of Columbia Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5643. James David Rowe, Petitioner *v.* Department of the Army. Appeal from the United States Court of Appeals for the District of Columbia Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

ORDERS IN PENDING CASES

No. —. Richard Brathwaite, Petitioner *v.* Robert J. Henderson, Superintendent, Auburn Correctional Facility. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. —. Iowa Southern Utilities Company, et al., Petitioners *v.* United States. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. —. Jesse Avila Valles, Petitioner *v.* James Lynaugh, Director, Texas Department of Corrections. The motion of petitioner for reconsideration of order denying leave to file a petition for a writ of certiorari, out-of-time, is denied.

No. —. William Kuntz, III, et al., Petitioners *v.* Shawmet Bank of Boston, et al. Treating the petition for a writ of mandamus as a motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, the motion is denied.

No. A-346. Charles Ben Howell, Applicant *v.* Homecraft Land Development, et al. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. A-361. Ferdinand E. Marcos and Imelda R. Marcos, Applicants *v.* United States. The application for stay presented to Justice Marshall and by him referred to the Court is denied. The order heretofore entered by Justice Marshall on November 8, 1988, is vacated.

No. D-728. In the Matter of Disbarment of Gary Richard Lorenz. Disbarment order entered.

No. D-741. In the Matter of Disbarment of Samuel Weinberg. It is ordered that Samuel Weinberg, of Roslyn Harbor, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-201. Gerald E. Mansell, Appellant *v.* Gaye Mansell. The motion of American Retirees Association for leave to file a brief as *amicus curiae* is denied. The motion of Retired Officers Association, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is denied.

No. 87-1818. Robert E. Badham, et al., Appellants *v.* March Fong Eu, Secretary of State of California, et al. The petition for rehearing is granted. The request to proceed upon the papers already filed in this case is granted. Appellees are allowed thirty days within which to file supplemental motions to dismiss or affirm.

No. 87-7023. Tyrone Victor Hardin, Petitioner *v.* Dennis Straub. The motion of petitioner for appointment of counsel is granted and it is ordered that Douglas R. Mullkoff, Esquire, of Ann Arbor, Michigan, is appointed as counsel for the petitioner in this case.

No. 88-535. Local Freight Drivers, Local 208, International Brotherhood of Teamsters, Chauffeurs, Warehousemen, etc., Petitioner *v.* Rozay's Transfer. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-556. Browning-Ferris Industries of Vermont, Inc., et al., Petitioners *v.* Kelco Disposal, Inc. et al. The motion of Motor Vehicle Manufacturers Association of the United States, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-567. Frank D. Monaco, Petitioner *v.* United States. The application for stay addressed to Justice Stevens and referred to the Court is denied.

No. 88-5403. Clarence R. Hayes, Petitioner *v.* Western Weighing and Inspection Bureau. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until December 5, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

APPEALS—JURISDICTION NOTED

No. 88-449. John F. Healy, et al., Appellants *v.* The Beer Institute, et al.; and

No. 88-513. Wine and Spirits Wholesalers of Connecticut, Inc., Appellants *v.* The Beer Institute, et al. Appeals from the United States Court of Appeals for the Second Circuit. In these cases probable jurisdiction is noted. The cases are consolidated and a total of one hour is allotted for oral argument.

CERTIORARI GRANTED

No. 88-192. McKesson Corporation, Petitioner *v.* Division of Alcoholic Beverages and Tobacco, Department of Business Regulation of Florida, et al. Petition for writ of certiorari to the Supreme Court of Florida granted; and

No. 88-325. American Trucking Associations, Inc., et al., Petitioners *v.* Maurice Smith, Director, Arkansas Highway and Transportation Department, et al. Petition for writ of certiorari to the Supreme Court of Arkansas granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-385. Ofelia Rodriguez de Quijas, et al., Petitioners *v.* Shearson/American Express, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

CERTIORARI DENIED

No. 88-280. Michael F. McCarthy and Harold T. Okahara, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-299. Mark A. Smith, et al., Petitioners *v.* Ronald Reagan, President of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-302. James A. Gordon, etc., Petitioner, *v.* United States Department of Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-315. National-Southwire Aluminum Company, Petitioner *v.* United States Environmental Protection Agency, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-327. Buddy Roemer, Governor of the State of Louisiana, et al., Petitioners *v.* Ronald Chisom, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-328. Territorial Court of the Virgin Islands, Petitioner *v.* James R. Richards, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-347. Erin Andrew Conn, Petitioner *v.* Jennifer Ann Conn. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 88-373. Virginia (Ginger) Boles, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-375. Hwesu S. Murray, Petitioner *v.* National Broadcasting Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-483. Jack A. Northrop, Petitioner *v.* Lease Financing Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-484. Connecticut, et al., Petitioners *v.* Donnell Counsel. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-485. Teamsters Pension Trust Fund of Philadelphia and Vicinity, et al., Petitioners *v.* Roger E. Wooleyhan, et al. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 88-486. Patrick H. Diamond, Petitioner *v.* David P. Reynolds and Reynolds Metals Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-497. Wells Real Estate, Inc., Petitioner *v.* Greater Lowell Board of Realtors, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-499. Peter F. Shields, Petitioner *v.* Production Finishing Corporation, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-503. Lego Systems, Inc. and Interlego, A.G., Petitioners *v.* Tyco Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-506. Alpha Beta Company, et al., Petitioners *v.* Rita Nahm. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-507. Lucious Williams, et al., Petitioners *v.* Richard E. Lyng, Secretary of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-508. Anthony Bryson, et al., Petitioners *v.* City of DeRidder and Parish of Beauregard. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-510. Herman J. Smith, et ux., Petitioners *v.* Nicklos Drilling Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-511. Michigan, Petitioner *v.* Terrance Alvin Evans. Petition for writ of certiorari to the Recorder's Court for the City of Detroit denied.

No. 88-516. Liberty National Bank and Trust Company, Petitioner *v.* North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 88-523. Jewel Food Stores, Petitioner *v.* Kelly Merk, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-524. Abner Coxsey, Jr., Petitioner *v.* Employers Mutual Casualty Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-538. Philip J. Brown and William J. Brown, Petitioners *v.* 1250 Twenty-Fourth Street Associates Limited Partnership, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-540. Mark Vannelli, Petitioner *v.* National Collegiate Athletic Association. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 88-569. Jacquelyn Diggs, Petitioner *v.* Harris Hospital-Methodist, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-615. Robert I. Silverman, et al., Petitioners *v.* Marion Barry, Mayor of the District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-619. William Donnelly, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-635. Demaco Corporation, et al., Petitioners *v.* F. Von Langsdorff Licensing Limited, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-649. Jack E. Cravens, Petitioner *v.* Washington. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-667. Harvey Kelly Sims, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5179. Jorge Manuel Garcia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5334. Gloria Watkins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5339. Anthony Bitcheri, Petitioner *v.* Immigration and Naturalization Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5454. Edward Muza, Petitioner *v.* Bureau of Alcohol, Tobacco & Firearms, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5462. Caruna D. Krishnan, Petitioner *v.* Department of the Air Force. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5508. Norman Eugene Satterfield, Petitioner *v.* Harry L. Allsbrook, Attorney General of North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5509. Michael E. Shockey, Petitioner *v.* Arthur Tate, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5517. Mayrdawna Ane Davis, Petitioner *v.* City of San Ramon Police Department, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-5520. Raymond M. Parres, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 88-5521. Darryl Bernard Watts, Petitioner *v.* B.J. Bunnell, Superintendent, California Correctional Center. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-5523. William Gibson, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-5530. Theodore Henry Bollman, Petitioner *v.* Bruce Jan Smith. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5532. Larry Tatum Maxwell, Petitioner *v.* General Motors Corporation. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-5534. Daniel LoConte, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of

certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5538. Debro Micheal Davis, aka Debro Siddig Abdul Akbar, Petitioner *v.* Correctional Officer Proctor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5539. Thomas Ray Hayes, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5542. Devernon LeGrand, Petitioner *v.* Benjamin Ward, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5545. Patricia Palmer, Petitioner *v.* Belmont County Children Services. Petition for writ of certiorari to the Court of Appeals of Ohio, Belmont County, denied.

No. 88-5547. William C. Smith, Petitioner *v.* Edward W. Murray, Director, Virginia Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5548. Steven Szarewicz, Petitioner *v.* Pennsylvania Supreme Court. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5551. Vincent Frank Silvaggio, Petitioner *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5559. Danny Alexander White, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 88-5562. Garry De Young, Petitioner *v.* William J. O'Keefe, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5592. William J. Drabick, III, Petitioner *v.* David Drabick. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-5597. Kamal B. Mahdavi, Petitioner *v.* Federal Bureau of Investigation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5605. Thompson Joseph Gabriel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5606. Thomas J. Ivers, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5609. Thomas C. Hines, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5612. Autry Lee Jones, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5620. Gertraud Pruett, Petitioner *v.* Alaska. Petition for writ of certiorari to the Court of Appeals of Alaska denied.

No. 88-5645. Salvatore Panico, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5646. Rudolph Joyce, Jr., aka Randy Scott, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5648. John D. Rasco, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5659. Michael Charles Ward, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5661. William F. McDevitt, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5662. Lee Juan Bowie, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5664. Edward Williams, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5669. Oscar Calderon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5676. Maria Hernandez-Garcia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5680. Eddie Lee Ware, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5683. Gwynne Judge, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5688. Patricia Martinez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5820. Jeffery J. Daugherty, Petitioner *v.* Florida, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 87-1469. William A. Hornsby, etc., et al., Petitioners *v.* David Stinson. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice White would grant certiorari.

No. 87-1495. Tallahassee Branch of the National Association for the Advancement of Colored People, et al., Petitioners *v.* Leon County, Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Blackmun would grant certiorari.

No. 88-198. Sequoia Books, Inc., Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied. Justice Brennan and Justice Marshall would grant the petition for a writ of certiorari and reverse the judgment of conviction.

No. 88-372. Samuel Lewis, et al., Petitioners *v.* Steven Allen Bruni. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-395. John C. Ellingsworth, Warden, et al., Petitioners *v.* George L. Reynolds. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-627. Walter S. Taylor, Petitioner *v.* Taylor Wine Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 88-5404. Steven T. Wougamon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice White would grant certiorari.

No. 88-5481. Arthur James Julius, Petitioner *v.* Willie Johnson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5522. Willie Mitchell, Jr., Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5550. Thomas Martin Thompson, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

COMMON LAW CERTIORARI DENIED

No. 88-5570. In Re Jimmy Phillips, Petitioner. The petition for writ of certiorari is denied.

MANDAMUS DENIED

No. 88-5569. In Re Wilbert Leon Smith, Jr., Petitioner. The petition for writ of mandamus is denied.

No. 88-5640. In Re Alice Sheffield, Petitioner. The petition for writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

No. 87-1743. OMNI, U.S.A., Inc., Petitioner *v.* United States;

No. 87-1944. Earlene Polyak, Appellant *v.* Frank Hulen and Wilma Lesnansky;

No. 87-7325. Peter Filipas, Petitioner *v.* Workmen's Compensation of the Industrial Commission of Ohio, et al.;

No. 88-113. Earlene Polyak, Appellant *v.* Jim T. Hamilton, etc.;

No. 88-165. John F. Romann, Petitioner *v.* Securities and Exchange Commission, et al.; and

No. 88-5147. Frank Middleton, Petitioner *v.* South Carolina. The petitions for rehearing are denied.

No. 85-1524. Hubbard Broadcasting, Inc., Petitioner *v.* Southern Satellite Systems, Inc., and Turner Broadcasting System, Inc. The motion of petitioner for leave to file second petition for rehearing is denied. Justice Kennedy took no part in the consideration or decision of this motion.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|-------------------------------|
| Linda A. Acevedo | Austin, TX | Steven DeWayne Peterson |
| Virginia Swisshelm Albrecht | Washington, DC | Cynthia Ann Lewis |
| William Robert Amlong | Fort Lauderdale, FL | David Michael Lipman |
| Susan H. Aprill | Miami, FL | Parker Davidson Thomson |
| Michael L. Banks | Philadelphia, PA | Francis M. Milone |
| Harry Alan Baumohl | Towson, MD | Michael L. Schwartz |
| Randal Mark Beach | Baton Rouge, LA | John Edward DiGiulio |
| Christopher R. Belmonte | New York, NY | Alan R. Wentzel |
| Robert S. Besser | Santa Monica, CA | Clair Glenn Burrill |
| James F. Biagi, Jr. | Seattle, WA | Russell A. Austin, Jr. |
| Christopher Brady | New York, NY | Mary Carole Mone |
| Peter Scott Burns | Arlington, VA | Don W. Crockett |
| Brendan T. Byrne | Princeton, NJ | Charles C. Carella |
| Cheryl A. Callis | St. Louis, MO | Joseph M. Korten Hof |
| Paul Allen Cappello | Alexandria, VA | Henry Julius Cappello |
| Raymond D. Carignan | Washington, DC | Robert Franklyn Collins |
| Jorge Luis Garcia Castro | San Juan, PR | Reina Colon De Rodriquez |
| Christopher Wills Chapin | Santa Monica, CA | Clair Glenn Burrill |
| Susan Stokley Clary | Lexington, KY | John Robert Leathers |
| Bernard Carl Conley, Jr. | Akron, OH | Thomas Frederick Haskins, Jr. |
| David Raymond Cosgrove | Roseland, NJ | Robert Welch Mullen |
| David Bransfield Cubeta | Washington, DC | Robert Letcher Moore, II |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|---------------------------------|
| Paula Marie Cunningham | Gassaway, WV | Ernest Victor Morton, Jr. |
| Salvador Michael Cusimano | New Orleans, LA | Thomas Lewis Giraud |
| Charlton Ross DeVault, Jr. | Kingsport, TN | James W. Bradford, Jr. |
| Robert S. Dietz | Washington, DC | Elliot L. Richardson |
| Thomas A. Dillon, Jr. | New York, NY | Christopher H. Dillon |
| Dan Duncan | San Francisco, CA | Barry Melton |
| John H. Everett | San Diego, CA | Thomas A. Culbertson |
| Charles W. B. Fels | Knoxville, TN | Robert Wayne Ritchie |
| William J. Flynn | Boca Raton, FL | John Harold Oltman |
| Gerald McCall Franklin | Santa Barbara, CA | Thomas William Sneddon, Jr. |
| Allan S. Friedman | Miami, FL | Marvin Weinstein |
| Diane Kessner Gaffield | Springfield, OH | Robert Earl Bloomfield |
| Robert Stewart Gardner | Devine, TX | Marcos E. Kinevan |
| Edward M. Graves, Jr. | Knoxville, TN | James Alexander Hamilton Bel |
| Michael Halebian, Jr. | Washington, DC | Lester S. Jayson |
| Jeffrey K. Handy | Arlington, VA | James Pinson Perry |
| Richard A. Harlem | Oneonta, NY | Gary Jay Grayson |
| William D. Harris | Cleveland, OH | Harvey Bruce Bruner |
| John E. Hill | San Francisco, CA | Melvin Belli |
| Edward Louis Hoffman | Toledo, OH | John Czarnecki |
| William L. Howland | Lincoln, NE | Melvin Kent Kammerlohr |
| Robert J. Jinnett | New York, NY | Richard Henry Pershan |
| Jacqueline Jones-Smith | Rockville, MD | David R. Smith |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|---|
| Peter Michael Jung | Dallas, TX | Royal H. Brin, Jr. |
| Patricia M. Karish | New York, NY | Jacob Laufer |
| Michael Robert Lazerwitz | Washington, DC | Brian James Martin |
| Arlan Owen Lund | Richland, WA | Stanley James Bensussen |
| William Cyrus MacLeod | Chicago, IL | Honorable Charles Fried, Solicitor General of the United States |
| Christopher May Mason | New York, NY | Thomas D. Barr |
| Thomas F. McArdle | San Diego, CA | Peter C. Lehman |
| E. L. McCafferty, III | Mobile, AL | Frank Grey Redditt, Jr. |
| Christopher Melly | Port Angeles, WA | David Harold Bruneau |
| Elaine Metlin | Washington, DC | George Kaufmann |
| Floyd Mincey | Dublin, GA | Johnny Wilmer Warren |
| Robin J. Mitchell | Nashville, TN | Aleta Grillos Arthur |
| Carolyn F. Morgan | Anniston, AL | Joseph Dale Hubbard |
| Nancy G. Morgan | Washington, DC | Richard Farber |
| Glenn Haruo Morimoto | Santa Ana, CA | Michael W. Garnett |
| Lovette M. Mott | Gettysburg, PA | Charles William Wolf |
| G. Macy Nelson | Baltimore, MD | John F. King |
| Lisa M. Newell | Washington, DC | Winn Irving Newman |
| Constance P. O'Neil | Bath, ME | Duane Dale Fitzgerald |
| Timothy Patrick O'Reilly | Philadelphia, PA | Francis M. Milone |
| Neal H. Paster | Houston, TX | Robert Max Cummings |
| David Wm. Patton | Richmond, VA | Patrick Michael McSweeney |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|-------------------------|
| Kenneth Arnold Payment | Rochester, NY | Louis N. Kash |
| Steven Dale Pearson | Chicago, IL | Joseph Michael Claps |
| Thomas A. Pfeiler | Chicago, IL | Arthur W. Leibold, Jr. |
| Sky D. Phifer | Lander, WY | Fred W. Phifer |
| Robert James Phillips | Missoula, MT | Donald V. Snavelly |
| Mark L. Pickering | Carlsbad, NM | Thomas A. Rutledge |
| Edward J. Pluimer | Minneapolis, MN | Roger James Magnuson |
| Gregory A. Post | San Diego, CA | Michael L. Kirby |
| Albert J. Rhoa | Cleveland, OH | Oliver A. Thompson |
| David Paul Rhodes | Tampa, FL | Steven D. Merryday |
| Joseph Alex Ritok, Jr. | Detroit, MI | Fred L. Woodworth |
| George A. Rutherglen | Charlottesville, VA | Thomas Humphrey Jackson |
| Philip Shapiro | Cleveland, OH | Harvey Bruce Bruner |
| Joy Shiffermiller | Scottsbluff, NE | Thom K. Cope |
| Larri Irene Spengler | Delta Junction, AK | Judge Richard D. Savell |
| Henry T. Wihnyk | Hollywood, FL | Marvin B. Nodel |
| Margaret Smith Woodruff | Philadelphia, PA | Ralph Glenn Wellington |
| Ralph A. Zappala | Moraga, CA | Gregory David Brown |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|---------------------------|
| Christopher Michael McNulty | Washington, DC | Paul Edmund McNulty |
| Lawrence Roy Herman | Vienna, VA | Sharon Lynne Cohen Herman |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------------|
| Thomas E. Carroll | Monticello, KY | Thomas Lynch Adams, Jr. |
| Gordon Thomas Germain | Monticello, KY | Thomas Lynch Adams, Jr. |
| Thomas Rodney Thomas | Jeffersonville, IN | Thomas Lynch Adams, Jr. |
| Gary C. Angiuli | New York, NY | Philip George Minardo |
| Roberta D. Asher | Staten Island, NY | Philip George Minardo |
| Kevin Michael Elford | New York, NY | Philip George Minardo |
| Steven J. Finkelstein | Staten Island, NY | Philip George Minardo |
| William John Frew, Jr. | Staten Island, NY | Philip George Minardo |
| Anthony Lawrence Galante | New York, NY | Philip George Minardo |
| Eric M. Gansberg | Staten Island, NY | Philip George Minardo |
| Annamarie Gulino Gentile | Staten Island, NY | Philip George Minardo |
| Richard Anthony LaRosa | Staten Island, NY | Philip George Minardo |
| Michael D. Marino | Staten Island, NY | Philip George Minardo |
| Mario F. Mattei | Staten Island, NY | Philip George Minardo |
| Grace Marino Mattei | Staten Island, NY | Philip George Minardo |
| Ronald Joseph Mazzucco | Staten Island, NY | Philip George Minardo |
| Christopher P. Nalley | Staten Island, NY | Philip George Minardo |
| John M. O'Dowd, Jr. | Staten Island, NY | Philip George Minardo |
| John G. O'Leary | New York, NY | Philip George Minardo |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------------|-----------------------|-----------------------|
| John Albert Passarello, Jr. | Staten Island, NY | Philip George Minardo |
| Thomas Kevin Penett | Staten Island, NY | Philip George Minardo |
| Jonathan Howard Poznansky | New York, NY | Philip George Minardo |
| Peter Alfred Ragone | Staten Island, NY | Philip George Minardo |
| Helene Donlan Sacco | Staten Island, NY | Philip George Minardo |
| George Francis Sacco | Staten Island, NY | Philip George Minardo |
| James J. Sampel | Staten Island, NY | Philip George Minardo |
| Barbara Gomes Serafino | Staten Island, NY | Philip George Minardo |
| Michael Marrin Walsh | Staten Island, NY | Philip George Minardo |
| Marc A. Rigrodsky | Washington, DC | Rosemary C. Byrne |
| Fran Jacqueline Garb | Parsippany, NJ | Rosemary C. Byrne |
| Ira Scott Pers | Newark, NJ | Rosemary C. Byrne |
| Ellen Radin | Scotch Plains, NJ | Rosemary C. Byrne |
| Jay Harold Ziffer | New York, NY | Rosemary C. Byrne |
| Gideon J. Bari | New York, NY | Rosemary C. Byrne |
| Brian K. Bernstein | New York, NY | Rosemary C. Byrne |
| Arlana S. Cohen | New York, NY | Rosemary C. Byrne |
| Sheryl Lynn Cohen | New York, NY | Rosemary C. Byrne |
| Sharon Weintraub Dashow | Brooklyn, NY | Rosemary C. Byrne |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|----------------------|
| Lori Ehrlich | New York, NY | Rosemary C. Byrne |
| Nathan Mark Eisler | New York, NY | Rosemary C. Byrne |
| Lori Epstein | New York, NY | Rosemary C. Byrne |
| Alan Harris Figman | New York, NY | Rosemary C. Byrne |
| Myra L. Freed | New York, NY | Rosemary C. Byrne |
| Helen Irwin | New York, NY | Rosemary C. Byrne |
| Robin H. Karasyk | New York, NY | Rosemary C. Byrne |
| Richard Jonathan Katz | New York, NY | Rosemary C. Byrne |
| Beth Madeline Mann | New York, NY | Rosemary C. Byrne |
| Martin Eric Marks | New York, NY | Rosemary C. Byrne |
| Jerry Mark Neumann | Princeton, NJ | Rosemary C. Byrne |
| Steven Robert Pruzansky | New York, NY | Rosemary C. Byrne |
| Jesse A. Safer | New York, NY | Rosemary C. Byrne |
| Martin Shulman | New York, NY | Rosemary C. Byrne |
| Stuart Ronald Singer | New York, NY | Rosemary C. Byrne |
| Toby E. Stone | New York, NY | Rosemary C. Byrne |
| Susan Lee Strauss | New York, NY | Rosemary C. Byrne |
| William J. Turkish | New York, NY | Rosemary C. Byrne |
| Stanley Weinberg | New York, NY | Rosemary C. Byrne |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|----------------------|
| Mary Sue Zitwer | New York, NY | Rosemary C. Byrne |
| Martha Jane Dimitri | Darien, IL | Michael L. Murray |
| Scott C. Kuntz | Mount Prospect, IL | Michael L. Murray |
| Donald Wayne Kuntz | Mount Prospect, IL | Michael L. Murray |
| Gregory A. MacDonald | Des Plaines, IL | Michael L. Murray |
| Judith B. Petrucci | Lyons, IL | Michael L. Murray |

OPINION

No. 87-1277. A. L. Lockhart, Director, Arkansas Department of Correction, Petitioner *v.* Johnny Lee Nelson. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by the Chief Justice. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Blackmun join.

Adjourned until Monday, November 28, 1988 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-400. William Armontrout, Warden, Applicant *v.* Gerald Smith, etc. The application of the Attorney General of Missouri for an order to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Eighth Circuit presented to Justice Blackmun and by him referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 88-537. Patrick W. Price, Appellant *v.* City of San Marcos, Texas, et al. Appeal from the Court of Appeals of Texas, Third District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-571. James Harold Cossett, et ux., Appellants *v.* Merchants and Mechanics Federal Savings & Loan Association, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-575. William R. Burt, Appellant *v.* Maui Architectural Group, Inc., et al. Appeal from the Supreme Court of Hawaii. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-609. Earlene Polyak, Appellant *v.* Buford Evans & Sons. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5589. Thomas Priovolos, Appellant *v.* Heart of Cedar Lane, Inc., et al. Appeal from the Superior Court of New Jersey, Appellate Division. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5660. Laurette Tedders, Appellant, *v.* Ronald Lord, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers

whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5228. Scott Chisholm, Appellant *v.* Kansas. Appeal from the Supreme Court of Kansas. The motion of appellant for leave to proceed *in forma pauperis* is granted. The judgment is vacated and the case is remanded to the Supreme Court of Kansas for further consideration in light of *Coy v. Iowa*, 487 U.S. — (1988).

ORDERS IN PENDING CASES

No. —. BMT Commodity Corp. and Delca Distributors, Inc., Petitioners *v.* United States. The motion for leave to file a supplement to the petition for writ of certiorari under seal is granted.

No. —. Beth A. Friedman, Petitioner *v.* Larry E. Katz, et al. The motion for leave to file portions of the appendix to the petition for writ of certiorari under seal is denied.

No. —. Eric Laupot, Petitioner *v.* Alexander Berley, et al. The motion to direct the Clerk to file a petition for writ of certiorari is denied.

No. D-724. In the Matter of Disbarment of Brick P. Storts, III. Disbarment order entered.

No. D-729. In the Matter of Disbarment of Peter T. Bongiorno. Disbarment order entered.

No. D-742. In the Matter of Disbarment of Helen Rice Frederick. It is ordered that Helen Rice Frederick, of Carson, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-743. In the Matter of Disbarment of Joseph R. Carter, Jr. It is ordered that Joseph R. Carter, Jr., of Los Angeles, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-744. In the Matter of Disbarment of Samuel J. Hecht. It is ordered that Samuel J. Hecht, of Philadelphia, Pennsylvania, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-745. In the Matter of Disbarment of Barry Howard Denker. It is ordered that Barry Howard Denker, of Philadelphia, Pennsylvania, be suspended from the practice of law in this Court and that a rule

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

No. D-746. In the Matter of Disbarment of John Leroy Lindquist. It is ordered that John Leroy Lindquist, of Coral Springs, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-6997. Eugene John Carella, Appellant *v.* California. The order entered November 7, 1988, is amended to read as follows: "The motion of appellant for leave to proceed *in forma pauperis* is granted. In this case probable jurisdiction is noted limited to Questions I, II, III, IV, V, and VII presented by the jurisdictional statement."

No. 87-5840. Edward McNamara, Appellant *v.* County of San Diego Department of Social Services. The motion of Christian R. Van Deusen for leave to participate in oral argument as *amicus curiae*, for divided argument and for additional time for oral argument is denied.

No. 88-90. Chabad, Petitioner *v.* American Civil Liberties Union, et al. The application for recall and stay of the mandate of the United States Court of Appeals for the Third Circuit presented to Justice Brennan and by him referred to the Court is denied. Justice Blackmun would grant the application.

No. 88-5188. Bernice Bennett, Petitioner *v.* Corroon & Black Corp., et al. The motion of petitioner for reconsideration of the order of Court denying leave to proceed *in forma pauperis* is denied.

No. 88-5580. Cameron Wehringer, Appellant *v.* New Hampshire. The motion of appellant for leave to proceed *in forma pauperis* is denied. Appellant is allowed until December 19, 1988, within which to pay the docketing fee required by Rule 45(a) and to submit a statement as to jurisdiction in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would dismiss the appeal without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5828. Horace Franklin Dunkins, Jr., Petitioner *v.* Morris L. Thigpen, Commissioner, Alabama Department of Corrections, et al. The application for stay addressed to Justice Brennan and referred to the Court is denied.

CERTIORARI GRANTED

No. 87-1589. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al.; and

No. 87-1888. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit are granted. The cases are consolidated and a total of one hour and thirty minutes is allotted for oral argument.

CERTIORARI DENIED

No. 87-2086. David A. Boone, et al., Petitioners *v.* Redevelopment Agency of the City of San Jose, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-7273. George Vest, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-7. West Penn Power Company, Petitioner *v.* John H. Engle, et al., tdba Engle's Holiday Harbor, etc. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-16. Steve M. Stephens, aka Mose Stephens, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-47. Alton Campbell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-95. James L. Williams, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-217. Interstate Commerce Commission, Petitioner *v.* Pittsburgh & Lake Erie Railroad Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-239. Eagle-Picher Industries, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-342. Sunshine Health Systems, Inc., Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-350. Deborah Anderson, et vir, Petitioners *v.* North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 88-352. Gordon J. Humphrey, Senator, et al., Petitioners *v.* Nicholas F. Brady, Secretary of the Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-367. Anthony Ruggiano, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-374. Angelo Ruggiero, Gene Gotti, John Carneglia, Edward Lino, Mark Reiter, Joseph LoPresti, Anthony Moscatiello, Oscar Ansourian, Anthony Gurino and Cesar Gurino, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-380. Lucille J. Boston, Petitioner *v.* Elizabeth Stephens Nelson. Petition for writ of certiorari to the Intermediate Court of Appeals of Hawaii denied.

No. 88-394. George S. Ansell, et al., Petitioners *v.* John M. Shannon. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 88-400. Locals 17, 135, 257 and 608 of the United Brotherhood of Carpenters and Joiners of America, AFL-CIO, Petitioners *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-401. Mary Fiorilla, Petitioner *v.* United States; and

No. 88-467. John Fiorilla, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-406. Marion F. Cole, Personal Representative of the Estate of Deborah D. Eisenhut, Deceased, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-459. Belinda Anderson, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-464. Railway Labor Executives' Association, et al., Petitioners *v.* Chicago and North Western Transportation Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-468. Richard Charlton, Petitioner *v.* Enterprise Leasing Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-518. Chang An-Lo and Chen Chih-Yi, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-522. New York Hotel Trades Council and Hotel Association of New York City, Inc. Pension Fund, et al., Petitioners *v.* Park South Hotel Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-526. Shearn Moody, Jr., Petitioner *v.* Empire Life Insurance Company and John S. Greeno. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-528. Donald E. Wilkes, Petitioner *v.* United States District Court for the Middle District of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-536. Branka Scullin, Petitioner *v.* Michael Marsten. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-543. Jean Leonard Harris, Petitioner *v.* Anthony Samson, Deputy District Attorney, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-544. T. Dewey Harden, Jr., Petitioner *v.* Robert M. Paul, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-545. Brenda J. Hill-Dunning, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-555. Gene Myers, Guardian ad Litem, Petitioner *v.* Shawn Kathleen Lewis; and

No. 88-683. Carlton James Lewis, Petitioner *v.* Shawn Kathleen Lewis. Petitions for writs of certiorari to the Court of Appeals of Michigan denied.

No. 88-565. Harry J. Cowherd, Secretary, Kentucky Cabinet for Human Resources, Petitioner *v.* Samuel Doe, by his Mother and Next Friend, Mary Doe, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-572. Barbizon Corporation, Petitioner *v.* ILGWU National Retirement Fund, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-573. Howard Phillips, Petitioner *v.* Totco, Division of Baker International Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-578. Patrolmen's Benevolent Association of the City of New York, Inc., and Patrick Burns, Petitioners *v.* Robert Hughes. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-579. Oneida Motor Freight, Inc., Petitioner *v.* United Jersey Bank. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-580. Sheldon H. Weaver, Petitioner *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-582. Margo Ficarotta, Petitioner *v.* John P. Renna, Commissioner, Department of Community Affairs of New Jersey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-585. John Palma and Lincoln Housing Authority, Petitioners *v.* Amy Adler. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 88-586. Gertrude M. Stuart and Fernand Danis, Petitioners *v.* Metropolitan Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-587. Denis M. McNulty, Petitioner *v.* W. S. Libbey Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-588. Gregory Houston, Petitioner *v.* Dale Foltz, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-590. Martin K. Maurer, Petitioner *v.* California Board of Prison Terms. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-592. Pyrotronics Corporation, Petitioner *v.* Pyrodyne Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-594. Four Star Corporation, Petitioner *v.* John A. Bott and Jac Products, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-595. Offshore Express, Inc., Petitioner *v.* Barbara Johnson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-598. George Rakovich, Petitioner *v.* Gregory Wade, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-610. S. Allan Hurvitz, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-638. Billy Joe Lafferty, Petitioner *v.* City of Cooter, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-642. J. Carl Poindexter, et ux., Petitioners *v.* Town of Rocky Mount, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-644. Calco, Ltd., et al., Petitioners *v.* Water Technologies Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-691. Petroleum Operation Support Service, Inc., et al., Petitioners *v.* Sharon Lea Grinter, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-693. Augustus J. Simmons, Petitioner *v.* J. William Burns, Commissioner, Connecticut Department of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-711. Interstate Commerce Commission, Petitioner *v.* United Transportation Union and Burlington Northern Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-724. Buford L. Peak, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5015. Robert A. Haggengjos, Petitioner *v.* G. Michael Broglin, Superintendent, Westville Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5168. Loren Ransom, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5240. Thomas W. Barget, Petitioner *v.* Mary Kay Barget. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-5252. John P. Turner, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5255. Gale Ranck, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 88-5263. Richard A. Leyba, Petitioner *v.* George E. Sullivan, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5279. Johnny Lee Rembert, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5297. Jesse James Essex, Petitioner *v.* B. Norris Vassar, Chairman, Virginia Parole Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5307. Martin W. Williams, Petitioner *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 88-5312. Tyrone Moore, Petitioner *v.* Terry Paul, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5346. Louis Lamberti, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5353. David Bentley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5407. Joel Ferkins, Petitioner *v.* Charles Scully, Superintendent, Green Haven Correctional Facility, Stormville, New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5450. Lyle H. Prenzler, Petitioner *v.* Donald Pekich, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5465. Larkin T. Floyd, Petitioner *v.* Kellogg Sales Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5495. Robert Perkins Thayer, Petitioner *v.* Maine. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 88-5556. Lloyd E. Brofford, Petitioner *v.* Ohio Department of Rehabilitation and Correction. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-5574. Solomon Broadus, Petitioner *v.* Oklahoma, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-5575. Joseph Woods, Petitioner *v.* Hilton Butler, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5576. Richard Edward Cabey, Petitioner *v.* Waylon B. Collins, Superintendent, Moore County Prison, Carthage, North Carolina, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5577. Eugene Gilstrap, Jr., Petitioner *v.* Jim Wharton, Superintendent, Men's Correctional Institution, Hardwick, Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5578. Phillip Thomas Robbins, Jr., Petitioner *v.* Nathan Rice, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5579. Thomas J. Smith, Petitioner *v.* Rahdert, Anderson & Richardson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5583. Larry Edward Lowery, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-5584. Gary Kerpa, aka Warren Lawson, Petitioner *v.* Valley Neurosurgical Association, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5588. David J. Munchinski, Petitioner *v.* Montgomery Goodwin. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5591. Roman Colter, Petitioner *v.* City of Artesia, New Mexico, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5594. Kamal B. Mahdavi, Petitioner *v.* Bahman Shirani. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-5599. Steven Paul Forbes, Petitioner *v.* Hennepin County Attorney's Office, Criminal Division, Hennepin County, Minnesota. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 88-5601. Duke Frederick Cranford, Petitioner *v.* George W. Sumner, Director, Nevada Department of Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5602. Harvey M. Fritts, Petitioner *v.* Jim Rogers, Jail Administrator, White County Jail, Searcy, Arkansas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5607. Paul R. Layton, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-5610. Claude Lee Broussard, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-5614. Barbara Luther, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-5619. Jessie D. McDonald, Petitioner *v.* Brian Tobey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5621. Joe Nathan Tubbs, Petitioner *v.* Hilton Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5623. Charles D. Wheat, Petitioner *v.* Myrna Trickey, Superintendent, Missouri Eastern Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5624. Nels Walker, Petitioner *v.* Michael Neal, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5631. Anthony J. Hayes, Jr., aka Abdul Rahman Salaa-huddin, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5632. Michael Ray Ingram, Petitioner *v.* William Wilson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5633. Michael Jarrett, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 88-5636. Robin LePage, Petitioner *v.* Arvon J. Arave, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5650. James R. Robinson, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Harrisburg Office, denied.

No. 88-5651. Doyle J. Williams, Petitioner *v.* William Armontrout, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5653. Gene Peoples, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-5654. Terry Hardage, Petitioner *v.* Norman B. Neal, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5656. Samuel Houston Coleman, Petitioner *v.* Michael O'Leary, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5657. George V. Fuller, Petitioner *v.* Alive Enterprises, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5658. James E. Ferrell, Jr., Petitioner *v.* U. S. Parole Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5663. Albert Green, Jr., Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Hamilton County, denied.

No. 88-5677. James L. Martin, Petitioner *v.* Ethel Zook, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5690. Eddie M. Nabors, Petitioner *v.* Calvin Edwards, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5691. Donald J. Strable, Petitioner *v.* United States Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5696. James Massa, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5699. William Stillwell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5701. Tommy Span, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5703. Sylvester Jones, Petitioner *v.* Randall D. Oitker, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5704. Fred Jones, Petitioner *v.* Howard Beyer, Superintendent, New Jersey State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5706. Liuba Sainz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5709. Javed Mahmood, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5712. Reynolds Gonzalez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5713. Pasquale J. Coleman, Petitioner *v.* Delaware, et al. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 88-5714. James Brandon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5725. Cass W. Yelardy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5726. Paul Scinto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5728. Joe Edward Benavides, aka Little Joe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5730. Leonard Epps, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5731. Gilberto Cantu, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5737. Raymond H. Flynn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5741. Juan Rivera, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5744. John Williams-Igwonobe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5747. Charles R. Knowles, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5757. Randall S. Whitmore, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5762. Billy Gene Maples, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5766. James Edwin Smith, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5775. Ronald Eugene Washington, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5776. Marcelino Rubio, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5778. Robert Lloyd Sherman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5788. Anthony Tibbs, Rodney Solomon and Stephen McFadden, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5789. Gary Earl Burris, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5790. Stephen C. Forde, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5791. Rose L. Kramer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5796. Robert I. Feldman, aka Irwin Feldman, aka Aba Feldman, aka Aba Mezie, aka Robert Faye, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5800. Grant Leland Leone, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 87-2030. Sharon Annette Hatfield Anderson, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Justice Brennan and Justice Marshall would grant the petition for a writ of certiorari and reverse the judgments of conviction.

No. 88-150. Mildred Irvin, et al., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan and Justice White would grant certiorari.

No. 88-176. Missouri, Petitioner *v.* Kenneth Presley. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeals of Missouri, Southern District, denied.

No. 88-5061. Robert L. Newland, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5363. Stanley Williams, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5603. Nicholas Lee Ingram, Petitioner *v.* Ralph Kemp, Warden. Petition for writ of certiorari to the Superior Court of Georgia, Flint Judicial Circuit, Butts County, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5630. David Hamblin, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5738. Robert T. Sidebottom, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-5615. In Re Lewis Clark, etc., Petitioner; and

No. 88-5652. In Re Delbert H. Reidt, Petitioner. The petitions for writs of mandamus are denied.

No. 88-5524. In Re Gary Kerpa, aka Warren Lawson. The petition for a writ of mandamus and/or certiorari is denied.

No. 88-5622. In Re Aaron B. Scruggs, Petitioner. The petition for writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

No. D-720. In the Matter of Disbarment of William Anthony MacGuire;

No. 87-1586. Bruno G. Chalko, Appellant *v.* Sharon E. Chalko;

No. 87-1707. Frederick C. Stauber, Petitioner *v.* Richard A. Cline, et al.;

No. 87-1842. John L. Kaltsas, et al., Appellants *v.* City of North Chicago, et al.;

No. 87-1981. Cecil G. Harris, Petitioner *v.* Refiners Transport & Terminal Corporation, et al.;

No. 87-2106. Richard G. Kaschak, Petitioner *v.* Superior Court of California, Kern County (Pine Mountain Club Property Owner's Association, Real Party in Interest);

No. 87-2132. Helen Gjessing, etc., et al., Appellants *v.* West Indian Company, Ltd., et al.; and

No. 87-2133. Legislature of the Virgin Islands, Appellant *v.* West Indian Company, Ltd., et al.;

No. 87-6745. John Thompson, Petitioner *v.* Louisiana;

No. 87-6813. Mitchell Williams, Petitioner *v.* United States Postal Service, et al.;

No. 87-6987. William Anthony Lipham, Petitioner *v.* Georgia;

No. 87-7012. Ralph Kelly, etc., Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services;

No. 87-7039. Terry Rena Davenport, Petitioner *v.* Georgia;

No. 87-7084. Steve Wool, Appellant *v.* William Hinkel, et al.;

- No. 87-7093. Federico J. Headley, Petitioner *v.* M. P. Zon, et al.;
- No. 87-7098. Anthony Keith Johnson, Petitioner *v.* Alabama;
- No. 87-7117. Maurice Andrews, Petitioner *v.* Texas;
- No. 87-7125. Vernetta Steele, Petitioner *v.* Felix Chevrolet, et al.;
- No. 87-7131. Evangeline Samm, Petitioner *v.* Southeastern University;
- No. 87-7156. Morris May, Petitioner *v.* Ohio Unemployment Compensation Board of Review;
- No. 87-7172. Royal Edward Glaude, Petitioner *v.* Regional Postmaster General, et al.;
- No. 87-7197. Joseph C. Brown, Petitioner *v.* Robert Hoke, Superintendent, Eastern Correctional Facility;
- No. 87-7214. Paul Jones Mitchell, Petitioner *v.* Richard L. Thornburgh, Attorney General, et al.;
- No. 87-7216. Robert E. Mahlerwein, Appellant *v.* Federal Land Bank of Louisville;
- No. 87-7222. Marshall Safir, Petitioner *v.* Interstate Commerce Commission, et al.;
- No. 87-7248. William Kleinschmidt, Petitioner *v.* Florida Commission on Human Relations and Barry College, Inc.;
- No. 87-7278. Rowland Lovingood, Petitioner *v.* United States;
- No. 87-7293. Robert E. Mahlerwein, Appellant *v.* William R. Stitinger, et al.;
- No. 87-7294. Robert E. Mahlerwein, Appellant *v.* Henry Bruewer, et al.;
- No. 88-55. In Re David C. Roberts, Petitioner;
- No. 88-144. Richard R. Syre, Petitioner *v.* Pennsylvania, et al.;
- No. 88-151. Andrew C. Manzo, Petitioner *v.* Lorraine M. Manzo;
- No. 88-260. In Re Eugene H. Davis, Petitioner;
- No. 88-310. In Re Michael W. Mason, et ux., Petitioners;
- No. 88-5007. Joseph Roger O'Dell, Petitioner *v.* Virginia;
- No. 88-5008. Herman Lynch, Petitioner *v.* Seybert Nicholas Printing Corporation;
- No. 88-5034. Terry Michael Mincey, Petitioner *v.* Georgia;
- No. 88-5047. Vern W. Englert, Petitioner *v.* Small Business Administration;
- No. 88-5052. Willie Thompkins, Petitioner *v.* Illinois;

No. 88-5086. Richard Ralph Martinez, Petitioner *v.* New Mexico;

No. 88-5161. Ethel Dotson, Petitioner *v.* Steven Bohte, et al.;

No. 88-5194. James Free, Petitioner *v.* Illinois; and

No. 88-5298. T. B. Sr., Petitioner *v.* Iowa Department of Human Services, et al. The petitions for rehearing are denied.

No. 87-6335. Albert L. Sivley, Appellant *v.* Texas. The motion for leave to file a petition for rehearing is denied.

No. 87-7076. Stanley M. Juras, Petitioner *v.* Aman Collection Service Inc., et al. The petition for rehearing is denied. Justice Kennedy took no part in the consideration or decision of this petition.

No. 88-5199. Boyd E. Graves, Petitioner *v.* BidNet, Inc. The petition for rehearing is denied. Justice White took no part in the consideration or decision of this petition.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|------------------------------|
| Frances Grant Adams III | Elkins, WV | Joseph Anthony Procaccino Jr |
| Kenneth P. Andresen | Charlotte, NC | Joyce Murphy Brooks |
| James Gregory Ashwell | Warrenton, VA | H. Dudley Payne Jr. |
| John W. Bakas Jr. | Tampa, FL | John R. Lawson Jr. |
| Capers G. Barr III | Charleston, SC | A. Arthur Rosenblum |
| Jeffrey Marlon Bloch | New York, NY | James C. Treadway Jr. |
| Thomas Michael Blumenthal | St. Louis, MO | Frank Susman |
| Michael J. Boryla | Denver, CO | J. Bayard Young |
| Charles Paul Boukus Jr. | Arlington, VA | Joseph B. McFeely |
| James A. Bowen | Juneau, AK | Scott Eugene Borg |
| William Thomas Burgess | Detroit, MI | Timothy H. Howlett |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------------|-----------------------|---------------------------------|
| Robert Brian Burns Jr. | Austin, TX | Richard F. Jacobs |
| Inlow Hamilton Campbell | Los Angeles, CA | Richard L. Rhoads |
| John Austin Carrig | Bartlesville, OK | Robert Letcher Moore II |
| Louis Casuso | Miami, FL | Edward Fortune McHale |
| Patrick O'Neil Cavanaugh | Fairfax, VA | Thomas J. Cavanaugh |
| Bradley Brent Cavedo | Richmond, VA | Wyatt B. Durette Jr. |
| Robert Lawson Cheek | Knoxville, TN | William N. Groover |
| Mark Meany Christerson | Chicago, IL | Stephen R. Swofford |
| Mary Frances Clark | Silver Spring, MD | Ernest J. Brown |
| Helen Coady | New York, NY | Henriette D. Hoffman |
| K. Blake Coffee | Austin, TX | Joseph Virgil Crawford |
| Robert Martin Coker | Atlanta, GA | Robert Earl Wilson |
| Grover Simpson Cox | Louisville, KY | Edward F. Rectenwald |
| Stephen Matson Darden | Johnson City, TN | Steven E. Kramer |
| Michael John Davidson | Richland, WA | Stanley James Bensusen |
| Gregory Lane Davies | Everett, WA | Royce A. Ferguson Jr. |
| John H. Dresslar | San Francisco, CA | Robert Alan Susk |
| Frederick Allwyn Duchardt Jr. | Liberty, MO | Judge Robert Kenneth Elliott |
| Douglas M. Duncan | Seattle, WA | Richard F. Broz |
| Joan Deborah Bolinsky Edelsohn | Moraga, CA | Judge John Andrew Ertola |
| James F. Elliott | Los Angeles, CA | James N. Adler |
| Patricia Kyle Epps | Richmond, VA | Paul Michael Thompson |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|--------------------------|
| Boyce Fowler Ezell III | Miami, FL | Joel Stephen Perwin |
| Alfred R. Fabricant | New York, NY | John P. Colangelo |
| Toba Jeanne Feldman | Columbus, OH | Heather G. Sowald |
| Marha A. Field | Cambridge, MA | Laurence Henry Tribe |
| Lynn A. Francis | Indianapolis, IN | George B. Hoffman Jr. |
| Harriet C. Frazier | Kansas City, MO | Nancy A. McKerrow |
| Jeffrey Douglas Friedlander | New York, NY | Leonard J. Koerner |
| John Gibbs | Montgomery, AL | Edward Earl Carnes |
| Joseph Bart Gilbert | Washington, DC | Kenneth Francis Ripple |
| Edward N. Glad | Los Angeles, CA | John R. Liebman |
| Thomas Rush Gottshall | Columbia, SC | Hamilton Osborne Jr. |
| Craig F. Graziano | Des Moines, IA | Frank A. Comito |
| Allan P. Haber | New York, NY | William Ramsey Clark |
| Anne Elizabeth Hall | Springfield, MO | Margaret Elise Branyan |
| John Raymond Hartnett | Alexandria, VA | Henry Julius Cappello |
| Eric Hoffman | Philadelphia, PA | James Douglas Crawford |
| Richard Jean Holzer | Dayton, OH | Maurice James Leen Jr. |
| Craig Lee Hopkins | Dallas, TX | Harry W. Hopkins |
| David Glenn Hymer | Birmingham, AL | Hobart A. McWhorter Jr. |
| Donald Massey James | Birmingham, AL | Warren Bricken Lightfoot |
| David Joseph Jaquint | Hayward, CA | James Farragher Campbell |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-------------------------|---------------------------|
| Paul B. Johnson | Piedmont, CA | Samuel L. Holmes |
| Karl G. Johnson Jr. | Austin, TX | Richard F. Jacobs |
| C. Kent Jolliff | Little Rock, AR | John Steven Clark |
| Paul W. Kahn | New Haven, CT | Paul David Gewirtz |
| Mark Hayden Kane | Colorado Springs, CO | Hayden W. Kane |
| Mark Jay Krum | Philadelphia, PA | Marvin Comisky |
| David Edward Lasker | Madison, WI | Percy L. Julian Jr. |
| Rose Marino | Lawrence, KS | Paul E. Wilson |
| Christine Marillyn Mason | Sacramento, CA | Michael Pescetta |
| James Murray McCabe | Brooklyn, NY | Leslie Rankin Long Jr. |
| William D. McCann | San Ramon, CA | John W. Noonan |
| Carlene V. McIntyre | New York, NY | Arthur P. Berg |
| John W. McWhirter Jr. | Tampa, FL | John R. Lawson Jr. |
| Kathleen Keogh Miller | Cleveland, OH | David Evan Bishop |
| James David Mirynowski | Philadelphia, PA | Walter F. Riess Jr. |
| Paul Mogin | Washington, DC | Richard Melvyn Cooper |
| John M. Monahan | Seattle, WA | John D. Spellman |
| Cecily LaVigne Morris | Massena, NY | Francis C. LaVigne |
| Ronald B. Mun | Honolulu, HI | David Charles Laxson |
| Gary Eugene Norton | Blomsburg, PA | Carl F. Boyer |
| David Allen Oldfield | Vandalia, IL | Robert A. Dormer |
| Richard Arnold Parr II | Oklahoma City, OK | Jack Ramsey Parr |
| Lawrence Scott Patton | Monroe, LA | David R. McDaniel |
| Kathleen Pickering | Pine Ridge, SD | Krista H. Clark |
| Alan B. Posner | Detroit, MI | Jerome W. Kelman |
| Shawn Gordon Rader | Orlando, FL | Terry C. Young |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|-----------------------------|
| Richard S. Ralston | Seattle, WA | Joel Griffith Green |
| Gary Neale Reger | Beaumont, TX | James William Hambright |
| Dale Reinholtsen | Eureka, CA | Robert C. Dedekam |
| Thomas F. Richardson | Macon, GA | Joseph H. Davis |
| C. Kenneth Roberts | Houston, TX | Keith Alden Jones |
| Lee Harold Rosenau | Philadelphia, PA | I. Bernard Fenner |
| Timothy R. Ruckman | Summersville, WV | Dan O. Callaghan |
| George Samuel Schaunaman II | Tulsa, OK | Robert Norman Price |
| Karl Belton Schmalz | Houston, TX | Robert G. Standlee |
| Alan Michael Seltzer | Reading, PA | Samuel Brock Russell |
| J. Courtney Shevelson | Carmel, CA | Gail R. Weinheimer |
| Michael Christian Siboni | Miami, FL | George M. Fleming |
| Elizabeth Zerga Smith | Cheyenne, WY | Bruce A. Salzburg |
| Marc E. Taps | Tallahassee, FL | Peter Kent Spriggs |
| Kathryn Anne Thomas | Lakewood, OH | Shirley Adele Shank |
| Mary Alice Thurston | Washington, DC | Vicki Laine Plaut |
| Lynn W. Toedte | Littleton, CO | J. Bayard Young |
| Kathleen J. Tuttle | Washington, DC | Thomas F. Eagleton |
| C. William Ullrich | Charleston, WV | Charles Gailey Brown III |
| Merritt E. Vaughan | Utica, NY | Mark William McLane |
| Gilbert Paul Verbit | Boston, MA | Larry W. Yackle |
| John Michael DeJong Vrieze | Eureka, CA | Robert C. Dedekam |
| Lanny Earl Walter | Albany, NY | Michael Robert Krinsky |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|----------------------------|
| Hill B. Wellford Jr. | Richmond, VA | Paul Michael Thompson |
| Dolena T. Westergard | Dallas, TX | Peter Llewellyn Harlan |
| Louis H. Willenken | New York, NY | Charles F. Schirmeister |
| Robert M. Wilson | Sacramento, CA | Malcolm Stuart Segal |
| Monique Edwige Yingling | Washington, DC | Gerald Alan Feffer |
| Mark L. Zalaoras | Las Vegas, NV | Roy A. Woofter |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|--------------------------|
| Jerome Christian Muys Jr. | Washington, DC | Jerome Christian Muys |
| Margaret Brooke Murdock | Baltimore, MD | Stephen J. Cribari |
| James Anthony Shapiro | Chicago, IL | David E. Blum |

ORAL ARGUMENTS

No. 87-1165. California, et al., Petitioners *v.* United States, et al. Argued by Mr. Jerome C. Muys for the petitioners, by Mr. Edwin S. Kneeder for the Federal respondents, and by Mr. Dale T. White for the Tribal respondents.

No. 87-1485. Arthur J. Blanchard, Petitioner *v.* James Bergeron, et al. Argued by Mr. William W. Rosen for the petitioner and by Mr. Edmond L. Guidry, III, for the respondents.

No. 87-5840. Edward McNamara, Appellant *v.* County of San Diego Department of Social Services. Argued by Mr. James E. Sutherland for the appellant and by Mr. Lloyd Harmon, Jr., for the appellee.

No. 87-963. Robert L. Hernandez, Petitioner *v.* Commissioner of Internal Revenue; and

No. 87-1616. Katherine Jean Graham, et al., Petitioners *v.* Commissioner of Internal Revenue. Argued by Mr. Michael J. Graetz for the petitioners and by Mr. Thomas W. Merrill for the respondent.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-6116. Steven A. Penson, Petitioner *v.* Ohio. On writ of certiorari to the Court of Appeals of Ohio, Montgomery County. Judgment reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Stevens. Concurring opinion by Justice O'Connor. Dissenting opinion by the Chief Justice.

No. 86-1904. Arizona, Petitioner *v.* Larry Youngblood. On writ of certiorari to the Court of Appeals of Arizona, Division Two. Judgment reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by the Chief Justice. Opinion by Justice Stevens concurring in the judgment. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|--------------------|
| Gregory Jacob Stucky | Wichita, KS | Dale M. Stucky |
| Karen Ruth Blumhardt | Chicago, IL | Jerome F. Crotty |
| Robert Edwin Eilers | Burr Ridge, IL | Robert A. Clifford |
| Minna Williams | Marysville, CA | Vanessa Ruiz |
| Bartley C. Williams | Marysville, CA | Vanessa Ruiz |

ORAL ARGUMENTS

No. 86-1856. Northwest Central Pipeline Corporation, Appellant *v.* State Corporation Commission of Kansas, et al. Argued by Mr. Harold L. Talisman for the appellant, by Mr. Frank A. Caro, Jr., for the appellees, and by Mr. Michael R. Lazerwitz for the United States and Federal Energy Regulatory Commission, as *amici curiae*, supporting appellees, by special leave of Court.

No. 87-1201. Myles Osterneck and Guy-Kenneth Osterneck, etc., Petitioners *v.* Ernst & Whinney. Argued by Ms. Laurie Webb Daniel for the petitioners and by Mr. Gordon Lee Garrett, Jr., for the respondent.

No. 87-1104. Walter Zant, Warden, Petitioner *v.* William Neal Moore. Argued by Ms. Susan V. Boleyn for the petitioner and by Mr. John Charles Boger for the respondent.

No. 87-453. Amerada Hess Corporation, et al., Appellants *v.* Director, Division of Taxation, New Jersey Department of the Treasury; and

No. 87-464. Texaco, Inc. and Tenneco Oil Company, Appellants *v.* Director, Division of Taxation, New Jersey Department of the Treasury. Argued by Mr. Mark L. Evans for the appellants and by Mrs. Mary R. Hamill for the appellees.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-------------------------|
| Arthur Philip Endres Jr. | Washington, DC | Peter W. Rodino Jr. |
| Sharon Burnham Takeuchi | Washington, DC | Michael Arthur Brown |

ORAL ARGUMENTS

No. 87-1054. Firestone Tire and Rubber Company, et al., Petitioners *v.* Richard Bruch, etc., et al. Argued by Mr. Martin Wald for the petitioners, by Mr. David M. Silberman for the respondent, and by Mr. Christopher J. Wright for the United States, as *amicus curiae*, supporting respondents, by special leave of Court.

No. 87-1327. Cotton Petroleum Corporation, et al., Appellants *v.* New Mexico, et al. Argued by Mr. Daniel H. Israel for the appellants and by Mr. Harold D. Stratton for the appellees.

No. 87-6431. Wayne T. Schmuck, Petitioner *v.* United States. Argued by Mr. Peter L. Steinberg for the petitioner and by Mr. Brian J. Martin for the respondent.

No. 87-1318. Volt Information Sciences, Inc., Appellant *v.* Board of Trustees of Leland Stanford Junior University. Argued by Mr. James E. Harrington for the petitioner and by Mr. David M. Heilbron for the respondent.

Adjourned until Monday, December 5, 1988 at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-437. Mario Sosa Hernandez, et al., etc., Applicants *v.* Richard L. Thornburgh, Attorney General of the United States, et al. The application for stay of repatriation presented to Justice Marshall and by him referred to the Court is denied. Justice Marshall would grant the application.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 88-539. James E. Poole, Jr., et al., Appellants *v.* Emma Gresham, et al. Appeal from the United States District Court for the Northern District of Georgia. The judgment is vacated and the case is remanded to the United States District Court for the Northern District of Georgia to consider the question of mootness. Justice Brennan, Justice White, Justice Marshall and Justice Blackmun would affirm the judgment.

No. 88-665. Jerry H. Summers, Appellant *v.* Robert L. Thompson, et al. Appeal from the Supreme Court of Tennessee, Eastern Division. The appeal is dismissed for want of a substantial federal question.

No. 88-5671. Roscoe W. Fields, Sr., Appellant *v.* Kyle Testerman, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction.

No. 88-5672. Roscoe W. Fields, Sr., Appellant *v.* Martin Marietta, Inc., et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5673. Roscoe W. Fields, Sr., Appellant *v.* Roy Pruett, etc., et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

ORDERS IN PENDING CASES

No. —. Gerald Smith, Petitioner *v.* Mississippi. The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by the petitioner is granted. The motion of Missouri Public De-

fender Commission, et al. to be substituted as next friends for Gerald Smith is denied.

No. A-419. Yonkers Racing Corporation, Applicant *v.* City of Yonkers, et al. The application for recall, stay and other relief addressed to the Chief Justice and referred to the Court is denied. The Chief Justice and Justice Kennedy would grant the application.

No. D-747. In the Matter of Disbarment of Nicholas W. Williams. It is ordered that Nicholas W. Williams, of Berea, Kentucky, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 105, Original. State of Kansas, Plaintiff *v.* State of Colorado. The motion of the Special Master for award of interim fees and expenses is granted and the allocation set forth in the motion is approved. This amount is to be paid equally by the parties.

No. 87-826. Jerome F. Goldberg and Robert McTigue, Appellants *v.* Roger D. Sweet, Director, Illinois Department of Revenue, et al.; and

No. 87-1101. GTE Sprint Communications Corporation, Appellant *v.* Roger D. Sweet, Director, Illinois Department of Revenue, et al. The motion of appellants Goldberg and McTigue for leave to file a supplemental brief after argument is granted.

No. 87-1661. ASARCO Incorporated, et al., Petitioners *v.* Frank Kadish, et ux., et al. The motion of Alaska Miners Association, et al. for leave to file a brief as *amici curiae* is granted. Justice O'Connor took no part in the consideration or decision of this motion.

No. 87-1848. City of Dallas, et al., Petitioners *v.* Charles M. Stanglin, Individually, and dba Twilight Skating Rink. The motion of U.S. Conference of Mayors, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-266. Oklahoma Tax Commission, Petitioner *v.* Jan Graham, et al. The motion of Stanley J. Alexander, Esquire, to permit David Allen Miley, Esquire, to present oral argument *pro hac vice* is granted.

No. 88-603. Arizona, Petitioner *v.* Conrad Marion Flint. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

APPEALS—JURISDICTION NOTED

No. 88-429. Public Citizen, Appellant *v.* United States Department of Justice, et al.; and

No. 88-494. Washington Legal Foundation, Appellant *v.* United States Department of Justice, et al. Appeals from the United States District Court for the District of Columbia. In these cases probable jurisdiction is noted. The cases are consolidated and a total of one hour is allotted for oral argument. Justice Scalia took no part in the consideration or decision of these cases.

CERTIORARI GRANTED

No. 88-396. Colonial American Life Insurance Company, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 88-616. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Elmer Hudson. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit granted.

No. 88-556. Browning-Ferris Industries of Vermont, Inc., et al., Petitioners *v.* Kelco Disposal, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to Question 2 presented by the petition.

CERTIORARI DENIED

No. 87-7201. William J. Foley, Petitioner *v.* Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 87-7249. Roger Allen Colston, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-353. Massachusetts, Petitioner *v.* Leo A. Derosia. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 88-402. Michigan, Petitioner *v.* Richard A. Thornburgh, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-423. Mayfair Construction Company, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-424. Emeryville Trucking, Inc., Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-434. Richard J. Sinnott, Petitioner *v.* Charles A. Radin, et al. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 88-437. Taylor Lawrence, dba Grizzly and Daley Ranch, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-446. Contemporary Mission, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-473. Chris Karsteter, Petitioner *v.* Graham Companies, fka Sengra Corporation. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 88-496. Philip A. Young, et al., Petitioners *v.* Standard Oil (Indiana) and Amoco Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-604. Vicki Frost, Petitioner *v.* Hawkins County Board of Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-611. Timothy Scott Roman, Petitioner *v.* Superior Court of California, County of Los Angeles (California, etc., Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-621. Town of Rye, New Hampshire, Petitioner *v.* Public Service Company of New Hampshire, et al. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 88-623. Joseph William Dorn, Petitioner *v.* Wisconsin, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-636. Virginia A. Brobst, Petitioner *v.* Dean Witter Reynolds, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-637. Capital Controls Company, Inc., Petitioner *v.* Chlorinators, Inc. and James F. Haskett. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-641. Dianella Shipping Corporation, et al., Petitioners *v.* Alejandro Hernandez. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-643. Atlantic Tele-Network Co., Petitioner *v.* Public Services Commission of the Virgin Islands, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-648. Roger Endell, Commissioner, Alaska Department of Corrections, Petitioner *v.* Scott A. Walker. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-650. Sandra S. Grogan, et al., Petitioners *v.* Brenda F. Platt, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-652. Charles Ben Howell, Petitioner *v.* State Bar of Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-657. Charter Medical Corporation, Petitioner *v.* Jerome S. Cardin, Jerome J. Collier and Kenneth E. Hansen. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-689. Mildred Perry, Petitioner *v.* Carol Howes, Warden, Florence Crane Women's Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-694. A.E.C. Trading Co., Ltd., Petitioner *v.* Trademasters International, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-696. Nicholas B. Wallace, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-707. Eileen Conway, Petitioner *v.* First Trust Company of North Dakota; and

No. 88-708. Eileen Conway, Petitioner *v.* First Trust Company of North Dakota. Petitions for writs of certiorari to the Supreme Court of North Dakota denied.

No. 88-735. Rolland A. Neve, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-751. Clark W. Rowland, Petitioner *v.* Alameda County Probation Department. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-775. George Kelley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-788. Gennaro Langella, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5070. Muamba Martin Luther Kabongo, Petitioner *v.* Immigration & Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5113. Scott A. Fountain, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5125. Anant Kumar Tripathi, Petitioner *v.* Gary L. Henman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5157. Samuel Paul Glover, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5247. Kenneth L. Pendleton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5262. Daniel Chalan, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5305. Jeffrey Floyd Roberts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5355. Elias Gonzales, Petitioner *v.* Darel Kerby, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5362. Steve Nimmons, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-5384. Norman F. Marsden, Petitioner *v.* Louis Moore, Sheriff, Chilton County, Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5447. Gregory Scott Hermanski, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5492. Conrad Whitehead, II, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5568. Lance D. Watson, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-5590. Kerry Lee Smith, Petitioner *v.* Barbara Scott, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5641. John Edward Hix, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-5655. Raymond Ferguson, Petitioner *v.* Norris W. McMackin, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5665. Sylvester Jones, Petitioner *v.* City of St. Louis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5666. Paul Russell Layton, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-5675. Wilbert Andrew Allen, Petitioner *v.* Brenda Cesario, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5678. Larry D. Pollard, Petitioner *v.* Owens Illinois Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5682. Barbara W. Levitt, Petitioner *v.* University of Texas at El Paso, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5689. Roedon Williams, Petitioner *v.* City of Hazelhurst, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5692. Andre Waul, Petitioner *v.* Robert Henderson, Superintendent, Auburn Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5693. Gary Lee McColpin, Petitioner *v.* Ronald W. Brooks. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5694. Nathaniel Moore, Petitioner *v.* Thomas A. Fulcomer, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5700. Paul A. Rosberg, Petitioner *v.* Arnold Jacob, et al. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 88-5702. Robert E. Weinreich, Petitioner *v.* Thomas T. Campbell, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5705. William Johnny Mason, Petitioner *v.* United States;

No. 88-5711. Roger David Handley, Petitioner *v.* United States;
No. 88-5719. Ricky L. Creekmore, Petitioner *v.* United States;
No. 88-5724. Terry Joe Tucker, Petitioner *v.* United States;
No. 88-5739. Lenwood Lewis White, Petitioner *v.* United States;
and

No. 88-5740. Ray Winford Steele, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5707. Hillery C. Thorne, Jr., Petitioner *v.* Robert Bailey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5710. Emilio Pita Armentero, Petitioner *v.* Martin Makel, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5716. Ann Lemberg, Petitioner *v.* Andrew Tseng, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-5717. Isiah James, Jr., Petitioner *v.* William D. Leeke, Commissioner, South Carolina Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5718. Helga Ballantyne, Petitioner *v.* Scott Erdbacher, et al. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-5720. Roy Dean Bowman, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-5721. Jerry Young, Petitioner *v.* Thomas A. Coughlin, III, Commissioner, New York State Department of Correctional Services. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5734. Cord Francis, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 88-5768. John Eugene Sellner, Petitioner *v.* Prince George's County, Maryland, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5771. Vernon Dale Metts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5787. Thomas Regan, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-5797. Cordell Moody, Petitioner *v.* J.O. Baker. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5798. Cordell Moody, Petitioner *v.* Texas Court of Criminal Appeals. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5831. Anderson Brannon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5845. Boyd DePriest, Petitioner *v.* Virginia. Petition for writ of certiorari to the Court of Appeals of Virginia denied.

No. 88-5846. Winston Lloyd, Petitioner *v.* Henry Hines, et al. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 88-5851. Kasib Tauheed Bilal, Petitioner *v.* Dayton Hudson Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-211. Charles J. Black, Warden, Petitioner *v.* Darwin Jay Robinson, Sr. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-564. Michigan, Petitioner *v.* Paul A. Dye. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 88-668. Colorado, Petitioner *v.* Antonio Harris. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 88-97. Ford Motor Company, Petitioner *v.* Gary Bryant. The order of October 3, 1988, granting the petition for a writ of certiorari is vacated. The petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Blackmun dissents.

No. 88-318. Richard T., Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Brennan and Justice White would grant certiorari.

No. 88-410. Unisys Corporation, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice O'Connor took no part in the consideration or decision of this petition.

No. 88-613. E.I. du Pont de Nemours & Company, Petitioner *v.* Phillips Petroleum Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice White and Justice O'Connor took no part in the consideration or decision of this petition.

No. 88-577. Issa Elias Samaan, Petitioner *v.* F. Niakan, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Justice White would grant certiorari.

No. 88-618. Granite Rock Company, Petitioner *v.* Building Materials and Construction Teamsters Local 216. The motion of Associated General Contractors of America, Inc. for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-658. Panhandle Eastern Pipe Line Company, Petitioner *v.* Illinois, ex rel. Neil F. Hartigan, Attorney General of Illinois. The motion of Interstate Natural Gas Association of America for leave to file a brief as *amicus curiae* is granted. The motion of Kansas Power and Light Company for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5628. Mitchell Williams, Petitioner *v.* Planned Parenthood Association of the Atlanta Area, Inc., et al. The petition for a writ of certiorari to the United States Court of Appeals for the Eleventh Circuit before judgment is denied.

No. 88-5625. Johnny Dean Pyles, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5782. James Michael Briddle, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-5686. In Re Sylvester Jones. The petition for writ of mandamus is denied.

REHEARINGS DENIED

No. 87-1853. Michael Lauritzen, et ux., Individually and dba Lauritzen Farms, Petitioners *v.* Ann McLaughlin, Secretary of Labor;

No. 87-1896. Jerome B. Rosenthal, Appellant *v.* State Bar of California;

No. 87-7119. Raymond Lee Stewart, Petitioner *v.* Illinois;

No. 87-7223. Lawrence Lewis, Jr., Petitioner *v.* United States;

No. 87-7322. William Bryant, Petitioner *v.* United States;

No. 87-7345. Kellie A. Simpson, Jr., Petitioner *v.* Upper Providence Township Police Department, et al.;

No. 88-365. April Rivard, et al., Petitioners *v.* Chicago Fire Fighters Union, Local No. 2, et al.;

No. 88-5033. John Birges, Sr., Appellant *v.* Nevada;

No. 88-5299. Robert L. Garza, Petitioner *v.* Gary Grammer, Assistant Director, Nebraska Department of Correctional Services, Adult Institutions;

No. 88-5317. Mark Lee Pollock, Petitioner *v.* Ronald C. Marshall;

No. 88-5351. Donald M. Davis, Petitioner *v.* Ann McLaughlin, Secretary of Labor;

No. 88-5386. Michael Sindram, Petitioner *v.* Theodore Taylor;

No. 88-5387. Albert W. White, Jr., Petitioner *v.* United States;

No. 88-5433. Aaron B. Scruggs, Petitioner *v.* Alfred W. Moellering, et al.; and

No. 88-5505. Robert Holley, Petitioner *v.* Amanda Bull, etc., et al. The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, December 12, 1988 until Monday, January 9, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|-------------------------|
| Michael Haris Anestos | Chevy Chase, MD | Harry Peter Anestos |
| Daniel Ray Bacon | San Francisco, CA | Gregory Joseph Bonfilio |
| George Allen Barton | Kansas City, MO | W. James Foland |
| Susan Belgard | New York, NY | Peter F. Vallone |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|------------------------|-------------------------------|
| Louis Bell | Philadelphia, PA | Francis Flaherty Quinn |
| Lynn Manville Bencowitz | Beaumont, TX | Kerwin B. Stone |
| Barry Robert Benton | Brownsville, TX | Paul Q. O'Leary |
| Michael Peter Berger | Philadelphia, PA | Joel Craig Schochet |
| Steven Alan Bergstein | Allentown, PA | Bernard Frank |
| Lynne Bernabei | Washington, DC | Richard B. Sobol |
| John T. Buckingham | Knoxville, TN | Edwin Hope Rayson |
| John Clayton Colwell | San Diego, CA | Thomas Barr Gorrill |
| Charles Corcoran | Hartford, CT | Irving Milton Widem |
| Clyde I. Coughenour | Woodbridge, VA | Stanley Thomas Krawczewicz |
| Cathy Elizabeth Crosson | Beverly Hills, CA | Robert Sarno |
| Dana Alan Curhan | Boston, MA | Phillip L. Weiner |
| Roger J. Cusick | Albany, NY | Robert P. Roche |
| Sarah Thompson Darrow | Trenton, NJ | Harry Z. Haushalter |
| James L. Davis III | Gulfport, MS | Timothy Charles Holleman |
| Michael George Descalso | Menlo Park, CA | Bruce D. Wagner |
| Michael James Eng | New York, NY | John Gardner |
| Jean Ann Enns | Los Angeles, CA | Joe Ramirez Manahan |
| Thomas E. Finnerty | Boston, MA | Henry A. Cashman |
| Evelyn Floyd | Gulfport, MS | Jason H. Floyd |
| Frederic L. Gordon | San Diego, CA | Vincent J. Bartolotta Jr. |
| James M. Hallett | Manhattan Beach, CA | Steven Kimball Hauser |
| M. Leah A. Harjo | Holdenville, OK | Mandy Welch |
| Jonathan David Hart | Washington, DC | Almeric Leander Christian |
| Rodger A. Heaton | Washington, DC | Margaret Kolodny Pfeiffer |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|-------------------------|
| James Edward Horne | Seattle, WA | Charles Eugene Peery |
| Carley Jean Ingram | Dayton, OH | Michael Patrick Moloney |
| Jesse Henry Ingram | Washington, DC | Richard H. Morgan Jr. |
| J. Robert Joiner | Atlanta, GA | Vernon S. Pitts Jr. |
| Robert David Kaplan | New York, NY | Bruce Stephen Kaplan |
| Edmund H. Kendrick | Santa Fe, NM | John Benbow Draper |
| Noah Aaron Kinigstein | New York, NY | William M. Kunstler |
| Henry W. Kinney III | New Orleans, LA | Ernest Lynwood 'Bannon |
| Rhonda B. Kublin | Syracuse, NY | Frederick Fane Shantz |
| Arthur Williams Landry | New Orleans, LA | Andrew L. Plauche Jr. |
| Christopher Alan Lewis | Philadelphia, PA | Morey M. Myers |
| Gary W. Leydig | Chicago, IL | Nancy G. Lischer |
| Raymond L. Liebman | Staten Island, NY | Philip George Minardo |
| Robert L. Liebross | Westbury, NY | J. H. Krug |
| Keith Clark Livesay | McAllen, TX | Neil Ernest Norquest |
| Anne L. McGihon | Washington, DC | Robert Aaron Wittie |
| Dennis S. Meir | Atlanta, GA | Judith Ann Powell |
| Mary Frances Goodman Mencke | Chicago, IL | Francis E. Goodman |
| John Peter Miscione | Florham Park, NJ | Mary R. Hamill |
| Douglas Ryan Mullkof | Ann Arbor, MI | Martin A. Geer |
| Dennis L. Myers | Merced, CA | Ralph John Cook |
| Thomas Dean Myrick | Charlotte, NC | William W. Sturges |
| Steven E. Noack | Bismarck, ND | Laurie J. Loveland |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-----------------------|-------------------------------|
| Adrian K. Panton | Los Angeles, CA | Jill Ellen Ishida |
| Edward A. Pennington | Washington, DC | Gene Wallace Stockman |
| John E. Pilcher | Selma, AL | Cartledge W. Blackwell Jr. |
| Timothy H. Pletcher | Houston, TX | George E. Pletcher |
| Gary E. Powers | Providence, RI | James E. O'Neil |
| John P. Ratnaswamy | Chicago, IL | Michael M. Conway |
| Paul William Raymond | Newport Beach, CA | Walter George Koontz Jr. |
| Thomas E. Reeks | Los Angeles, CA | David Silverton |
| Robert Alan Rees | Los Angeles, CA | William Thayer Rintala |
| Mark William Reis | Cincinnati, OH | Irving Howard Rosen |
| Dennis D. Resh | Los Angeles, CA | Robert Charles Packard |
| Gerald Jay Resnick | Edison, NJ | Robert H. Jaffe |
| Diane Ritchie | San Jose, CA | Kenneth Saul Rosenblatt |
| Clay Robbins III | Los Angeles, CA | Toni Rae Bruno |
| Jacquelyn Ann Jess Rubemeyer | St. Charles, MO | Donald L. Wolff |
| Allen R. Sakai | Seattle, WA | Philip Albert Talmadge |
| Mark James Seplak | Chicago, IL | Stanley H. Jakala |
| Richard Sherman | Berkeley, CA | Nordin F. Blacker |
| Jenny Dora Smith | San Francisco, CA | Michael M. Carlson |
| Irene M. Solet | Washington, DC | Judith A. Miller |
| Daniel Gerard Spraul | Cincinnati, OH | Thomas C. Spraul |
| Clifford Reynold Steele | Milwaukee, WI | David Patrick Geraghty |
| Martin Scott Stehling | Kerrville, TX | Warren Edsel Burnett |
| Michael Zak Stern | Austin, TX | Stewart J. Alexander |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|-----------------------|
| Bruce Allen Teichner | Chicago, IL | Michael Joseph Daley |
| John E. Tener | Hartford, CT | James M. Smith |
| Livia D. Thompson | New York, NY | Jill Lori Kahn |
| Jack Frederick Trope | Scotch Plains, NJ | Bertram Edward Hirsch |
| John J. Waller Jr. | Los Angeles, CA | John H. Sharer |
| Thomas M. R. Wickwire | Fairbanks, AK | Richard J. Ray |
| Phillip Alan Wicky | Rockport, MA | Charles E. Jones |
| John C. Wright Jr. | Philadelphia, PA | Joel Craig Schochet |
| David Phillip Zev | Chicago, IL | Nancy Sass Scotillo |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------|
| David Barry Goroff | Chicago, IL | Tomas Morgan Russell |
| Carol Angela Clancy | Washington, DC | James J. Clancy |
| Stephen Douglas Milbrath | Orlando, FL | Hal Kemp Litchford |

ORAL ARGUMENTS

No. 87-1064. United States, Petitioner *v.* Philip George Stuart, Sr., et al. Argued by Mr. Lawrence G. Wallace for the petitioner and by Mr. Charles E. Peery for the respondents.

No. 87-1346. Bonito Boats, Inc., Petitioner *v.* Thunder Craft Boats, Inc. Argued by Mr. Tomas Morgan Russell for the petitioner and by Mr. Charles E. Lipsey by invitation of the Court as *amicus curiae*, in support of the judgment below.

No. 87-1207. Ray Will, Petitioner *v.* Michigan Department of State Police, et al. Argued by Mr. William Burnham for the petitioner and by Mr. George H. Weller for the respondents.

No. 87-1269. March Fong Eu, Secretary of State of California, et al., Appellants *v.* San Francisco County Democratic Central Committee, et al. Argued by Mr. Geoffrey Lloyd Graybill for the appellants and by Mr. James J. Brosnahan for the appellees.

Adjourned until tomorrow at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-821. Pittston Coal Group, et al., Petitioners *v.* James Sebben, et al.; and

No. 87-827. Ann McLaughlin, Secretary of Labor, et al., Petitioners *v.* James Sebben, et al. On writs of certiorari to the United States Court of Appeals for the Eighth Circuit; and

No. 87-1095. Director, Office of Workers' Compensation Programs, United States Department of Labor, Petitioner *v.* Charlie Broyles, et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The judgment of the Fourth Circuit is affirmed and the judgment of the Eighth Circuit is reversed and Nos. 87-821 and 87-827 are remanded to the United States Court of Appeals for the Eighth Circuit with instructions to direct the United States District Court for the Southern District of Iowa to dismiss the petition for mandamus. Opinion by Justice Scalia. Dissenting opinion by Justice Stevens with whom the Chief Justice, Justice White and Justice O'Connor join.

No. 87-751. Frank C. Carlucci, Secretary of Defense, et al., Petitioners *v.* John Doe. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice White.

No. 87-5840. Edward McNamara, Appellant *v.* County of San Diego Department of Social Services. Appeal from the Court of Appeal of California, Fourth Appellate District. The appeal is dismissed for want of a properly presented federal question. Opinion *per curiam* announced by the Chief Justice.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|------------------------------|
| Elizabeth J. Chambers | Philadelphia, PA | Gaele McLaughlin Barthold |
| Michael Clarke | Philadelphia, PA | Gaele McLaughlin Barthold |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|------------------------------|
| George Stanley Leone | Philadelphia, PA | Gaele McLaughlin Barthold |
| M. Paul Zimmerman | Washington, DC | William B. Wolf Jr. |
| Marc Fiedler | Washington, DC | Joseph H. Koonz Jr. |
| Harold E. Akselrad | New York, NY | Daniel M. Waggoner |

ORAL ARGUMENTS

No. 87-1372. Argentine Republic, Petitioner *v.* Amerada Hess Shipping Corporation, et al. Argued by Mr. Bruno A. Ristau for the petitioner, by Mr. Solicitor General Charles Fried for the United States as *amicus curiae*, supporting the petitioner, by special leave of Court, and by Mr. Douglas R. Burnett for the respondents.

No. 87-1206. Kathryn Isabella Mesa and Shabbir A. Ebrahim, aka Shabbir Azam, Petitioners *v.* California. Argued by Mr. Donald B. Ayer for the petitioners and by Mr. Kenneth Rosenblatt for the respondent.

No. 87-1602. Ronald D. Castille, etc., et al., Petitioners *v.* Michael Peoples. Argued by Mrs. Gaele M. Barthold for the petitioners and by Mr. Robert E. Welsh, Jr., for the respondent.

No. 87-6405. Phillip D. Tompkins, Petitioner *v.* Texas. Argued by Mr. Emmett B. Lewis, III, for the petitioner and by Mr. Charles A. Palmer for the respondent.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|------------------------|-----------------------------|
| Jack Alsop | Webster Springs, WV | C. William Ullrich |
| Dana Stephen Cohen | Boston, MA | Steven Ronald Ross |
| Donna Eden Cohen | Boston, MA | Steven Ronald Ross |
| Gerald Myron Cohen | Boston, MA | Steven Ronald Ross |
| Robert Randall Winter | Fairmont, WV | William James Murphy |
| Nancy J. Linck | Washington, DC | George Edward Hutchinson |
| William Thomas McClain | Washington, DC | George Edward Hutchinson |

ORAL ARGUMENTS

No. 87-1055. Elisa Chan, et al., Petitioners *v.* Korean Air Lines, Ltd. Argued by Mr. Milton G. Sincoff for the petitioners, by Mr. Richard J. Lazarus for the United States as *amicus curiae* supporting the petitioners, by special leave of Court, and by Mr. George N. Tompkins, Jr., for the respondent.

No. 87-1303. Allegheny Pittsburgh Coal Company, Petitioner *v.* County Commission of Webster County, West Virginia; and

No. 87-1310. East Kentucky Energy Corporation, et al., Petitioners *v.* County Commission of Webster County, West Virginia. Argued by Mr. E. Barrett Prettyman, Jr., for the petitioners and by Mr. William Ullrich for the respondents.

No. 87-1022. Board of Estimate of City of New York, et al., Appellants *v.* Beverly Morris, et al.; and

No. 87-1112. Frank V. Ponterio, Appellant *v.* Beverly Morris, Joy Clarke Holmes and Joanne Oplustil. Argued by Mr. Peter L. Zimroth for the appellants and by Mr. Richard David Emery for the appellees.

No. 87-1379. United States Department of Justice, et al., Petitioners *v.* Reporters Committee for Freedom of the Press, et al. Argued by Mr. Roy T. Englert, Jr., for the petitioners and by Mr. Kevin T. Baine for the respondents.

Adjourned until Monday, December 12, 1988 at 10 o'clock.

x

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

OPINION PER CURIAM

No. 88-5223. James Olden, Petitioner *v.* Kentucky. On petition for writ of certiorari to the Court of Appeals of Kentucky. The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari is granted. The judgment is reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Justice Marshall. Justice Brennan took no part in the consideration or decision of this case.

APPEALS—SUMMARY DISPOSITION

No. 88-554. Bill Clinton, Governor of Arkansas, et al., Appellants *v.* Elbert Smith, et al. Appeal from the United States District Court for the Eastern District of Arkansas. The judgment is affirmed. Justice Brennan took no part in the consideration or decision of this case.

No. 88-671. Richard A. Sprague, Appellant *v.* Greg Walter, et al. Appeal from the Supreme Court of Pennsylvania, Eastern District. The appeal is dismissed for want of a properly presented federal question. Justice Brennan took no part in the consideration or decision of this case.

No. 88-5761. Cameron Wehringer, Appellant, *v.* Departmental Disciplinary Committee for the First Judicial Department. Appeal from the Appellate Term of the Supreme Court of New York, First Judicial Department. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Justice Brennan took no part in the consideration or decision of this case.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1720. Hubert C. Taylor, Petitioner *v.* Peabody Coal Company, et al. On petition for writ of certiorari to the United States Court

of Appeals for the Seventh Circuit. The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Pittston Coal Group v. Sebben*, 488 U.S. — (1988). Justice Brennan took no part in the consideration or decision of this case.

ORDERS IN PENDING CASES

No. —. Joseph P. Serrano, et al., Petitioners *v.* Jones & Laughlin Steel Co., et al. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied. Justice Brennan took no part in the consideration or decision of this motion.

No. —. Harold Glenn Williams, Petitioner *v.* Walter Zant, Warden. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied. Justice Marshall would grant the motion. Justice Brennan took no part in the consideration or decision of this motion.

No. A-438. Jan R. Carter, et al., Applicants *v.* Modjeski & Masters. The application for stay presented to Justice White and by him referred to the Court is denied. The stay entered by Justice White on December 1, 1988, is vacated. Justice Scalia would grant the application. Justice Brennan took no part in the consideration or decision of this application.

No. D-722. In the Matter of Disbarment of Jerome J. Doherty. Disbarment order entered.

No. D-725. In the Matter of Disbarment of Jerome Paul. Disbarment order entered.

No. D-730. In the Matter of Disbarment of Herbert Reginald Swoford. Disbarment order entered.

No. D-732. In the Matter of Disbarment of Donald C. Anton. Disbarment order entered.

No. D-733. In the Matter of Disbarment of Robert N. Bussey. Disbarment order entered.

No. D-734. In the Matter of Disbarment of Marvin A. Newman. Disbarment order entered.

No. D-736. In the Matter of Disbarment of Calvin W. Chesson. Disbarment order entered.

No. 109, **Original**. States of Oklahoma and Texas, Plaintiffs *v.* State of New Mexico. The motion of plaintiffs for leave to file a supplemental complaint is granted. Justice Brennan took no part in the consideration or decision of this motion.

No. 111, **Original.** State of Delaware, Plaintiff *v.* State of New York. It is ordered that Thomas H. Jackson, Esquire, of Charlottesville, Virginia, be appointed Special Master in this case with authority to fix the time and conditions for the filing of additional pleadings and to direct subsequent proceedings, and with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem it necessary to call for. The Special Master is directed to submit such reports as he may deem appropriate.

The compensation of the Special Master, the allowances to him, the compensation paid to his legal, technical, stenographic, and clerical assistants, the cost of printing his report, and all other proper expenses, including travel expenses, shall be charged against and be borne by the parties in such proportion as the Court may hereafter direct. Justice Brennan took no part in the consideration or decision of this order.

No. 114, **Original.** State of Louisiana, Plaintiff *v.* State of Mississippi, et al. The motion for leave to file a bill of complaint is denied. Dissenting opinion by Justice White with whom Justice Stevens and Justice Scalia join. Justice Brennan took no part in the consideration or decision of this motion.

No. 87-1269. March Fong Eu, Secretary of State of California, et al., Appellants *v.* San Francisco County Democratic Central Committee, et al. The motion of Libertarian National Committee for leave to file a brief as *amicus curiae* is granted. The Chief Justice and Justice Brennan took no part in the consideration or decision of this motion.

No. 87-1661. ASARCO Incorporated, et al., Petitioners *v.* Frank Kadish, et ux., et al. The motion of Clinton Campbell Contractor, Inc. for leave to file a brief as *amicus curiae* is granted. Justice Brennan and Justice O'Connor took no part in the consideration or decision of this motion.

No. 87-1882. Dean Neitzke, etc., et al., Petitioners *v.* Harry Lawrence Williams, Sr. The motion of respondent to dismiss the writ of certiorari as improvidently granted is denied. Respondent's suggestion of mootness is rejected. Justice Brennan took no part in the consideration or decision of this motion.

No. 87-2050. County of Allegheny, et al., Petitioners *v.* American Civil Liberties Union Greater Pittsburgh Chapter, et al.;

No. 88-90. Chabad, Petitioner *v.* American Civil Liberties Union, et al.; and

No. 88-96. City of Pittsburgh, Petitioner *v.* American Civil Liberties Union Greater Pittsburgh Chapter, et al. The motion of petitioners

County of Allegheny, et al. for divided argument is denied. The motion of petitioner Chabad for divided argument is granted to be divided as follows: 10 minutes to petitioner in No. 88-90 and 20 minutes to petitioners in Nos. 87-2050 and 88-96. The motion of petitioner City of Pittsburgh for divided argument is denied. The motion of respondent Malik Tunador for divided argument and for additional time for oral argument is denied. Justice Brennan took no part in the consideration or decision of these motions.

No. 87-6997. Eugene John Carella, Appellant *v.* California. The motion for appointment of counsel is granted and it is ordered that Christopher D. Cerf, Esquire, of Washington, D. C., is appointed to serve as counsel for the appellant in this case. Justice Brennan took no part in the consideration or decision of this motion.

No. 88-660. Simkins Industries, Inc., Petitioner *v.* Sierra Club. The Solicitor General is invited to file a brief in this case expressing the views of the United States. Justice Brennan took no part in the consideration or decision of this order.

No. 88-5808. Nyahuma Kamau Macharia, Petitioner *v.* Donald P. Hodel, Secretary of the Interior. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until January 3, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*. Justice Brennan took no part in the consideration or decision of this motion.

CERTIORARI GRANTED

No. 88-493. University of Pennsylvania, Petitioner *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted limited to Question 2 presented by the petition. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-681. California State Board of Equalization, Petitioner *v.* Sierra Summit, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Justice Brennan took no part in the consideration or decision of this petition.

CERTIORARI DENIED

No. 87-1873. Dow Chemical Company, Petitioner *v.* Robert Arehart. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-451. Peter E. Horrigan, Petitioner *v.* General Dynamics Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-462. United Paperworkers' International Union, AFL-CIO, Local No. 1069, Petitioner *v.* S. D. Warren Company, etc. and United Paperworkers' International Union, AFL-CIO, Local 1069, Petitioner *v.* S.D. Warren Company, etc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-463. Communications Workers of America, AFL-CIO, Petitioner *v.* United Inter-Mountain Telephone Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-479. Marion D. Campbell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-481. Industrial Steel Products Co., Inc. and Mosher Steel Company, Petitioners *v.* Ann McLaughlin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-488. Barry L. Rider, et al., Petitioners *v.* Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-489. Dwight A. McKabney, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-495. Herbert Roberts, et ux., Petitioners *v.* United States; and

No. 88-5727. Lewis Bromberg, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Brennan took no part in the consideration or decision of these petitions.

No. 88-504. Commissioners of the Land Office of Oklahoma, Petitioner *v.* Claude R. Butler. Petition for writ of certiorari to the Supreme Court of Oklahoma denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-633. Mansion House Center North Redevelopment Company, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-640. Empire Blue Cross and Blue Shield, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-646. First Interstate Credit Alliance, Inc., Petitioner *v.* American Bank of Martin County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-656. Wilbur H. Friedman, Jr., Petitioner *v.* Thomas B. Ferguson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-661. John H. Spencer, Petitioner *v.* St. Paul Fire and Marine Insurance Company. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-662. Holy Spirit Byelorussian Autocephalic Orthodox Church, et al., Petitioners *v.* Basil Kendysh, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-663. Allstate Insurance Company, Petitioner *v.* Neil J. Schon and Walter J. Herbert, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-666. Ernestine Forrest, Petitioner *v.* Occidental Petroleum Corporation, et al. Petition for writ of certiorari to the United States

Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-670. Law Firm of Daniel P. Foster, et al., Petitioners *v.* Turner Broadcasting System, Inc., dba CNN (Cable News Network, Inc.). Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-672. Triangle Industries, Inc., etc., Petitioner *v.* Stanley Zulowski, Sr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-675. Synergy Gas Corporation, Petitioner *v.* Robert Sasso, Individually and as President of Local 282, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-677. Delbert Boyle, Personal Representative of the Heirs and Estate of David A. Boyle, Deceased, Petitioner *v.* United Technologies Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-678. June McGee, etc., Petitioner *v.* Gordon Treharne, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-679. Charles E. Brown, Jr., Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-680. Clifford Y.C. Lai, et ux., Petitioners *v.* City and County of Honolulu. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-682. H & H Beverage Distributors, Inc., Petitioner *v.* Department of Revenue of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-690. Matson Plastering, Inc., Petitioner *v.* Plasterers and Shophands Local No. 66, Operative Plasterers and Cement Masons International Association of the United States and Canada. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-697. Randall Trahan, Petitioner *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-705. Earl L. Jones, Petitioner *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-714. James E. O'Neil, Attorney General of Rhode Island, Petitioner *v.* Blackstone Valley Electric Company. Petition for writ of certiorari to the Supreme Court of Rhode Island denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-718. Robert M. Schucker, Petitioner *v.* Terry G. Rockwood, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-793. Ronald Pagel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5246. Lazaro Mora, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5414. Richard Johnson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5475. Fred Olson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5478. Rajinder Singh Batra, Petitioner *v.* Commodity Futures Trading Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5558. William Flowers, Petitioner *v.* Warden, Connecticut Correctional Institution, Somers, Connecticut. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5560. Kenneth Pendleton, Petitioner *v.* Bureau of Prisons. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5698. Jerry Wayne McFarland, Petitioner *v.* A.L. Lockhart, Director, Arkansas Department of Correction, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5729. Albert C. Gallagher, Petitioner *v.* Vermont. Petition for writ of certiorari to the Supreme Court of Vermont denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5732. William Marvin Hill, Petitioner *v.* Robert Redman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5735. Harry John Curtis, III, Petitioner *v.* Avron J. Arave, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5736. Robert Elton Cox, Petitioner *v.* New Mexico, et al. Petition for writ of certiorari to the Supreme Court of New Mexico denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5743. George Williams, Petitioner *v.* Bill Armontrout, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5752. Marion Stephens, Jr., Petitioner *v.* South Atlantic Cannery, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5765. Calvin Poole, Petitioner *v.* Charlie Jones, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals

for the Eleventh Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5767. Carolyn Glennye Simmons, Petitioner v. John O. Marsh, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5769. Marilyn O'Connor, Petitioner v. Chic Hecht, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5784. Larry Dale Wintjen, Petitioner v. Don Bonacker, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5786. Melvin Leroy Tyler, et al., Petitioners v. Donald Cline, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5814. Robert Bunner, Petitioner v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5819. Donald Turnpaugh, Petitioner v. Dale Foltz, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5824. Rondell Garrison, Petitioner v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5839. Jimmie Mercer, Petitioner v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5841. Oreste Ollett, Petitioner v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 87-1045. Director, Office of Workers' Compensation Programs, United States Department of Labor, Petitioner v. Fred Kyle; and

No. 87-1065. National Council on Compensation Insurance, Petitioner *v.* Fred Kyle and Director, Office of Workers' Compensation Programs, United States Department of Labor. The motion of respondent Fred Kyle for leave to proceed *in forma pauperis* is granted. The petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan took no part in the consideration or decision of this motion and these petitions.

No. 88-336. Norm F. Hills, Superintendent, Pickaway Correctional Institution, Petitioner *v.* Albert Huston Freels. The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Brennan took no part in the consideration or decision of this motion and this petition.

No. 88-647. Jack R. Whitehorn, et ux., Petitioners *v.* Margaret H. Murphy and Smith, Gambrell & Russell. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan and Justice Stevens took no part in the consideration or decision of this petition.

No. 88-674. Jack Abadjian, et al., Petitioners *v.* Gulf Oil Corporation, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Justice White would grant certiorari. Justice Brennan took no part in the consideration or decision of this petition.

REHEARINGS DENIED

No. 87-1947. Louis Vitale, et al., Petitioners *v.* Benson A. Snaider, et al.;

No. 87-7228. Juanita W. Dailey, Petitioner *v.* West Virginia Department of Welfare;

No. 88-5360. Cecilia Ann Shinn, Petitioner *v.* United States Department of the Army;

No. 88-5378. Jerry Larry Collier, Petitioner *v.* A. Thomas Jones;

No. 88-5434. George W. Skatzes, Petitioner *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility;

No. 88-5514. Larry A. Bratton, Petitioner *v.* Monroe County, et al.;

No. 88-5551. Vincent Frank Silvaggio, Petitioner *v.* California; and

No. 88-5593. Harvey Lee Heishman, III, Petitioner *v.* California. The petitions for rehearing are denied. Justice Brennan took no part in the consideration or decision of these petitions.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|--------------------------|
| Christopher Edwin Anderson | Allegan, MI | George A. Greig Jr. |
| Robert Raymond Barnes | Chicago, IL | Norman H. Nachman |
| Donald Barnett | Los Angeles, CA | Bruce I. Hochman |
| James P. Bieg | Santa Fe, NM | James O. Browning |
| Charles Alan Bowman | Yuma, AZ | Douglas Snyder Stanley |
| Lee Stuart Braunstein | New York, NY | Victor Fusco |
| Terrence D. Brown | Des Moines, IA | Rufus Calhoun Young Jr. |
| Ronald Eugene Bush | Boise, ID | Craig L. Meadows |
| Robert P. Bynon Jr. | Birmingham, AL | Thomas J. Spina |
| David L. Carrigee | New Orleans, LA | Henry St. Paul Provosty |
| Michael Ralph Casey | Fort Lauderdale, FL | Ira C. Hatch Jr. |
| Ira B. Charmoy | Bridgeport, CT | Robert K. Lesser |
| Rhonda Elaine Curry | Louisville, KY | Edwin Sharp Hopson |
| Tad D. Draper | Salt Lake City, UT | Merrill Francom Nelson |
| Kent William Fanning | St. Charles, MO | Wayne Thomas Schoeneberg |
| David Alan Felt | Alexandria, VA | Kathryn Anne Oberly |
| Mark Anderson Finkelstein | Raleigh, NC | Zane E. Finkelstein |
| Harold L. Frank | Philadelphia, PA | Carlo Anthony Maio |
| William J. Gallion | Lexington, KY | Julius Edward Rather |
| B. Kevin Gover | Albuquerque, NM | W. Richard West Jr. |
| Leah Hawley | Seymour, CT | Susan Elizabeth Gill |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|--|
| Russell L. Hewitt | Cranford, NJ | Louis John Dughi Jr. |
| Edward C. Hill Jr. | Tallahassee, FL | Richard Edward Doran |
| David Raymond House | Doylestown, PA | William L. Antheil III |
| Ernest Iannelli | Philadelphia, PA | Charles B. Burr II |
| Neil W. Imus | Washington, DC | Ky Pepper Ewing Jr. |
| Dawson Malcolm Johns Jr. | Metairie, LA | Brian Edward Wrobel |
| Richard C. Kast | Richmond, VA | Thomas J. Czelusta |
| William Roland Kendall Jr. | Corpus Christi, TX | Todd A. Hunter |
| Jeffrey B. Kindler | Washington, DC | Honorable William J. Brennan, Jr., Associate Justice of the Supreme Court |
| Marsha L. Kleffman | Chicago, IL | Jonathan Thomas Howe |
| Steven Jay Kleinman | Chicago, IL | John Francis Power |
| Don Edmond Kovich | Dayton, OH | Craig Otto |
| Christine Kirwin Krackeler | Albany, NY | Mary Domenica Audi |
| Michael Anthony Ladra | Palo Alto, CA | Charles T. C. Compton |
| Thomas Carson Lee | Portland, OR | Jack Gore Collins |
| David Edward Lefton | Cincinnati, OH | Steven P. Fixler |
| Kennedy Legler III | Dayton, OH | Kennedy Legler Jr. |
| Thomas A. Leonard | Philadelphia, PA | Bruce W. Kauffman |
| Jerald Levine | New York, NY | Paul E. Warburgh Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-------------------------|------------------------------------|
| Ronald B. Lewis | Washington, DC | Peter Van Norden Lockwood |
| Sylvia Luppert | Seattle, WA | Charles Eugene Peery |
| Michael T. Maher | Dallas, TX | Charles Alan Wright |
| Nicolas A. Manzini | North Miami Beach, F | Burton Young |
| Bernardo Martinez | San Antonio, TX | David Adolph Berchermann Jr. |
| Rodney McDaniel | Frankfort, KY | JoAnne Marie Yanish |
| Edward Filmore McGee | Phoenix, AZ | J. P. Shaw |
| Robert D. Meade | White Plains, NY | Henry Robertson Barrett III |
| Patrick J. Morgan | Oklahoma City, OK | Robert H. Macy |
| Alan James Neuwirth | New York, NY | Thomas J. Macpeak |
| David Michael O'Dens | Oklahoma City, OK | Larry A. Tawwater |
| Julianne Owens | New Orleans, LA | Francis Aitkens Courtenay |
| John Davis Paul III | Spokane, WA | James F. Irwin |
| Mark D. Pierce | El Paso, TX | E. Link Beck |
| Christopher Joseph Pippett | Doylestown, PA | William L. Antheil III |
| John G. Powers | Los Angeles, CA | Donald J. Hoffman |
| Andrea May Resnick | San Francisco, CA | Sidney M. Wolinsky |
| Helen Hope Richardson | Philadelphia, PA | Walter M. Phillips Jr. |
| Susan Maria Rogers | Little Rock, AR | Philip S. Anderson Jr. |
| Marian Bridget Rush | St. Petersburg, FL | Sam H. Mann Jr. |
| Robert L. Samuel Jr. | Virginia Beach, VA | Stephen Charles Swain |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------------|
| Joseph L. Savitz III | Abbeville, SC | William Isaac Diggs |
| William Jeffrey Scherman | Passaic, NJ | Mortimer Wald |
| John David Schwalb | Nashville, TN | Lynn Allen Agee |
| Richard Alan Seligman | Washington, DC | Edward I. Koren |
| Randie Siegel | Atlanta, GA | Shari R. Rhode |
| Richard A. Simpson | Washington, DC | James Creighton McKay |
| Stephany A. Rush Slagle | Hot Springs, AR | Byron Cole Rhodes |
| Irwin M. Spector | El Paso, TX | James Gayle Garner |
| Joseph Brent Stephens | Houston, TX | Lawrence Perry Young |
| Erica Ann Tabachnick | Los Angeles, CA | William F. Stralka |
| Martha Anne Toll | Washington, DC | Ann Harriet Franke |
| Katherine Baldwin Toone | Richmond, VA | Jerry Paul Slonaker |
| Michel P. Upshaw | Window Rock, AZ | George Peter Vlassis |
| Lynn Miller Weiskittel | Baltimore, MD | Ralph S. Tyler III |
| Peter C. Williams | Stockbridge, MA | Charles F. Schirmeister |
| Claudia Annette Withers | Washington, DC | Judith L. Lichtman |

OPINIONS

No. 87-1097. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Georgetown University Hospital, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Justice Kennedy. Concurring opinion by Justice Scalia.

No. 87-1061. National Collegiate Athletic Association, Petitioner *v.* Jerry Tarkanian. On writ of certiorari to the Supreme Court of Nevada. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Stevens announced by the Chief Justice. Dissenting opinion by Justice White with whom Justice Brennan, Justice Marshall and Justice O'Connor join.

No. 87-981. Beech Aircraft Corporation, Petitioner *v.* John C. Rainey, etc., et al.; and

No. 87-1028. Beech Aerospace Services, Inc., Petitioner *v.* John C. Rainey, etc., et al. On writs of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed in part, reversed in part and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Brennan announced by the Chief Justice. Opinion by the Chief Justice dissenting in part with whom Justice O'Connor joins.

No. 87-271. Harbison-Walker Refractories, A Division of Dresser Industries, Inc., Petitioner *v.* Eugene F. Briek. On writ of certiorari to the United States Court of Appeals for the Third Circuit. The writ of certiorari is dismissed as improvidently granted. Opinion *per curiam* announced by The Chief Justice. Justice White dissents.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|--------------------------------|
| Marjorie Hecht Watson | Washington, DC | Matthew Saul Watson |
| Bennett B. Cohon | Los Angeles, CA | Eldon V. C. Greenberg |
| Jamie W. Goncharoff | West Chester, PA | Edward Vincent Cassidy, Jr. |
| Isabella Walati Sammons | Arlington, VA | Bertram Robert Cottine |
| Lloyd Foster Sammons | Alexandria, VA | Bertram Robert Cottine |
| George E. Quillin | Washington, DC | George Edward Hutchinson |
| Walter Yates Boyd, Jr. | Washington, DC | George Edward Hutchinson |
| Reid Grayson Adler | Washington, DC | George Edward Hutchinson |
| Patricia M. Drost | Washington, DC | George Edward Hutchinson |
| L. Carl Jacobsen | Washington, DC | Erias Alexander Hyman |
| Clarease E. Mitchell | Washington, DC | Erias Alexander Hyman |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|--------------------------|
| Rohulamin Quander | Washington, DC | Erias Alexander Hyman |
| Patricia Elam Ruff | Washington, DC | Erias Alexander Hyman |
| Coles Benjamin Ruff, Jr. | Washington, DC | Erias Alexander Hyman |
| William Sheldon Stancil | Washington, DC | Erias Alexander Hyman |

Adjourned until Monday, January 9, 1989 at 10 o'clock.

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No. 88-6092. Raymond Landry, Petitioner *v.* Texas. The application for stay of execution of sentence of death, presented to Justice White and by him referred to the Court, is denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6104. Samuel C. Hawkins, Petitioner *v.* Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of sentence of death presented to Justice White and by him referred to the Court is granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court. The Chief Justice and Justice White would deny the application for stay.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

CERTIORARI DENIED

No. 88-874. Jasper Newton McMurtrey, III, Petitioner *v.* Arizona. The application for stay of execution of sentence of death, presented to Justice O'Connor and by her referred to the Court, is denied. The petition for a writ of certiorari to the Arizona Superior Court, Pima County, is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-530. George Mercer, Applicant *v.* William Armontrout, Warden. The application for stay of execution of sentence of death, presented to Justice Blackmun and by him referred to the Court, is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 88-734. Cyril E. Sagan, Appellant *v.* Pennsylvania Public Television Network, et al. Appeal from the Supreme Court of Pennsylvania, Western District. The appeal is dismissed for want of jurisdiction.

No. 88-5837. Paul Ezra Rhoades, Appellant *v.* Idaho. Appeal from the Dist. Ct., 7th Judicial District Bonneville County. The appeal is dismissed for want of jurisdiction.

No. 88-759. Bret S. Clark, Appellant *v.* Florida Bar. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-804. Tony Lynn Davis, Appellant *v.* Oklahoma. Appeal from the Court of Criminal Appeals of Oklahoma. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-852. Robert E. Hooker, et ux., Appellants *v.* United States. Appeal from the United States Court of Appeals for the Ninth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-896. Earlene Polyak, Appellant *v.* Frank Hulen and Wilma Lesnansky. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5425. Gerald K. Lyerla, Appellant *v.* South Dakota. Appeal from the Supreme Court of South Dakota. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5852. Rolf Betka, Appellant *v.* City of West Linn, etc., et al.; and Rolf Betka, Appellant *v.* City of West Linn, etc., et al. Appeal from the United States Court of Appeals for the Ninth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5785. Paul O'Leary, Appellant, *v.* Steven E. Yarmosky. Appeal from the Court of Appeals of Massachusetts. The appeal is dismissed for want of a substantial federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1630. Reliance Insurance Company, Petitioner *v.* Glados, Inc. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The motion of respondent to award attorney's fees is denied. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Beech Aircraft Corporation v. Rainey*, 488 U.S. — (1988).

ORDERS IN PENDING CASES

No. —. Joseph P. Serrano, et al., Petitioners *v.* Jones & Laughlin Steel Co. The motion for reconsideration of the order denying leave to file a petition for writ of certiorari, out-of-time, is denied.

No. D-731. In the Matter of Disbarment of William Norris Clayton. Disbarment order entered.

No. D-739. In the Matter of Disbarment of Ronald R. Benjamin. Disbarment order entered.

No. D-748. In the Matter of Disbarment of Marvin Juron. It is ordered that Marvin Juron, of Deerfield, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-749. In the Matter of Disbarment of Robert A. Carter, Jr. It is ordered that Robert A. Carter, Jr., of Columbus, Ohio, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-750. In the Matter of Disbarment of Jonathan H. Soucek. It is ordered that Jonathan H. Soucek, of Cleveland, Ohio, be suspended from the practice of law in this Court and that a rule issue, returnable

within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-751. In the Matter of Disbarment of Brian A. Eberstein. It is ordered that Brian A. Eberstein, of Dallas, Texas, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 115, Original. State of Arkansas, Plaintiff *v.* State of Oklahoma. The motion for leave to file a bill of complaint is denied.

No. 87-826. Jerome F. Goldberg and Robert McTigue, Appellants *v.* Roger D. Sweet, Director, Illinois Department of Revenue, et al.; and

No. 87-1101. GTE Sprint Communications Corporation, Appellant *v.* Roger D. Sweet, Director, Illinois Department of Revenue, et al. The motion of appellant GTE Sprint Communications Corporation for leave to file a supplemental brief after argument is granted.

No. 87-1428. Patricia A. Lorance, et al., Petitioners *v.* AT&T Technologies, Inc., et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 87-1589. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al.; and

No. 87-1888. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al. The motion of respondents to argue these cases in tandem with No. 88-1, *Consolidated Rail Corporation v. Railway Labor Executives' Association*, is denied.

No. 87-1855. Thomas K. Gilhool, Secretary of Education of Pennsylvania, Petitioner *v.* Russell A. Muth, Jr., et al. The motion of respondent Central Bucks School District for divided argument and for additional time for oral argument is denied.

No. 87-1862. California, et al., Appellants *v.* ARC America Corporation, et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. Justice Stevens and Justice O'Connor took no part in the consideration or decision of this motion.

No. 87-1956. Anthony M. Frank, Postmaster General of the United States, et al., Appellants *v.* Minnesota Newspaper Association, Inc. The motion of appellee to dismiss the appeal is denied.

No. 87-6571. Dethorne Graham, Petitioner *v.* M. S. Connor, et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

No. 88-305. South Carolina, Petitioner *v.* Demetrius Gathers. The motion of respondent to dismiss the writ of certiorari is denied.

No. 88-317. Jack R. Duckworth, Petitioner *v.* Gary James Eagan. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-454. United States, Petitioner *v.* Peter Monsanto. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 88-557. Michigan, Petitioner *v.* Reginald D. Leigh. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-597. City of Gretna, Louisiana, et al., Petitioners *v.* Citizens for a Better Gretna, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-606. City of Baytown, Texas, et al., Petitioners *v.* Tony Campos, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-760. Keystone Lamp Manufacturing Company, Petitioner *v.* National Labor Relations Board. The application for stay addressed to Justice Kennedy and referred to the Court is denied.

No. 88-5526. Rolf Betka, Appellant *v.* A-T Industries, Inc., etc., et al. The motion of appellant for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

No. 88-5803. In Re Joseph and Irene Milkowski, Petitioners. The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until January 30, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of mandamus and/or prohibition without reaching the merits of the motion to proceed *in forma pauperis*.

APPEALS—JURISDICTION NOTED

No. 88-515. Sable Communications of California, Inc., Appellant *v.* Federal Communications Commission, et al.; and

No. 88-525. Federal Communications Commission, et al., Appellants *v.* Sable Communications of California, Inc. Appeals from the United

States District Court for the Central District of California. In these cases probable jurisdiction is noted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-605. William L. Webster, Attorney General of Missouri, et al., Appellants *v.* Reproductive Health Services, et al. Appeal from the United States Court of Appeals for the Eighth Circuit. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-348. New Orleans Public Service, Inc., Petitioner *v.* Council of City of New Orleans, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 88-412. Martin W. Hoffman, Trustee, Petitioner *v.* Connecticut Department of Income Maintenance, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 88-774. Newman-Green, Inc., Petitioner *v.* Alejandro Alfonzo-Larrain, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 88-782. United States Department of Justice, Petitioner *v.* Tax Analysts. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 88-333. Alabama, Petitioner *v.* James Lewis Smith. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Alabama granted.

No. 88-420. Jimmy Jones, Superintendent, Missouri Training Center for Men at Moberly, Petitioner *v.* Larry P. Thomas. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 88-5014. Jose Gomez, Petitioner *v.* United States; and

No. 88-5158. Diego Chavez-Tesina, Petitioner *v.* United States. The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit are granted. The cases are consolidated and a total of one hour is allotted for oral argument.

CERTIORARI DENIED

No. 87-1420. M-Tron Industries, Inc., Petitioner *v.* Ernest Hillebrand. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-1448. Westinghouse Electric Corporation, Petitioner *v.* Lal R. Bhaya, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-1731. Carson Pirie Scott & Co., Petitioner *v.* William M. Lacey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-2072. Howard Young, Petitioner *v.* General Foods Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-326. Howard Smithson, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-390. Larry Peterman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-428. C. William Verity, Jr., Secretary of Commerce, et al., Petitioners *v.* Center for Environmental Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-436. Stephen B. Heintz, Commissioner, Department of Income Maintenance of Connecticut, Petitioner *v.* United States. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-487. Central States, Southeast and Southwest Areas Health and Welfare Fund, Petitioner *v.* Hawkeye-Security Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-500. Illinois Commerce Commission, et al., Petitioners *v.* Interstate Commerce Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-502. In Re Jack B. Solerwitz. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-505. National Association of Counties, et al., Petitioners *v.* Nicholas F. Brady, Secretary of the Treasury. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-514. J. Clenton Henson and Sheila Henson Lutz, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-521. Harry Jessup and Westmoreland Recreation Society, Inc., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-548. Robert P. Newman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-559. Joseph Azar, Petitioner *v.* Minister of Legal Affairs of Trinidad and Tobago. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-593. Carlos Efrain Trujillo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-596. County of Summit, Petitioner *v.* City of Akron. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-602. Allied Chemical, etc., Petitioner *v.* Niagara Mohawk Power Corporation, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-607. Josephine Weigner, Petitioner *v.* City of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-612. James A. Robinson, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-617. York Bank & Trust Company, Petitioner *v.* Federal Savings and Loan Insurance Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-622. International Association of Bridge, Structural and Ornamental Ironworkers, AFL-CIO, Petitioner *v.* Blount International, Ltd. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-624. Roy Hicks, Petitioner *v.* Robert C. Feeney, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-628. Caucus Distributors, Inc., et al., Petitioners *v.* Minnesota Commissioner of Commerce. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 88-632. Consolidated Capital Corporation, et al., Petitioners *v.* Shea & Gould, et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-655. John Greco, et al., Petitioners *v.* Tampa Wholesale Company, et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-673. Evelyn Jordan, Petitioner *v.* Donald P. Hodel, Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-685. Alan S. Kuritzky, et al., Petitioners *v.* Blue Shield of Western New York, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-686. Graciano D'Andrea, Petitioner *v.* Bank of America National Trust & Savings Association. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-692. Roger Teeter, et ux., dba Sky's the Limit, Petitioner *v.* Gravity Guidance, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-695. Clive Miller, Petitioner *v.* Morongo Band of Mission Indians. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-698. Joseph E. Vogler, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-700. Scott Jonathan Corwin, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-704. Sarah Ann Hoffman, et al., Petitioners *v.* Merrell Dow Pharmaceuticals, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-716. Robert Douglas Cook, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-717. Billy A. Allard, Petitioner *v.* Martha Parten Frech, Independent Executrix of the Estate of Billie J. Allard, deceased. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 88-719. Stanley V. Tucker, Petitioner *v.* Northeast Savings, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-720. Michael T. Maloney, Superintendent, Massachusetts Correctional Institution, Petitioner *v.* Thomas J. Lanigan. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-721. Patsy Carolyn Poe, Petitioner *v.* Donnie Haydon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-722. Clayton Stapleton, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied.

No. 88-723. Mark Jenkins, Petitioner *v.* Georgia Power Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-725. Clamp-All Corporation, Petitioner *v.* Cast Iron Soil Pipe Institute, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-726. Charles McDowell, Ed Fossett and Sam Serraglio, Petitioners *v.* Robert Barnes. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-727. Charlotte Blumberg, Petitioner *v.* HCA Management Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-728. James N. Constant, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-736. Evelyn Wankoff, Individually and as Administratrix of the Estate of Irvin Wankoff, deceased, Petitioner *v.* Thomas Tibbs, et al. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-737. Jean Elizabeth Morgan, Petitioner *v.* Eric A. Foretich. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-739. Anthony Skirlick, et al., Petitioners *v.* Fidelity and Deposit Company of Maryland, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-740. W. Victor Madej, Petitioner *v.* Air Products and Chemicals, Inc. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-741. Clallam County, Washington, et al., Petitioners *v.* Department of Transportation of Washington, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-742. John C. Vonhof, Larry D. Bell and Donald E. Noll, Petitioners *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division 3, denied.

No. 88-746. Henry Adams, et al., Petitioners *v.* The Budd Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-747. Allied Corporation, Petitioner *v.* United States International Trade Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-748. Data Controls North, Inc., et al., Petitioners *v.* Equitable Bank National Association. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-749. William Kuntz, III, et al. Petitioners *v.* City of Dayton, Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-750. Arthur D. George, Petitioner *v.* Michigan Department of Natural Resources, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-752. Roger Martin, Petitioner *v.* Albert Lee Walker. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-755. Estate of Dean M. Vane, Petitioner *v.* The Fair, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-757. Wayne Alfred Hening, Petitioner *v.* Gordon Ambach, Commissioner of Education of New York, et al. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Third Judicial Department, denied.

No. 88-762. O. George Specht, Jr., et ux., Petitioners *v.* Roger Jensen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-763. Michigan, Petitioner *v.* Craig Joseph Serrano. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-765. Thanh Vong Hoai, Petitioner *v.* Thanh Van Vo, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-766. Jeff Mayes, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 88-767. Rocky L. Reliford, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-769. Jane Harlan, Petitioner *v.* Committee on Professional Ethics and Conduct of the Iowa State Bar Association, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-770. Pulitzer Publishing Company and Marianna Riley, Petitioners *v.* Lester W. Duggan, Judge, Circuit Court of Missouri, St. Charles County. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-771. Sun-Tek Industries, Inc., Petitioner *v.* Kennedy Sky-Lites, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-779. William Garner, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-780. Lucy M. Cimo, Widow of Henry J. Cimo, et al., Petitioners *v.* Terry Don Petty, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-781. Muncie Power Products, Inc., Petitioner *v.* Fred Churnock. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-783. Peter David Vandercreek, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-784. Henry Edward Bristow, Petitioner *v.* Life & Casualty Insurance Company of Tennessee. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 88-787. Kondian R. Rajaram, Petitioner *v.* International Typographical Union, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-789. Railroad Commission of Texas, et al., Petitioners *v.* Missouri Pacific Railroad, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-794. Gary J. Bruegging, Petitioner *v.* Don W. Wilson, Archivist of National Archives, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-798. Donald P. Hodel, Secretary of the Interior, *Petitioner v. Muscogee (Creek) Nation*. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-799. Frederick J. Wolske, *Petitioner v. Wisconsin*. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District II, denied.

No. 88-801. VSL Corporation, Inc., et al., *Petitioners v. Conmar Corporation, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-808. California Land and Cattle Company, *Petitioner v. Amstar Corporation*. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-817. Rosa Carter, Administratrix of the Estate of Adrian Miles Carter, deceased, *Petitioner v. City of Chattanooga, Tennessee*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-822. American Standards Testing Bureau, Inc., *Petitioner v. Honeywell, Inc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-827. Richard Witschen, Sheriff of Sherburne County, etc., et al., *Petitioners v. Wanda Charlene Boswell, etc.* Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-831. Rodney Eugene Baskin, *Petitioner v. Mississippi*. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 88-835. Charles Froschauer, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-843. Harold J. Ticktin, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-845. John W. Bibb, et ux., *Petitioners v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-860. Lumbee Farms Cooperative, Inc., *Petitioner v. National Labor Relations Board*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-861. Robert J. Modeen, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-862. Steven R. Ray, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-867. Ann R. Willner, Petitioner *v.* University of Kansas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-869. Quince L. Evans, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-881. Gert Von Marschner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-882. Albert Bosselait and Edward Bosselait, Petitioners *v.* New Hampshire Department of Employment Security, et al. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 88-883. Isidro Morales, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-890. Charlie Roach, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-900. Charles A. Kerr, II, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-911. Walter J. Cegelka, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-917. Arlene S. Kaganove, Petitioner *v.* United States Environmental Protection Agency, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-930. Joseph Vincent Cusumano and Ben Schmoutey, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-937. Samuel Rosengarten, Stanislaw Orlicki and Leonard Nachtman, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5035. Daniel W. O'Connell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5176. Jimmy Royster, Petitioner *v.* Norris W. McMackin, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5182. Robert Allen, Petitioner *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5332. Doyle James Williams, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5345. Richard Hardin, Petitioner *v.* Claudia Hardin, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5442. Jonathan Sink, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5516. William Lee Evins, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-5555. Curtis Red Fox, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5572. Joseph Soto, et ux., Petitioners *v.* Sacramento County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5635. John Henry Warren, Petitioner *v.* Donald Cabana, Superintendent, Mississippi State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5644. Steven W. (a Juvenile), Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5647. Dennis D. Booss, Petitioner *v.* Norman Carlson, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5649. Dennis D. Booss, Petitioner *v.* Alan Turner, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5674. Eddie Lee Anderson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5679. Kenneth L. Pendleton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5697. William E. Paul, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5748. Andre Bernard Brantley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5758. Prudence Sui-ning Chou, Petitioner *v.* University of California at Berkeley and Prudence Sui-ning Chou *v.* Univ. of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5760. Larry D. Green, Petitioner *v.* Jerry Johnson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5764. James A. Mangan, Petitioner *v.* Caspar Weinberger, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5773. Thomas A. Fulghum, Petitioner *v.* Paul Ford, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5774. Calvin Buchanan, Petitioner *v.* Harry Rothgerber, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5779. Lyle Prenzler, Petitioner *v.* County of Orange, California, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-5780. Charles Stringer, Petitioner *v.* J.T. Johnson, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-5781. Don C. Wilson, Petitioner *v.* David A. Garraghty, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5793. Stephen Luther Evans, Petitioner *v.* Thomas Fulcomer, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5794. Richard Giakovmis, Petitioner *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division 3, denied.

No. 88-5805. Matthew Rucker, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Hamilton County, denied.

No. 88-5807. Johnny Lee Prymer, Petitioner *v.* City of Rockford, Illinois, et al. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 88-5809. Calvin Eugene Griffin, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5810. Gregory Ivey, Petitioner *v.* Lexington Fayette Urban County Government, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5812. Thomas Padavick, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 88-5813. Imam Shahid Muhammad, Petitioner *v.* United States Bureau of Prisons. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5817. Johnny Carroll, Petitioner *v.* J. D. White, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5818. John Kenneth Kinsey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5822. Ronald W. Telepo, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-5833. Raymond R. Latham, Petitioner *v.* Norma Gluckstern, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5835. Peter Thier Kay, Petitioner *v.* City of Berkeley, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5836. William Padua Baez, Petitioner *v.* County of Onondaga. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5838. James Colozzi, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-5840. Kenneth Gregory Thompson, Jr., Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5843. Carmelo Ramos-Lopez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5844. Alexandra V. Benny, Petitioner *v.* Chicago Title Insurance Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5847. Stephanie Jankowski, Petitioner *v.* Fulton County Medical Examiner, et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-5848. William Thornton Blakey, Petitioner *v.* Bobby Vassar, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5850. David Hill, Petitioner *v.* Gordon Schukie, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5854. James D. Creel, Petitioner *v.* Glenn T. Heckmann, Chairman, Texas Board of Pardons and Paroles. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-5855. Johnnie Sterling, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 88-5856. James Melvin Lee, Petitioner *v.* Thomas A. Coughlin, III, Commissioner, New York Department of Correctional Services, et al. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Third Judicial Department, denied.

No. 88-5859. Ervin Johnson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5860. Irene K. Trotz, Petitioner *v.* United States District Court, Western District of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5862. Joseph Veston Lightsey, Petitioner *v.* Dave C. Kastner, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5865. Samuel Christopher Golden, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-5867. Troy Hacker, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied.

No. 88-5870. David K. Buckley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5872. Andrew William Walker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5873. Ana Lucia Martinez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5875. Thomas Nesbitt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5876. Arnulfo Martinez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5877. Ronnie Andrew Mabry, Petitioner *v.* Raymond Muncy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5879. Robert M. Weichert, Petitioner *v.* J. D. Swinson, Jr., Superintendent, Federal Prison Camp, Duluth, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5882. Anant Kumar Tripathi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5884. Jacques Barratteau, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5885. Albert Robert Cook, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5886. Napoleon Horton, aka John Davis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5888. Charles Davis, Petitioner *v.* Robert Hoke, Superintendent, Eastern Correctional Facility, Napanoch, New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5896. Michael Aaron Little, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5903. Jerome H. Dean, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5904. Jerry Leon Cook, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5905. John P. Darouse, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5907. Fernando Echeverria Romero, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5911. Ramiro Vilanova, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5919. Ronald L. Thompson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5920. Sam Burgest, Petitioner *v.* Ross Gearing, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5923. Anselmo Hernandez-Molina, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5927. Pasquale J. Coleman, Petitioner *v.* Delaware. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5928. Joseph C. Bonanno, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5929. William T. Gray, III, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-5930. John Richard Comerford, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5932. Michael Yunes Hamdan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5943. Jo Ann Marshburn, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5948. Henry Thissen, Jr., Petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5951. Clifton Ray Ellis, aka Raymond Clifton Ellis, Petitioner *v.* Kentucky State Board of Parole, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5955. Robert Weichert, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5968. Marion Russell Barker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5973. Michael A. Huggins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5995. Imam'Shahid Muhammad, Petitioner *v.* Rudolph Johnson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5996. James Jerald Koedatich, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 88-5999. David Delroy Gordon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6001. Kelvin Smith, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-6002. Carlos Sanchez-Cebezias, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6007. Victor Bryant, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6011. Bryson R. Reinhardt, Petitioner *v.* United States; and

No. 88-6028. Jerry W. Hendricks, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6016. Mark Randall Gurule, Petitioner *v.* Walter L. Kautzky, Executive Director, Colorado Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6031. Mitchell Bruce Feldman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6034. Anthony Gregory Garcia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6035. Floyd Hatcher, Petitioner *v.* Clifford Jackson, Superintendent, Newark House, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6047. Mohammed Ismail, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6048. Gloria "Cathy" Hensley (Hoskins), Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 88-6086. Roy Bowen, Petitioner *v.* John Jabe, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6092. Raymond Landry, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 87-1796. Ruth Massinga, et al., Petitioners *v.* L. J., et al. The motion of National Association of Social Workers for leave to file a brief

as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-7192. Ernest Browning, Petitioner *v.* John Jabe, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice White would grant certiorari.

No. 88-5459. Milton Wayne Seymore, Petitioner *v.* Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice White would grant certiorari.

No. 88-5565. Tommy Lynn Branch, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice White would grant certiorari.

No. 88-630. Alabama, Petitioner *v.* Benjamin F. Cox and Bennie J. Hays. The motion of Southern Christian Leadership Conference, et al. for leave to file a brief as *amici curiae* is granted. The motion of National District Attorneys Association, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of respondent Cox for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Justice White and Justice Kennedy would grant certiorari.

No. 88-733. United Artists Theatre Circuit, Inc., et al., Petitioners *v.* Harkins Amusement Enterprises, Inc., et al. The motion of Columbia Pictures Industries, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-738. Spring Branch Mining Company, Inc., et al., Petitioners *v.* United Mine Workers of America 1950 Pension Trust and 1950 Pension Plan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice O'Connor would grant certiorari.

No. 88-785. Lease Lights, Inc., et al., Petitioners *v.* Public Service Company of Oklahoma. The motion of Alliance for Fair Competition for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-786. Marcia Lee Carroll, Petitioner *v.* Edwin Charles Moore. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Nebraska denied. Justice White and Justice O'Connor would grant certiorari.

No. 88-5755. John Williams, et al. Petitioners *v.* Benjamin Ward, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Brennan and Justice Marshall would grant certiorari.

No. 88-5271. Winthrop Earl Eaton, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5600. Robert C. Gilliard, Jr., Petitioner *v.* Gene A. Scroggy, Commissioner, Mississippi Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5670. Larry G. Lonchar, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5684. Joseph Bernard Nichols, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5751. Gregory Van Cleave, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5753. Chuck Lee Mathenia, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5756. Adolph Honel Munson, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5759. Leon Rutherford King, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5763. Benjamin Wai Silva, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5777. Jaturun Siripongs, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5806. Judith Ann Neelley, Petitioner *v.* Alabama. The petition for a writ of certiorari to the Court of Criminal Appeals of Alabama is denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 88-5880. Cornelius Singleton, Petitioner *v.* Morris Thigpen, Commissioner, Alabama Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5915. Winford L. Stokes, Jr., Petitioner *v.* William M. Armontrout, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6042. Gerald Smith, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

HABEAS CORPUS DENIED

No. 88-5823. In Re Henry James Wright, et al., Petitioners;

No. 88-5949. In Re Edward Kenneth Christianson, Petitioner;

No. 88-5982. In Re Robert Lee Gill, Jr., Petitioner; and

No. 88-6084. In Re Charles Rentschler, Petitioner. The petitions for writs of habeas corpus are denied.

PROHIBITION DENIED

No. 88-5921. In Re James Martin, Petitioner. The petition for writ of prohibition is denied. Justice Brennan took no part in the consideration or decision of this petition.

REHEARINGS DENIED

No. 87-1921. Rainsford Winslow, et ux., Petitioners *v.* Keith D. Williams, et al.;

No. 87-1961. Town of Huntington, New York, et al., Appellants *v.* Huntington Branch, National Association for the Advancement of Colored People, et al.;

No. 87-2128. Leonard Chaires, Petitioner *v.* United States Department of Housing and Urban Development, et al.;

No. 87-6947. Robert F. Miner, Jr., Petitioner *v.* New York State Department of Correctional Services;

No. 87-7189. William T. Wohlford, et ux. Petitioners *v.* United States Department of Agriculture, et al.;

No. 87-7284. William E. Martin, Petitioner *v.* Terry L. Morris;

No. 88-296. Walter J. Shostak, Petitioner *v.* Federal Energy Regulatory Commission;

No. 88-418. Dewey D. Shanks, et ux., et al., Petitioners *v.* Estes Park Bank;

No. 88-445. Paul Broad, et ux., Petitioners *v.* William F. Conway, et al.;

No. 88-474. Robert J. Neville, Petitioner *v.* Milton Mollen, Presiding Justice, Appellate Division, Supreme Court of New York, Second Judicial Department, et al.;

No. 88-5252. John P. Turner, Petitioner *v.* United States Postal Service;

No. 88-5347. Keith Patillo, Petitioner *v.* Georgia;

No. 88-5400. In Re Stanley Radvan-Ziemnowicz, Petitioner;

No. 88-5439. Matthew S. Ikeni, Appellant *v.* California Superior Court of Fresno County and State Farm Fire and Casualty Insurance Company;

No. 88-5446. West Cole, Petitioner *v.* Mississippi;

No. 88-5451. James Larry Thompson, Petitioner *v.* Southeastern Toyota Distributors, Inc., et al.;

No. 88-5452. Morris May, Petitioner *v.* Warner Amex Cable Communications;

No. 88-5461. Charles R. Campbell, Petitioner *v.* Larry Kincheloe, Superintendent, Washington State Penitentiary;

No. 88-5462. Caruna D. Krishnan, Petitioner *v.* Department of the Air Force;

No. 88-5497. Alfred Fleming, Petitioner *v.* Richard A. Deak, et al.;

No. 88-5507. Nancy S. Bradshaw, Petitioner *v.* Zoological Society of San Diego;

No. 88-5511. Elmer W. Bigg, Petitioner *v.* Office of Personnel Management;

No. 88-5549. James L. Martin, Appellant, *v.* C. Itoh & Co. (America), Inc., et al.;

No. 88-5592. William J. Drabick, III, Petitioner *v.* David Drabick;

No. 88-5642. James David Rowe, Petitioner *v.* Department of the Army;

No. 88-5643. James David Rowe, Petitioner *v.* Department of the Army; and

No. 88-5677. James L. Martin, Petitioner *v.* Ethel Zook, et al. The petitions for rehearing are denied.

No. 88-416. Louella F. Benson, Petitioner *v.* Lois F. Bearb and Leslie Faul. The motion of petitioner to defer consideration of petition for rehearing is denied. The petition for rehearing is denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|---------------------------|
| David Lawrence Abney | Tucson, AZ | Michael Allan Yarnell |
| Lane S. Abraham | Miami, FL | Eric P. Littman |
| Paul Francis Adams | Concord, CA | Nancy L. Braun |
| Michele D. Ahlers | New Orleans, LA | Stephen M. Little |
| Joseph A. Alacqua | Turnersville, NJ | Joseph Francis Lisa |
| Walter Charles Alesevich | New York, NY | John W. Castles III |
| James E. Atchison | Mobile, AL | Barry Hess |
| Michael W. Atkin | Los Angeles, CA | William K. Meheula |
| Terry D. Austin | Yakima, WA | Jeffrey C. Sullivan |
| Deborah Willson Babcox | Smethport, PA | John Franklin Potter |
| Michael S. Baechle | Merrillville, IN | Ivan E. Bodensteiner |
| Donald A. Bailey | Greensburg, PA | Suellen M. Wolfe |
| Brian Alan Baker | Los Angeles, CA | Neil F. Kligman |
| Jeffrey Charles Bannon | Washington, DC | Charles A. Shanor |
| Wendell Vann Bates | Hyattsville, MD | Linda Sue Spevack |
| Robert Harley Bear | Washington, DC | George Spiegel |
| J. Arnaldo Beltran | Pasadena, CA | Dale Lanard Gronemeier |
| Michael Edward Bergin | Fairburn, GA | Dennis A. York |
| Allan M. Berland | San Francisco, CA | David Edward Bunim |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|------------------------------|
| Dennis John Bitz | Bismarck, ND | James M. Vukelic |
| Creed C. Black Jr. | Philadelphia, PA | Richard Zern Freemann Jr. |
| Duncan B. Blair | Birmingham, AL | Harry L. Hopkins |
| John H. Blume | Columbia, SC | David Isaac Bruck |
| Lawrence Albert Bobbitt III | Cheyenne, WY | Joseph B. Meyer |
| Barbara L. Bollero | Tustin, CA | Robert Lawrence Toolen |
| Maureen Hinchliffe Bonney | Trenton, NJ | James J. Ciancia |
| Tina Rae Boyer | Montclair, NJ | Lois Ann De Julio |
| Susan Dein Bricklin | Philadelphia, PA | Louis Evan Bricklin |
| Steven R. Brown | Dallas, TX | Donald E. Godwin |
| E. Ross Buckley Jr. | New Orleans, LA | Stephen M. Little |
| Brenton G. Burry | Hartsville, SC | Martin S. Driggers Sr. |
| Jay H. Calvert Jr. | Philadelphia, PA | John Hale Shenefield |
| Lawrence G. Campbell | Detroit, MI | W. Gerald Warren |
| Phyllis Mariam Cantor | San Francisco, CA | Richard S. Bishop |
| David B. Casselman | Tarzana, CA | Leonard J. Comden |
| Dan W. Chandler | Detroit, MI | William A. Coughlin Jr. |
| James Ray Chapman Jr. | Caldwell, TX | John Howard Holloway |
| Frank Morris Chpper | Silver Spring, MD | Mortimer M. Caplin |
| Lawrence S. Coburn | Philadelphia, PA | Stephen J. Sundheim |
| Kathleen Wren Cohn | San Diego, CA | Steven Paul McDonald |
| Robert Thomas Coleman | Anna, IL | Frederick J. Hess |
| Kendrew H. Colton | Washington, DC | George Michael Sirilla |
| Douglas Barkley Cone | Merced, CA | Jim T. Elia |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|---------------------------------|
| Ian Paul Cooper | St. Louis, MO | Paul J. Passanante |
| Timothy J. Crowley | Bryan, TX | Stephen Walter Spurgin |
| Catherine Nicols Currin | Richmond, VA | Alexander Hoke Slaughter |
| Rick Dalan | St. Petersburg, FL | Anthony Rondolino |
| Paul Nelson Dane | Pleasant Hill, CA | Alfred Henry Buchta Jr. |
| Arsen Danielian | Los Angeles, CA | John Onesian |
| Nathan H. Dardick | Chicago, IL | Lowell E. Sachnoff |
| Bradley Mark Davis | Tiffin, OH | Michael Paul Kelbley |
| Rocco A. DePerno | Utica, NY | John Calvin Scholl |
| Morton Denlow | Chicago, IL | William Denby Heinz |
| Silvia Maria Diaz | Los Angeles, CA | John K. Van De Kamp |
| James Frederick Dinwiddie | Leitchfield, KY | Robert Cochran Hobson |
| Julian W. Dority | Greenville, SC | Wellington McColl Manning Jr |
| John K. Dunleavy | Burlington, VT | Brian L. Burgess |
| James B. Durant | Oklahoma City, OK | Tenal Stilwell Cooley III |
| Timothy Edward Eagle | Grand Rapids, MI | Dennis Carl Kolenda |
| Johnny H. Edwards | Washington, DC | Mark Robert Land |
| Linda J. Ehrlich | Miami, FL | Alan E. Greenfield |
| James K. Ellison | Augusta, GA | Thomas R. Burnside Jr. |
| Jonathan Walker Emord | Washington, DC | Clint Bolick |
| David A. Ettinger | Detroit, MI | William Garth Christopher |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-------------------------|---------------------------|
| Arlene Fickler | Philadelphia, PA | Lawrence T. Hoyle Jr. |
| Joan K. Fine | Boston, MA | Milton Bordwin |
| Patricia K. Foley | Frankfort, KY | Alvin Stephen Reeder |
| Susan Barker Forsling | Atlanta, GA | Robert G. Young |
| Robert Baron Fougner | Los Angeles, CA | Brien Edward Kehoe |
| John Nicholas Fountain | Raleigh, NC | George Colvin Cochran |
| Michael C. Fox | Washington, DC | John F. Karl Jr. |
| Edwin V. Gartin | Newnan, GA | John M. Stuckey Jr. |
| James Kenneth Genden | Chicago, IL | Jerome Harold Torshen |
| Jon A. Gerber | Syracuse, NY | Diane E. Tucker |
| Elizabeth J. Gibbons | Buffal, NY | John Calvin Scholl |
| Reginald C. Giffin | Kansas City, MO | Martin James Purcell |
| Richard Brooks Glazier | Fayetteville, NC | H. Gerald Beaver |
| Terrence James Goggin | Chicago, IL | Joseph Michael Claps |
| Richard Jay Goldberg | Cincinnati, OH | Arthur Joseph Schuh |
| Mildred Denise Graham | Tulsa, OK | Michael Craig Turpen |
| David Francis Grassi | Hillsdale, MI | James D. Hayne |
| James R. Grebe | Peoria, IL | Michael R. Hasselberg |
| Stephen W. Greiner | New York, NY | Louis A. Craco |
| Glenn Eric Gromann | Hasbrouck Heights, N | David A. Pressler |
| Drew S. Hamilton | San Diego, CA | William H. Nieman |
| Stanley Franklin Hammer | Greensboro, NC | Henry Hammer |
| William J. Hannah | St. Charles, MO | Kent William Fanning |
| Michael Louis Harned | Louisville, KY | Michael James Harrison |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|-------------------------|
| Frank K. Heap | Chicago, IL | John C. Christie Jr. |
| John Edward Heintz | Washington, DC | Robert W. DeVos Jr. |
| Robert Jackson Herrington | Baton Rouge, LA | Christopher J. Roy |
| Alan D. Hertzberg | Pittsburgh, PA | Sanford Kelson |
| Shirley Ann Higuchi | Washington, DC | Peter E. Robey |
| Joel H. Holt | St. Croix, VI | Vincent A. Colianni |
| William M. Honan | Atlantic City, NJ | Wayne R. Rosenlicht |
| David P. Hoose | Springfield, MA | Howard S. Sasson |
| Jeffrey B. Huebsch | Westmont, IL | Neal D. Huebsch |
| John D. Humbert | Santa Monica, CA | Henry William Walther |
| William B. Jackson II | Mobile, AL | Barry Hess |
| Boyd F. Jensen II | Tustin, CA | Royal Ivory Hansen |
| Paul D. Johnson | Helena, MT | John Michael McGrath |
| Laurie W. Jones | Oklahoma City, OK | Elliott C. Fenton |
| Joy Judelson | Monticello, NY | Peter W. Rodino Jr. |
| Timothy D. Kaptein | Lake City, FL | Diane Victoria Coad |
| Margaret Elise Karr | Durham, NC | James C. Fuller Jr. |
| William Paul Kaszynski | St. Paul, MN | Edward Fredrick Kautzer |
| Tod Joseph Kaufman | Charleston, WV | Roberts Bishop Owen Jr. |
| Dewey L. Keller | Lenoir, NC | David T. Flaherty Jr. |
| Helen Annette Keller | Los Angeles, CA | Lewis Nathaniel Unger |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|--------------------------------|
| James P. Kellstedt | Peoria Heights, IL | Wilbur Dale Dersch |
| Sarah Ann Kelly | Philadelphia, PA | Dennis J. Morikawa |
| Robert Barnsley Kershaw | Batimore, MD | Kieron F. Quinn |
| Karen Smith Kienbaum | Detroit, MI | John K. Lawrence |
| Wallace J. Knox | Erie, PA | William C. Sennett |
| James B. Koch | Chicago, IL | Richard M. Goldstein |
| Alan E. Kraus | Morristown, NJ | Nicholas deB. Katzenbach |
| Mark R. Kravitz | New Haven, CT | William J. Doyle |
| John Joseph Paul Krol | New York, NY | Lester Marshall Alan Gulitz |
| Steven Louis Langer | Valparaiso, IN | Calvin Keith Hubbell |
| Joel R. Leeman | Boston, MA | Ronald B. Shwartz |
| Susan M. Leeson | Salem, OR | Gary Jan Aichele |
| Carl H. Lida | Miami, FL | Robert Scott Singer |
| Magda Lopez | Washington, DC | Hugh O. Stevenson |
| William Everett Lore | Forest Hills, NY | Bert H. Nisonoff |
| Carmen R. Luege | Los Angeles, CA | Bertrand M. Cooper |
| Helen N. Luger | Dallas, TX | David W. Townend |
| Raymond J. Lum | Rochester, NY | Rosemary G. Roberts |
| Thomas Joseph Magee | St. Louis, MO | F. Douglas O'Leary |
| Peter V. Marks Sr. | Philadelphia, PA | Deborah Rosalinde Willig |
| Kate Abbott Martin | Washington, DC | Ronald G. Precup |
| William Gilmore Martin | Franklin, PA | Howard William White Jr |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--|---|---|
| Michael J. Martineau John S. Mathias | Washington, DC Frederick, MD | Karen Lee Elias J. Joseph Curran Jr. |
| Jann McCall Brendolyn Renee McCarty | Bartlesville, OK Washington, DC | Alan R. Carlson Lowell Seets Lewis |
| Donald J. McCormick | Pittsburgh, PA | John Sebastian Sherry |
| Robert Henry McCrary | Casper, WY | Robert Jerry Hand |
| Sean J. McLaughlin | Erie, PA | William C. Sennett |
| Paul Joseph McMurdie David Affleck McPhie | Phoenix, AZ Salt Lake City, UT | Crane McClennen Gordon Burt Affleck |
| Kathleen Shepherd Mehfoud Thomas James Miles | Richmond, VA Piedmont, CA | D. Patrick Lacy Jr. Francis J. McTernan |
| Michael Thomas Miller Sidney W. Mintz Deborah L. Moran | Minneapolis, MN New York, NY Bethesda, MD | Peter S. Popovich Gerald Heller James Chris Chapin |
| Margaret Ann Morgan | Seattle, WA | Frank Reeves Morrison Jr. |
| James Michael Murphy | Dallas, TX | David L. Loving III |
| William Sneath Myers | Atlanta, GA | Homer L. Deakins Jr. |
| William Renwick Nevitt Jr. | San Diego, CA | John H. L'Estrane Jr. |
| Gary C. Newnham | Toledo, OH | William G. Hutcheson III |
| Allen C. Nielson | Republic, WA | Rocco Nicholas Treppiedi |
| Stephen L. Nightingale | Washington, DC | James Elmer Rocap III |
| Michael A. Nolan | Knoxville, TN | Randall Eugene Reagan |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-------------------------|--------------------------|
| Clarence Samuel Norris | Sumter, SC | M. M. Weinberg Jr. |
| Michael J. Norton | Denver, CO | John P. Moore |
| Robert McRae O'Boyle | Dallas, TX | William Alan Wright |
| Judith Ference Olson | Pittsburgh, PA | David J. Armstrong |
| R. Brady Osborne Jr. | Boca Raton, FL | Ray C. Osborne |
| Michael J. Ossip | Philadelphia, PA | Dennis J. Morikawa |
| Steven W. Parks | Washington, DC | David English Carmack |
| Robert M. Paskal | Clayton, MO | Fred Roth |
| Harry P. Pastuszek Jr. | Covington, LA | Stephen Joseph Caire |
| Christopher Nida Patterson | Washington Court Hou | Buris C. Dale Jr |
| John B. Payne Jr. | Dearborn, MI | Dominick R. Carnovale |
| John J. Peirano | Newark, NJ | Francis X. Dee |
| Sandra Ann Perkins | Dallas, TX | Howard O. Banks |
| Troy Everett Peyton | Las Vegas, NV | George Richard Lyles |
| William Gregory Prins | Harrisburg, PA | J. Thomas Menaker |
| David Rabinowitz | New York, NY | David B. Eizenman |
| Craig Alan Ramseyer | San Diego, CA | Richard D. Corona |
| Michael Vincent Ricci | New York, NY | Douglas H. Krieger |
| G. William Rice | Cushing, OK | Dennis Wayne Arrow |
| Robert Joseph Rice | Richmond, VA | Dennis William Dohnal |
| E. Glenn Rippie | Chicago, IL | F. Thomas Hecht |
| Randolph Christopher Roeder | San Francisco, CA | Allen W. Teagle |
| Deborah Bila Rouen | New Orleans, LA | Robert B. Nolan |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|---------------------------------|
| Phillip H. Rudolph | Washington, DC | Theodore B. Olson |
| Christopher Rulis | Pittsburgh, PA | Henry E. Rea Jr. |
| Terryl Kimbrell Rushing | Jackson, MS | Alex A. Alston Jr. |
| Terrance L. Ryan | Toledo, OH | Donald F. Melhorn Jr. |
| Edward N. Schaefer | Walnut Creek, CA | John W. McTigue |
| Robert S. Schlossberg | Washington, DC | John Hale Shenefield |
| A. Duane Schwartz | Louisville, KY | Hancy Jones III |
| Thomas E. Seus | Philadelphia, PA | Robert G. Kelly Jr. |
| Dean Arveson Shangler | Durham, NC | Thomas Franklin Loflin III |
| Joseph C. Shapiro | New Canaan, CT | Flournoy L. Lagent Jr. |
| Daniel J. Sheehan Jr. | Dallas, TX | Ben Prater Monning III |
| Adele A. Sheridan | Albany, NY | Roger J. Cusick |
| Richard E. Shevitz | New York, NY | Jill L. Kahn |
| John George Shudy Jr. | Minneapolis, MN | Omund Richard Dahle |
| Lloyd M. Sigman | Asheville, NC | David Douglas Sigman |
| Phyllis Novick Silverman | Pittsburgh, PA | Edward Paul Weiss |
| Susan Truitt Smith | Columbus, OH | Frederick G. Cloppert Jr. |
| William Lancaster Smith Jr. | Dallas, TX | John Fred Bass |
| Harlan Jon Spiroff | Glen Ellyn, IL | John Francis Power |
| Lisa Jan Stark | Washington, DC | David Kevin Flynn |
| James R. Stearns | Detroit, MI | Stanley Charles Kazul |
| Shand S. Stephens | San Francisco, CA | Gilmore Frederick Diekmann J |
| Bruce H. Stoltze | Des Moines, IA | Thomas J. Levis |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|------------------------------------|
| Mary Catherine Stoner | Phoenix, AZ | Elaine K. Cardwell |
| Dawn Sturwold | Bellingham, WA | Richard Northmore Little Jr. |
| Richard B. Swartz | Middletown, PA | Thomas D. Caldwell Jr. |
| Jimmy Donald Sypprett | Sarasota, FL | James H. Burgess Jr. |
| Raymond A. Tabar | Whittier, CA | Alexander Downie Thomson |
| Fred Andrew Talbot | Richmond, VA | Dennis William Dohnal |
| Lori H. Tarolli | Syracuse, NY | Diane E. Tucker |
| Virginia Bidwell Theisen | Richmond, VA | Jerry Paul Slonaker |
| Shuron Keith Townsend | Washington, DC | Howard Coolidge Davenport |
| C. Gary Triggs | Morgantown, NC | Douglas F. Powell |
| Robin S. Trupp | Tampa, FL | Raymond C. Farfante Jr. |
| Howard Elson VanBenthuisen | Fairfax, VT | Patrick J. Leahy |
| David E. Vandercoy | Valparaiso, IN | Ivan E. Bodensteiner |
| Stephan Coles Volker | San Francisco, CA | Frederic P. Sutherland |
| Hilary Rosario Vozzo | Syracuse, NY | Diane E. Tucker |
| Cassandra Warshowsky | Boston, MA | Robert W. Merve |
| Ronald W. Waterstreet | Miami, FL | Richard Lowell Shiffrin |
| Win Wehrli | Naperville, IL | Thomas F. Strubbe |
| Sam L. Whitmire | Barnesville, GA | Wade M. Crumbley |
| James M. Wilkes | Tucson, AZ | Daniel Graver Knauss |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|------------------------|---------------------------|
| Douglas Herbert Wilkins | Boston, MA | James M. Shannon |
| Allen P. Wilkinson | Rancho La Costa, CA | Melvin Belli |
| William N. Withrow Jr. | Atlanta, GA | James Clinkscales Hill |
| Lawrence C. Ye | San Francisco, CA | Truitt A. Richey Jr. |
| James M. Yeretsky | Overland Park, KS | Thomas Butler Alleman |
| Luther Zeigler | Washington, DC | Clifton S. Elgarten |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|--|
| Robert Swain Ross Jr. | Philadelphia, PA | Honorable Charles Fried Solicitor General of the United States |
| Alvin A. Schall | Chevy Chase, MD | Honorable Charles Fried Solicitor General of the United States |
| Barry S. Rosen | Chicago, IL | David A. Bricklin |
| Mary Sue Wycoff | Oklahoma City, OK | Douglas Ross |
| Elizabeth K. Reed | Gresham, OR | Neil S. Kagan |
| Ross Haven Bishop | Lansing, MI | Thomas L. Casey |
| Leon A. Kendall | St. Thomas, VI | Thomas Adams Duckenfield |
| Benjamin Thomas Riddles II | Vienna, VA | Lewis Jan Baker |
| Jacqueline Kmiotek-Grabie | New York, NY | Kenneth F. Grabie |
| Anne Wagner-Findeisen | New York, NY | Kenneth F. Grabie |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------|-----------------------|----------------------|
| John F. Duffy | New York, NY | Kenneth F. Grabie |

ORAL ARGUMENTS

No. 87-1703. F. Dale Robertson, Chief of the Forest Service, et al., Petitioners *v.* Methow Valley Citizens Council, et al.; and

No. 87-1704. John O. Marsh, Jr., Secretary of the Army, et al., Petitioners *v.* Oregon Natural Resources Council, et al. Argued by Mr. Solicitor General Charles Fried for the petitioners and by Mr. David A. Bricklin for the respondents.

No. 87-1716. Granfinanciera, S.A., et al., Petitioners *v.* Paul C. Nordberg, Creditor Trustee for the Estate of Chase & Sanborn Corporation, etc. Argued by Mr. Adam Lawrence for the petitioners and by Mr. Laurence Tribe for the respondent.

No. 87-1437. Melvin R. Blanton and Mark D. Fraley, Petitioners *v.* City of North Las Vegas, Nevada. Argued by Mr. John J. Graves, Jr., for the petitioners and by Mr. Mark L. Zalaoras for the respondent.

No. 87-1020. Paul S. Davis, Appellant *v.* Michigan Department of Treasury. Argued by Mr. Paul S. Davis for the appellant, by Mr. Michael K. Kellogg for the United States, as *amicus curiae*, supporting appellant, by special leave of Court, and by Mr. Thomas L. Casey for the appellee.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-6325. Donald Ray Perry, Petitioner v. William D. Leeke, Commissioner, South Carolina Department of Corrections, et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Justice Stevens. Opinion by Justice Kennedy concurring in part. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Blackmun join.

No. 87-56. Javan Owens and Daniel G. Lessard, Petitioners v. Tom U. U. Okure. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Justice Marshall.

No. 87-826. Jerome F. Goldberg and Robert McTigue, Appellants v. Roger D. Sweet, Director, Illinois Department of Revenue, et al.; and

No. 87-1101. GTE Sprint Communications Corporation, Appellant v. Roger D. Sweet, Director, Illinois Department of Revenue, et al. Appeals from the Supreme Court of Illinois. Judgment affirmed. Opinion by Justice Marshall. Opinion by Justice Stevens concurring in part and concurring in the judgment. Opinion by Justice O'Connor concurring in part and concurring in the judgment. Opinion by Justice Scalia concurring in the judgment.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------|-----------------------|------------------------|
| Marta B. Galeano | San Francisco, CA | Truitt A. Richey Jr. |
| Major Williams Jr. | San Francisco, CA | Truitt A. Richey Jr. |
| Douglas E. Wade | Alexandria, VA | Michael J. Barrett Jr. |

ORAL ARGUMENTS

No. 87-1295. United States, Petitioner v. Andrew Sokolow. Argued by Mr. Paul J. Larkin, Jr., for the petitioner and by Mr. Robert P. Goldberg for the respondent.

No. 87-1224. Mark H. Oring, Appellant *v.* State Bar of California. Argued by Mr. Theodore A. Cohen for the petitioner and by Ms. Diane C. Yu for the respondent.

No. 87-201. Gerald E. Mansell, Appellant *v.* Gaye (Mansell) Forbes. Argued by Mr. Douglas B. Cone for the appellant and by Mr. Dennis A. Cornell for the appellee.

No. 87-1622. Philip Brendale, Petitioner *v.* Confederated Tribes and Bands of Yakima Indian Nation, et al.;

No. 87-1697. Stanley Wilkinson, Petitioner *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al.; and

No. 87-1711. County of Yakima, et al., Petitioners *v.* Confederated Tribes and Bands of Yakima Indian Nation, et al. Argued by Mr. Jeffrey C. Sullivan for the petitioners and by Mr. Tim Weaver for the respondents.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-1031. G. P. Reed, Petitioner *v.* United Transportation Union, et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Brennan. Opinion by Justice Scalia concurring in the judgment. Dissenting opinion by Justice White.

No. 87-1160. Duquesne Light Company and Pennsylvania Power Company, Appellants *v.* David M. Barasch, etc., et al. Appeal from the Supreme Court of Pennsylvania, Western District. Judgment affirmed. Opinion by the Chief Justice. Concurring opinion by Justice Scalia with whom Justice White and Justice O'Connor join. Dissenting opinion by Justice Blackmun.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------------|-----------------------|----------------------------|
| Frederic J. Cowan | Louisville, KY | Linda Marshall Scholle |
| Nanci Gordon Clinch | Nevada City, CA | Craig Alan Diamond |
| Audrey Louise Thomas- Francis | St. Thomas, VI | Maria Tankenson Hodge |
| Geoffrey Wendell Barnard | St. Thomas, VI | Maria Tankenson Hodge |
| Stedmann Hodge | St. Thomas, VI | Maria Tankenson Hodge |
| Susan E. Thorstenn | New York, NY | Cornish Frank Hitchcock |
| Magnus G. Thorstenn | New York, NY | Cornish Frank Hitchcock |
| William Louis Blum | St. Thomas, VI | Cornish Frank Hitchcock |

ORAL ARGUMENTS

No. 87-248. Georgia Brower, Individually and as Administrator of the Estate of William James Caldwell (Brower), Deceased, et al., Petitioners *v.* County of Inyo, et al. Argued by Mr. Robert Gene Gilmore for the petitioners and by Mr. Pilip W. McDowell for the respondents.

No. 87-980. Mississippi Band of Choctaw Indians, Appellant *v.* Orrey Curtiss Holyfield, et ux., J. B., Natural Mother and W. J., Natural Father. Argued by Mr. Edwin R. Smith for the appellant and by Mr. Edward O. Miller for the appellees.

No. 87-1939. Geoffrey W. Barnard, etc., Petitioner *v.* Susan Esposito Thorstenn, et al.; and

No. 87-2008. Virgin Islands Bar Association, Petitioner *v.* Susan Esposito Thorstenn, et al. Argued by Ms. Maria Tankenson Hodge for the petitioners and by Mr. Cornish F. Hitchcock for the respondents.

No. 87-6177. Johnny Paul Penry, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Argued by Mr. Curtis C. Mason for the petitioner and by Mr. Charles A. Palmer for the respondent.

Adjourned until Tuesday, January 17, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 87-1818. Robert E. Badham, et al., Appellants *v.* March Fong Eu, Secretary of State of California, et al. Appeal from the United States District Court for the Northern District of California. The judgment is affirmed. The Chief Justice, Justice Stevens and Justice Kennedy would note probable jurisdiction and set the case for oral argument.

No. 88-806. Merlino Enterprises, Inc., Appellant *v.* Morris Thompson, Administrator of the Estate of Frieda Sousa. Appeal from the Supreme Court of Connecticut. The appeal is dismissed for want of a substantial federal question. The Chief Justice would note probable jurisdiction and set the case for oral argument.

No. 88-809. Tommy Davis, et ux., Appellants *v.* DeChiaro Limited Partnership, et al. Appeal from the Court of Special Appeals of Maryland. The appeal is dismissed for want of jurisdiction.

No. 88-836. Julia McCain Lampkin Asam, Appellant *v.* Robert J. Shapiro, et al. Appeal from the United States Court of Appeals for the Eleventh Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-838. Reuben Nieves, Appellant *v.* Marina Gardens No. 1, Inc. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5910. Gregg Tallman, Appellant *v.* Dorothy Kelley. Appeal from the United States Court of Appeals for the Eighth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5959. Mitchell Williams, Appellant *v.* Planned Parenthood Association of the Atlanta Area, et al. Appeal from the United States Court of Appeals for the Eleventh Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5816. Louis T. Frigard, etc., Appellant *v.* Regents of the University of California, etc., et al. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a substantial federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 87-42. Donald Joseph Clift, et al., Petitioners *v.* International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), et al. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Reed v. United Transportation Union*, 488 U.S. — (1989).

No. 87-1456. International Union of Operating Engineers Local 660, Petitioner *v.* Edward C. Hester, et al. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Reed v. United Transportation Union*, 488 U.S. — (1989).

No. 88-349. Federal Labor Relations Authority, Petitioner *v.* United States Department of Agriculture, et al. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of the "routine uses" published at 53 Fed. Reg. 39629 (Department of Agriculture) and 53 Fed. Reg. 44513 (Defense Mapping Agency).

No. 88-5938. Duane W. Sanders, Petitioner *v.* Harold W. Clarke, Warden, et al. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Penson v. Ohio*, 488 U.S. — (1988).

ORDERS IN PENDING CASES

No. A-471. Charles F. Darlington, Applicant *v.* United States. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. D-752. In the Matter of Disbarment of Perry Sanford Albin. It is ordered that Perry Sanford Albin, of Newman, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-753. In the Matter of Disbarment of Frank Reaves, Jr. It is ordered that Frank Reaves, Jr., of Lexington, Kentucky, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-754. In the Matter of Disbarment of Richard Hartman. It is ordered that Richard Hartman, of Greenwich, Connecticut, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-755. In the Matter of Disbarment of Ronald J. McKay. It is ordered that Ronald J. McKay, of McKeesport, Pennsylvania, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-756. In the Matter of Disbarment of Patrick Clark McClurkin. It is ordered that Patrick Clark McClurkin, of Chicago, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-757. In the Matter of Disbarment of Anthony Joseph Sacco. It is ordered that Anthony Joseph Sacco, of Timonium, Maryland, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-758. In the Matter of Disbarment of Mark A. Silverman. It is ordered that Mark A. Silverman, of Selden, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-759. In the Matter of Disbarment of Robert Thomas Hartmann. It is ordered that Robert Thomas Hartmann, of Middletown, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-6571. Dethorne Graham, Petitioner *v.* M. S. Connor, et al. The motion of respondents and North Carolina to permit North Carolina to participate in oral argument as *amicus curiae* and for divided argument is denied.

No. 88-293. Community for Creative Non-Violence, et al., Petitioners *v.* James Earl Reid. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-305. South Carolina, Petitioner *v.* Demetrius Gathers. The motion of Center for Civil Rights, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-357. Norm Maleng, etc., et al., Petitioners *v.* Mark Edwin Cook. The motion of William L. Williams, Esquire, to permit John M. Jones, Esquire, to present oral argument *pro hac vice* is denied.

No. 88-396. Colonial American Life Insurance Company, Petitioner *v.* Commissioner of Internal Revenue. The motion of petitioner to dispense with printing the joint appendix is granted.

No. 88-616. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Elmer Hudson. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 88-688. Peat Marwick Main & Co., Petitioner *v.* Superior Court of California, County of Contra Costa, et al. The joint motion of the parties to defer consideration of the petition for a writ of certiorari is granted.

No. 88-5906. Kauko H. Kokkonen, Petitioner *v.* Democratic National Committee Chairman, etc., et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until February 7, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Blackmun, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-5994. Victoria Vamos, Petitioner *v.* United States. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Peti-

tioner is allowed until February 7, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6062. Curtis L. Wrenn, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until February 7, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan and Justice Marshall, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6166. Ronald Keith Allridge, Petitioner *v.* Texas. The application for further stay of the issuance of the mandate of the Court of Criminal Appeals of Texas presented to Justice White and by him referred to the Court is denied. Justice Brennan and Justice Marshall would grant the application.

CERTIORARI GRANTED

No. 88-608. Independent Federation of Flight Attendants, Petitioner *v.* Anne B. Zipes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

CERTIORARI DENIED

No. 88-472. Alfred G. Biberfeld, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-491. Citizens for John W. Moore Party, John W. Moore and Willie Anderson, Petitioners *v.* Board of Election Commissioners of the City of Chicago, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-530. Jose Saldana, Petitioner *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-532. Robert B. Asher, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-653. Ella Mae Wells, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-654. Anjali Joshi, Petitioner *v.* Florida State University Health Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-703. Celotex Corporation, et al., Petitioners *v.* Smith Land and Improvement Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-730. Forest Hills Early Learning Center, Inc., et al., Petitioners *v.* Larry D. Jackson, Director, Department of Social Services of Virginia, et al.; and

No. 88-932. Larry D. Jackson, Director, Department of Social Services of Virginia, et al., Petitioners *v.* Forest Hills Early Learning Center, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-758. Eugene McDowell, Petitioner *v.* Dynamics Corporation of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-812. Alejandro Hernandez, Petitioner *v.* Dianella Shipping Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-815. Central Columbia School District, et al., Petitioners *v.* Ronald Polk, et ux. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-818. Jasper J. Mirabile, Jr., et al., Petitioners *v.* Richard Wright, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-819. Richard Elder, et al., Petitioners *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 88-823. Robert E. Pitts, Petitioner *v.* Turner and Boisseau, Chartered, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-825. Liggett Group, Inc. and Liggett & Myers Tobacco Co., Inc., Petitioners *v.* Public Citizen, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-826. Donald Kelsey, David Kelsey, et ux., Petitioners *v.* Muskin Incorporated, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-829. Naaman E. King, et ux., Petitioners *v.* Hilton-Davis, aka Hilton-Davis Chemical Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-832. Martin Warren, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-837. Herman T. Mulvehill, Sr., Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-842. Marion M. Winstead, et al., Petitioners *v.* Indiana Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-864. Joseph Stout, et ux., Petitioners *v.* A. M. Sunrise Construction Company, Inc., et al. Petition for writ of certiorari to the Court of Appeals of Indiana, Fourth District, denied.

No. 88-894. John J. Reardon, et al., Petitioners *v.* John L. Miller, Judge, Superior Court of New Jersey, Chancery Division, Camden County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-908. Ray Turks, Jr., Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-944. John G. Barrow, Jr., Petitioner *v.* James Harrison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-951. Dorothy Willner, Petitioner *v.* University of Kansas, et al.; and Dorothy Willner, Petitioner *v.* University of Kansas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-959. Alfredo Rios, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-969. Joseph Lombardo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-973. Southern Indiana Gas and Electric Company, Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-996. Donald W. Fenn, Jr., Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-5180. Cade Allen Plazinich, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5421. Louis M. Newton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5486. Danny Lee Anderson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5557. John Thomas Anglin, Jr., Petitioner *v.* Lanson Newsome, Superintendent, Georgia State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5561. Melvin Gilmore, Petitioner *v.* Director, Office of Workers' Compensation Programs, U. S. Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-5629. Sylvester Andrews, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5639. Juan Denis Armas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5745. Andy Slabaugh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5883. Gary W. Doud, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District III, denied.

No. 88-5889. Tracy Annette Maddux, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-5891. Henry Rayborn, Petitioner *v.* Charles Scully, Superintendent, Greenhaven Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5893. Donald Golden, Petitioner *v.* Howard Golden, etc. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-5901. Harold Lee, Petitioner *v.* Michael Dutton, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5902. Willie Jenkins, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-5912. Monte Roden, Petitioner *v.* Dick Moore, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5931. Glen Roy Kendall, Petitioner *v.* David A. Williams, Warden. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-5933. Robert Edward Lamberth, Petitioner *v.* R. M. Muncy, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5934. Weldon Homer Feagin, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5936. Levern Davis, Petitioner *v.* City of Tucson. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5940. Darrell Lee McCabe, Petitioner *v.* Tim Sandness. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5941. Russell Dale Stubblefield, Petitioner *v.* Dr. Wilkenson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5942. Dorsey Lee Robertson, Petitioner *v.* City of Eunice, New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 88-5945. Joseph Simanonok, Petitioner *v.* Oscar E. Randle, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5946. David Larry Pease, Petitioner *v.* Montana. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 88-5950. Edward J. Brennan, Jr., Petitioner *v.* Edward J. Brennan, III, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5967. Bufford McDonald, Petitioner *v.* George E. Sullivan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5991. Steven Paul Forbes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5997. Arthur Wakefield, Petitioner *v.* Howard L. Beyer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6023. Wendell M. Roberson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6024. Clyde Turner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6039. James Oakey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6069. German Alvarez Mesias Vattle, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6070. Richard Willoughby, Petitioner *v.* United States; and

No. 88-6088. Quintin Prioleau, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6076. James Gilliard, aka Jimmy Gillard, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6083. Timothy Orill Crum, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6094. Dennis Fraley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6097. Jose Rodrigo Vasquez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1914. Dorothy Arn, Superintendent, Ohio Reformatory for Women, Petitioner *v.* Pamela D. Green. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-834. Connecticut, Petitioner *v.* Galen Flourde. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-914. California, Petitioner *v.* Mark Alan Radke. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 87-6895. David Allen Gardner, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5723. Charles Walton Wright, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5733. Darnell Lucky, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5868. Fernando Belmontes, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5881. Theodore Robert Bundy, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5899. Von Clark Davis, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5908. Malcolm Joseph Robbins, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5924. Manuel Pina Babbitt, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-639. Edgardo L. Parungao, Petitioner *v.* Klaus Hubert Goerg, etc. The motion of Bruno M. Kubler for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-811. Business Computer Corporation, et al., Petitioners *v.* U.S. Robotics, Inc., et al. The motion of respondent, U.S. Robotics, Inc., for attorneys' fees and costs is denied. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-824. Ronald L. Coleman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Brennan and Justice Marshall would grant certiorari.

No. 88-941. Crawford Painting & Drywall Company, Petitioner *v.* J. W. Bateson, Inc. The motion of Associated Specialty Contractors, Inc., et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

HABEAS CORPUS DENIED

No. 88-6142. In Re Theodore Griffin. The petition for writ of habeas corpus is denied.

REHEARINGS DENIED

No. 88-609. Earlene Polyak, Appellant *v.* Buford Evans & Sons;

No. 88-5125. Anant Kumar Tripathi, Petitioner *v.* Gary L. Henman, Warden; and

No. 88-5230. John A. Caldwell, Petitioner *v.* Bureau of Federal Prisons. The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, January 23, 1989 until Tuesday, February 21, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|---------------------------|
| Linda Graham Alexander | Oklahoma City, OK | Harry Arthur Woods Jr. |
| Mary Kathleen Babcock | Wichita, KS | Gerald Sawatzky |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|-------------------------------|
| Agyenim Boateng | Lexington, KY | David W. McLellan Jr. |
| Ira Edsel Branham | Pikeville, KY | Pierre Michael de Bourbon |
| Craig P. Bryant | Enid, OK | Stephen Jones |
| Terry Lynn Clark | Falls Church, VA | Anthony Laws Birch |
| Bonnie R. Cohen | San Francisco, CA | Janine Syll Simerly |
| Sharon Johnson Coleman | Chicago, IL | Joan Susan Cherry |
| Leonard N. Flamm | New York, NY | Robert John Randell |
| Helen Currie Foster | Birmingham, AL | L. Vastine Stabler Jr. |
| Mark Graham Gambill | Cincinnati, OH | Michael Thomas Gunner |
| Michael Gigandet | Nashville, TN | William P. Ortale |
| Michael-John Goodnow | Philadelphia, PA | John J. White |
| Barbara Reid Hartung | Louisville, KY | Robert FASTER Matthews Jr. |
| Pearl L. Henry | Decatur, GA | Gary Sherard Walker |
| E. William Hevenor | Philadelphia, PA | Robert F. Simone |
| Wayne Calvin Holcombe | Washington, DC | Jerome Ian Chapman |
| Michael David Laurence | San Francisco, CA | Michael G. Millman |
| Thomas Samuel Lazar | San Diego, CA | Alan S. Meth |
| Joseph Lipofsky | New York, NY | Richard Mathew Greenspan |
| Sue Ann Osweiler Love | Great Falls, MT | George N. McCabe |
| Hunter W. Lundy | Lake Charles, LA | William R. Tete |
| Maralene Martin | Houston, TX | Vincent Louis Marino |
| Malcolm Mason | New York, NY | Jacob Boyd Henson |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------------|
| Anthony K. Modafferi III | Hackensack, NJ | David A. Pressler |
| John Harbour Mounger | Jackson, MS | Frank David Barber Jr. |
| John Davidson Nation | Dallas, TX | Richard Kristin Weaver |
| Edward J. O'Brien | Quincy, MA | Lawrence F. O'Donnell |
| A. John Pappalardo | Boston, MA | Judy G. Zeprun |
| James W. Parker | Hampton, VA | Robert W. Lawrence |
| Marc D. Perrin | Eugene, OR | Jon A. Joseph |
| Stephen Michael Sayers | Fairfax, VA | Christine Hope Perdue |
| Jacqueline E. Schulten | Chattanooga, TN | Randall L. Nelson |
| K. Dale Schwanke | Great Falls, MT | George N. McCabe |
| Angela Victoria Shaw | Roslyn, NY | Myles V. Lynk III |
| Elaine K. B. Siegel | Chicago, IL | Michael Martin Mulder |
| Gregory F. Singer | Dayton, OH | Craig Warren Otto |
| Steen A. Smith | Chicago, IL | James Harvey Schink |
| R. Michael Smyrl | Houston, TX | Albert Lee Giddens |
| Daniel Mark Soloway | Pensacola, FL | Henry Clay Mitchell Jr. |
| Michael Lawrence Spekter | Washington, DC | Howard Stanley Epstein |
| David J. St. Louis | Fresno, CA | William L. Cowin |
| Stephen R. Stegich III | New York, NY | Thomas J. Whalen |
| Scott Philip Studebaker | Washington, DC | Glenn Erwin Braswell |
| Kathleen A. Sullivan | Brooklyn, NY | Minna J. Kotkin |
| Kenneth L. Turowski | Akron, OH | Howard Edward Mentzer |
| David Michael Wallman | Indianapolis, IN | Robert Steven Spear |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|------------------|
| Charles A. Wieland | Fresno, CA | William L. Cowin |
| Val Ellsworth Winter | York, PA | Harry J. Rubin |
| William Gene Zimmerman | Kansas City, MO | Charles L. Bacon |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|-------------------------|
| Wendy Elizabeth Clark | Carmel, CA | Thomas Raymond Duffy |
| Richard De Stefano | Beverly Hill, CA | Thomas Raymond Duffy |

ORAL ARGUMENTS

No. 87-1383. United States, Appellant *v.* Irwin Halper. Argued by Mr. Michael R. Dreeben for the appellant and by Mr. John G. Roberts, Jr., for the appellee.

No. 87-636. Efthimios A. Karahalios, Petitioner *v.* National Federation of Federal Employees, Local 1263. Argued by Mr. Thomas R. Duffy for the petitioner, by Mr. H. Stephen Gordon for the respondent, and by Mr. Richard G. Taranto for the United States, as *amicus curiae*, supporting the respondent, by special leave of Court.

No. 87-1651. Massachusetts, Petitioner *v.* Douglas Oakes. Argued by Mr. James M. Shannon for the petitioner and by Mr. Richard J. Vita for the respondent.

No. 87-1905. Midland Asphalt Corporation and Albert C. Litterer, Petitioners *v.* United States. Argued by Mr. Richard James Braun for the petitioners and by Mr. Lawrence S. Robbins for the respondent.

Adjourned until tomorrow at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-7028. John M. Mistretta, Petitioner *v.* United States; and

No. 87-1904. United States, Petitioner *v.* John M. Mistretta. On writs of certiorari to the United States Court of Appeals for the Eighth Circuit before judgment. Judgment of the United States District Court for the Western District of Missouri affirmed. Opinion by Justice Blackmun. Justice Brennan joins in the opinion except for footnote No. 11. Dissenting opinion by Justice Scalia.

No. 86-1940. Sheet Metal Workers' International Association, et al., Petitioners *v.* Edward Lynn. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Marshall. Opinion by Justice White concurring in the judgment. Justice Kennedy took no part in the consideration or decision of this case.

No. 87-1303. Allegheny Pittsburgh Coal Company, Petitioner *v.* County Commission of Webster County, West Virginia; and

No. 87-1310. East Kentucky Energy Corporation, et al., Petitioners *v.* County Commission of Webster County, West Virginia. On writs of certiorari to the Supreme Court of Appeals of West Virginia. Judgment reversed and cases remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by the Chief Justice.

ADMISSION TO THE BAR ON ORAL MOTION

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------|-----------------------|--------------------------|
| Mark Scott Roberts | Fullerton, CA | William E. Dannemeyer |

ORAL ARGUMENTS

No. 87-1614. John W. Martin, et al., Petitioners *v.* Robert K. Wilks, et al.

No. 87-1639. Personnel Board of Jefferson County, Alabama, et al., Petitioners *v.* Robert K. Wilks, et al.; and

No. 87-1668. Richard Arrington, Jr., et al., Petitioners *v.* Robert K. Wilks, et al. Argued by Mr. James P. Alexander for the petitioners in Nos. 87-1639 and 87-1668, by Mr. Robert D. Joffe for the petitioners in No. 87-1614, by Mr. Raymond P. Fitzpatrick, Jr., for the private respondents, and by Mr. Thomas W. Merrill for the federal respondents.

No. 87-1816. Paul Green, Petitioner *v.* Bock Laundry Machine Company. Argued by Mr. Joseph M. Melillo for the petitioner and by Mr. Thomas D. Caldwell, Jr., for the respondent.

No. 87-1815. Kentucky, Department of Corrections, et al., Petitioners *v.* James M. Thompson, et al. Argued by Mrs. Barbara Willett Jones for the petitioners and by Mr. Joseph S. Elder, II, for the respondents.

No. 87-1387. Wards Cove Packing Company, Inc., et al., Petitioners *v.* Frank Atonio, et al. Argued by Mr. Douglas M. Fryer for the petitioner and by Mr. Abraham A. Arditi for the respondents.

Adjourned until Monday, January 23, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Court convened at 11 a.m. in the West Conference Room of the Supreme Court Building and the Chief Justice said:

"The Court will take a recess to attend the inauguration of the President of the United States."

The oath of office was administered to Vice President Quayle by Justice O'Connor. The oath of office was administered to President Bush by the Chief Justice.

Adjourned until Monday, January 23, 1989 at 10 o'clock.

x

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice O'Connor, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 87-1613. Public Service Company of New Hampshire, Appellant *v.* New Hampshire. Appeal from the Supreme Court of New Hampshire. The motion of Official Committee of Equity Security Holders of Public Service Company of New Hampshire for leave to file a brief as *amicus curiae* is granted. The motion of Official Committee of Unsecured Creditors of Public Service Company of New Hampshire for leave to file a brief as *amicus curiae* is granted. The appeal is dismissed for want of a properly presented federal question.

No. 88-130. Western Union Corporation, Appellant *v.* Indiana Department of Revenue. Appeal from the Court of Appeals of Indiana, First District. The appeal is dismissed for want of a substantial federal question.

No. 88-898. Lee Lewis Cohen and Terry George Ruger, Appellants *v.* Pennsylvania. Appeal from the Superior Court of Pennsylvania, Harrisburg Office. The appeal is dismissed for want of a substantial federal question.

No. 88-893. Glen Walker, et al., Appellants *v.* Valley National Bank of Des Moines, Iowa, etc., et al. Appeal from the Court of Appeals of Iowa. The appeal is dismissed for want of jurisdiction.

No. 88-5054. James W. Sullivan, Appellant *v.* Katherine J. Sullivan. Appeal from the Supreme Court of Texas. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-6040. Faye Ann (Flores) McCabe, Appellant *v.* Frances M. Dias, et al. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1384. Laurel C. Thomas, Petitioner *v.* Walter Shipka. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Owens v. Okure*, 488 U.S. — (1989).

No. 88-550. United States, Petitioner *v.* Raul Chavez Sanchez. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Mistretta v. United States*, 488 U.S. — (1989).

ORDERS IN PENDING CASES

No. —. Richard B. Calpin, Petitioner *v.* Norman G. Carlson, et al. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. —. William Kirkpatrick, Sr., Petitioner *v.* California. The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by the petitioner is granted.

No. D-740. In the Matter of Disbarment of Russell B. Smith, III. Disbarment order entered.

No. D-741. In the Matter of Disbarment of Samuel Weinberg. Disbarment order entered.

No. D-760. In the Matter of Disbarment of Grace M. Wallis. It is ordered that Grace M. Wallis, of Mill Bay, British Columbia, Canada, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-761. In the Matter of Disbarment of Frederick Townley Graham. It is ordered that Frederick Townley Graham, of San Rafael, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-762. In the Matter of Disbarment of Michael Steven Kotzker. It is ordered that Michael Steven Kotzker, of Los Angeles, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-763**. In the Matter of Disbarment of John N. Gridley, III. It is ordered that John N. Gridley, III, of Sioux Falls, South Dakota, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-764**. In the Matter of Disbarment of Thomas Pryor Smith. It is ordered that Thomas Pryor Smith, of Detroit, Michigan, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-765**. In the Matter of Disbarment of Randall R. Douglas. It is ordered that Randall R. Douglas, of Phoenix, Arizona, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **87-1207**. Ray Will, Petitioner *v.* Michigan Department of State Police, et al. The motion of respondents for leave to file a supplemental brief after argument is granted.

No. **87-1661**. ASARCO, Incorporated, et al., Petitioners *v.* Frank Kadish, et ux., et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. Justice O'Connor took no part in the consideration or decision of this motion.

No. **88-287**. Times Mirror Company, et al., Petitioners *v.* Jane Doe. The application to stay proceedings in the Superior Court of California, County of San Diego, presented to Justice O'Connor and by her referred to the Court is denied. Justice Stevens took no part in the consideration or decision of this application.

No. **88-305**. South Carolina, Petitioner *v.* Demetrius Gathers. The motion of Washington Legal Foundation, et al. for leave to file a brief as *amici curiae* is granted.

No. **88-449**. John F. Healy, et al., Appellants *v.* The Beer Institute, et al.; and

No. **88-513**. Wine and Spirits Wholesalers of Connecticut, Inc., Appellants *v.* The Beer Institute, et al. The motion of appellants for divided argument is denied.

No. **88-782**. United States Department of Justice, Petitioner *v.* Tax Analysts. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 88-5977. Curtis Wrenn, Petitioner *v.* Richard Thornburgh, Attorney General of the United States, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until February 13, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6204. John M. Branion, Jr., Petitioner *v.* Richard B. Gramly, Warden. The motion of petitioner to expedite consideration of the petition for a writ of certiorari is denied.

CERTIORARI GRANTED

No. 88-309. Wyoming, Petitioner *v.* United States, et al. The petition for a writ of certiorari to the Supreme Court of Wyoming is granted limited to Question 2 presented by the petition.

CERTIORARI DENIED

No. 87-7205. Roy Curtis Berry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-7209. Rob J., Petitioner *v.* William Grant, et al. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 88-157. Nationwide Mutual Insurance Company, Petitioner *v.* Henry Gerrard Clay. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-232. Israel G. Grossman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-519. Ho Fat Seto, dba Ho Fat of California, Petitioner *v.* Ann McLaughlin, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-567. Frank D. Monaco, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-629. G & W Laboratories, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-631. Cox Enterprises, Inc., dba Waco Tribune Herald, and Mary Ann Kreps, Petitioners *v.* John B. Guinn. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-676. Jerry W. Ikard, dba Ikard Manufacturing Company, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-702. Mary Joyce Knox, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-710. Orkin Exterminating Company, Inc., Petitioner *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-712. Ralph B. Shirley, and Society of Separationists, Inc., Petitioners *v.* Joseph G. Schraer, Postmaster, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-713. Action Automotive, Inc., Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-731. Western Pennsylvania Teamsters and Employees Pension Fund, et al., Petitioners *v.* Carl Colteryahn Dairy, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-743. Bobby Joe Wilson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-744. Mark Turner, IV, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-745. New York, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-756. International Longshoremen's Association, AFL-CIO, et al., Petitioners *v.* Federal Maritime Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-760. Keystone Lamp Manufacturing Company, Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-772. Cara Lyn Landreth, a minor, by and through her Guardian ad litem, Joseph Y. Ore, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-814. Wayne Douglas Smith, Petitioner *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 88-859. Milton Friedman, Petitioner *v.* Floyd R. Ganassi, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-863. Esther Friedgood, Petitioner *v.* Peters Publishing Co. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 88-871. Chandler Nelson Hughes, Petitioner *v.* Halifax County School Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-872. Edith Horowitz Broida, Petitioner *v.* Moie J. L. Tendrich. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-876. Vail Village Inn Associates, dba Village Inn Plaza, et al., Petitioners *v.* Manuel Benet Giralt, aka Manuel Benet. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-884. Carole Kneeland, et al., Petitioners *v.* National Collegiate Athletic Association, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-885. Firestone Tire & Rubber Company, Petitioner *v.* Michael Lynn Richard. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-901. Clyde Adams, Petitioner *v.* Mary Ann Vandemark, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-904. Johnson Moving and Storage Company, Petitioner *v.* Edward H. Daniels. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-906. Dorothy Zosky, Petitioner *v.* Daniel Boyer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-909. Lockheed California Company, et al., Petitioners *v.* Kurt Birtell. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-910. Amos D. Faux-Burhans, Petitioner *v.* Board of County Commissioners of Frederick County, Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-912. Vanessa Redgrave, Petitioner *v.* Boston Symphony Orchestra, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-915. Teamsters Local 315, Petitioner *v.* Union Oil Company of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-918. Charles Duck, Trustee of the Bankruptcy Estate of George M. Jewell, et ux., et al., Petitioners *v.* Bank of America, N.T. & S.A.; and

No. 88-934. Irene O'Connell Kruse, Petitioner *v.* Bank of America, N.T. & S.A. Petitions for writs of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-949. Richard O. Post, Jr., Petitioner *v.* John M. Regan, Jr. and Marsh & McLennan Companies, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-978. D.C. Transit System, Inc., Petitioner *v.* Washington Metropolitan Area Transit Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-984. Osvaldo Alvarez, Petitioner *v.* Trans World Airlines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1071. Jessie Geter, Administratrix of the Estate of Thomas Geter, Jr., Deceased, Petitioner *v.* Richard Wille, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5041. Burton R. Landes, Petitioner *v.* Department of State, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5435. Christopher Moore, Petitioner *v.* Larry DuBois, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5598. Gilbert Lawrence Clark, Shadid Tamir Abdul Rahim and Robert Tyrone Morgan, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5617. Gary Wadley, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-5667. James Harvey, Jr., Petitioner *v.* General Dynamics Corporation/Electric Boat, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5695. Frank Simmons, Petitioner *v.* Otis R. Bowen, Secretary, Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5722. Alexander Oscar Ruiz, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 88-5742. Rodmy Alexis Yanez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5821. James E. Cox, aka Cricket, Petitioner *v.* United States; and

No. 88-5842. Sammy Carter, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5866. Pius Ike Ezeodo, Petitioner *v.* United States Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5918. Mack Ruffin, Jr., Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5947. Earl Lawrence Squires, Petitioner *v.* Rufus Fleming, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5952. Rudolph Bilder, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Summit County, denied.

No. 88-5954. Bronislaus Lis, Petitioner *v.* Richard Mamott, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-5956. Carmen Williams, Petitioner v. Dorothy Arn, Superintendent, Ohio State Reformatory for Women. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5960. Steven E. Dodrill, Petitioner v. Arthur Tate, Jr., Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5962. Cecil Myron Grant, Petitioner v. Dareld Kerby, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5963. James Alan Jimenez, Petitioner v. California; and In Re James Alan Jimenez, Petitioner. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-5969. Arthur Lee Campbell, Petitioner v. Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-5972. Randolph Baggett, Petitioner v. Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5974. Stephanie Jankowski, Petitioner v. Martha Braumann. Petition for writ of certiorari to the State Court of Georgia, Fulton County, denied.

No. 88-5975. Marvin Brown, Petitioner v. Rhyne Floral Supply Manufacturing Company, Incorporated, et al. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 88-5976. Steven Szarewicz, Petitioner v. LeRoy Zimmerman, Attorney General of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5978. Leroy Portee, Petitioner v. Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5979. Raymond Shane, Petitioner v. Los Angeles Police Department. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-5983. William Prunty, Petitioner v. Internal Revenue Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5984. Luis Rodriguez-Suarez, Vertulia Pierre, Mario Enrique Cameron, Antoinier Durand and Leonardo Burgos, Petitioners v.

United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5987. James McConico, Petitioner *v.* Lawrence A. Robinson, Jr. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-5989. Billy K. Owens, Petitioner *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5992. William L. Church, Petitioner *v.* Chuck Thompson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6003. John Perotti, Petitioner *v.* Richard Seiter, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6004. Hyman L. Paster, Petitioner *v.* Curtiss Wright Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6010. Lynn A. Jenkins, Petitioner *v.* Board of Governors of the Federal Reserve System, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6013. Arnold E. Shells, Petitioner *v.* Oklahoma, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-6014. Ronald H. Spears, Petitioner *v.* Morris Thigpen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6018. Charles Nance Curry, Petitioner *v.* Clerk of Court, Gloucester County Circuit, et al.; and Charles Nance Curry, Petitioner *v.* Edward W. Murray, Director, Virginia Department of Corrections; and Charles Nance Curry, Petitioner *v.* Charles E. King, Jr., Clerk of Court, Gloucester, Virginia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6019. Hector Rivera, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 88-6020. William Wright, Petitioner *v.* Bank of Louisville. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 88-6029. Carl Jones, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-6032. Aaron Clinton Atkins, Petitioner *v.* John Prelesnik, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6033. Anthony D. DiPrizio, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 88-6036. Doy Sidney Bowie, Petitioner *v.* Robert G. Borg, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6041. Javier M. Segura, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-6044. Wayne Rogers, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-6045. Luis A. Pacheco, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-533. Therese U. Donnelly, Personal Representative of the Estate of Joseph F. Donnelly, deceased, Petitioner *v.* Eklutna, Inc., et al.; and

No. 88-549. James W. Lee, Petitioner *v.* Eklutna, Inc., et al. The motions of Alan Abramson, et al. for leave to file briefs as *amici curiae* are granted. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-568. Richard L. Dugger, Secretary, Florida Department of Corrections, et al., Petitioners *v.* Mack Ruffin, Jr. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-821. Vermont, Petitioner *v.* David P. Brunell. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 88-899. Michael Lane, Director, Illinois Department of Corrections, et al., Petitioners *v.* Willie Williams, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice White took no part in the consideration or decision of this petition.

No. 88-5746. Bernard Lee Hamilton, Petitioner *v.* California. The petition for a writ of certiorari to the Supreme Court of California is denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 88-5770. Virgil Delano Presnell, Jr., Petitioner *v.* Ralph Kemp, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5801. Etheria Verdell Jackson, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied: Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5861. Gary Lee Guzman, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5864. Joseph Bryant Hooks, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5957. Richard E. Grant, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5964. Steven King Ainsworth, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5981. Michael Allen Williams, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5985. Darrell Keith Rich, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6015. John Ronald Daniels, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6017. Barry Lee Fairchild, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

REHEARINGS DENIED

No. D-724. In the Matter of Disbarment of Brick P. Storts, III;

No. 86-1904. Arizona, Petitioner *v.* Larry Youngblood;

- No. 87-7201. William J. Foley, Petitioner *v.* Secretary of the Army;
- No. 88-464. Railway Labor Executives' Association, et al., Petitioners *v.* Chicago and North Western Transportation Company, et al.;
- No. 88-5318. In Re Barbara S. Youngs-Settle, Petitioner;
- No. 88-5353. David Bentley, Petitioner *v.* United States;
- No. 88-5496. Barbara Youngs, Petitioner *v.* Lawyers Surety Corporation, et al.;
- No. 88-5524. In Re Gary Kerpa, aka Warren Lawson;
- No. 88-5614. Barbara Luther, Petitioner *v.* Pennsylvania;
- No. 88-5630. David Hamblin, Petitioner *v.* Ohio;
- No. 88-5660. Laurette Tedders, Appellant, *v.* Ronald Lord, et al.;
- No. 88-5693. Gary Lee McColpin, Petitioner *v.* Ronald W. Brooks; and
- No. 88-5747. Charles R. Knowles, Petitioner *v.* United States. The petitions for rehearing are denied.
- No. 88-640. Empire Blue Cross and Blue Shield, et al., Petitioners *v.* United States; and
- No. 88-5558. William Flowers, Petitioner *v.* Warden, Connecticut Correctional Institution, Somers, Connecticut. The petitions for rehearing are denied. Justice Brennan took no part in the consideration or decision of these petitions.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|----------------------------|
| Peter Joseph Anderson | Atlanta, GA | Jo Lanier Meeks |
| Craig A. Berrington | Washington, DC | William Jeffrey Kilberg |
| Louis M. Bograd | Washington, DC | Abraham Krash |
| Richard L. Creighton, Jr. | Cincinnati, OH | Lee Jay Levine |
| Robert T. Durkin, Jr. | Baltimore, MD | Mark Andrew Faber |
| Mary Caroline Emerson | Oklahoma City, OK | Marvin Chester Emerson |
| Thomas McCalla France | Missoula, MT | Thomas David Lustig |
| Donald Goodfriend Frankel | Washington, DC | Daniel Albert Rezneck |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|--------------------------|----------------------------------|
| Benjamin Winsor Gale | San Rafael, CA | David Niel Strand |
| Rodney E. Gould | Boston, MA | Daniel J. Dougherty |
| Alan William Hugh Gourley | Washington, DC | Clifton S. Elgarten |
| Armstead Lester Hayes, III | Montgomery, AL | Oakley Webster Melton, Jr. |
| Robert Benjamin Hemley | Burlington, VT | Norman Williams |
| John Edward Herndon, Jr. | Miami, FL | D. Kendall Griffith |
| Kevin E. Irwin | Cincinnati, OH | Lee Jay Levine |
| David Carl Jensen | Atlanta, GA | Jo Lanier Meeks |
| Charles Robert Kimbrough | Lockhart, TX | Charles David Craig, III |
| John Thomas Leddy | Burlington, VT | Thomas F. Salmon |
| Ronald J. Marlowe | Miami, FL | Sherryll Martens Dunaj |
| John Ramsey Mathis | Huntsville, TX | Robert Ellington DeLong, Jr. |
| Thomas McCaffrey | Houston, TX | Edmund L. Cogburn |
| Roy Harold Meeks, Jr. | Atlanta, GA | Jo Lanier Meeks |
| Louise Holden Neville | New York, NY | Amie Gartenberg |
| Frederick Congleton Ohly | McLean, VA | Harold Richard Henderson, Jr. |
| Leonard Opperman | Indianapolis, IN | Ronald Edward Elberger |
| Stephanie E. Pappas | Alexandria, VA | Kenneth Jonathan Wernick |
| Woodford Gregory Rowland | San Rafael, CA | David Niel Strand |
| James R. Starr | Concord, NH | Andru H. Volinsky |
| Rochel Stein | Hopewell Junction, NY | Marc P. Zylberberg |
| Marlene L. Stein | Washington, DC | Carl D. Hobelman |
| Teresa E. Storch | Albuquerque, NM | Tova M. Indritz |
| James P. Streetman, III | Jackson, MS | Robert Chisholm Grenfell |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|---------------------------|
| Michael Dennis Sullivan | Washington, DC | Lee Jay Levine |
| Richard C. Trollope | Panama City, FL | J. Robert Hughes |
| Robert Thomas Wandrei | Beford, VA | R. Louis Harrison, Jr. |
| Michael E. Wargo | Miami, FL | D. Kendall Griffith |
| Eric D. Wilson | San Antonio, TX | James Allen Perkins |
| Steven H. Zeigen | San Diego, CA | Jay Michael Bloom |

OPINIONS

No. 87-1190. United States, Petitioner *v.* Ray C. Broce and Broce Construction Co., Inc. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Kennedy. Concurring opinion by Justice Stevens. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

No. 87-998. City of Richmond, Appellant *v.* J. A. Croson Company. Appeal from the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Justice O'Connor announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, III-B, and IV, an opinion with respect to Part II, in which the Chief Justice and Justice White join, and an opinion with respect to Parts III-A and V, in which the Chief Justice, Justice White and Justice Kennedy join. Opinion by Justice Stevens concurring in part and concurring in the judgment. Opinion by Justice Kennedy concurring in part and concurring in the judgment. Opinion by Justice Scalia concurring in the judgment. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Blackmun join. Dissenting opinion by Justice Blackmun with whom Justice Brennan joins.

No. 87-764. Florida, Petitioner *v.* Michael A. Riley. On writ of certiorari to the Supreme Court of Florida. Judgment reversed and case remanded to the Supreme Court for further proceeding not inconsistent with the opinion of this Court. Justice White announced the judgment of the Court and delivered an opinion in which the Chief Justice, Justice Scalia and Justice Kennedy join. Opinion by Justice O'Connor concurring in the judgment. Dissenting opinion by Justice Brennan with

whom Justice Marshall and Justice Stevens join. Dissenting opinion by Justice Blackmun.

No. 87-1224. Mark H. Oring, Appellant *v.* State Bar of California. Appeal from the Supreme Court of California. The appeal is dismissed for want of a properly presented federal question. Opinion *per curiam* announced by the Chief Justice.

No. 87-1372. Argentine Republic, Petitioner *v.* Amerada Hess Shipping Corporation, et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by the Chief Justice. Opinion by Justice Blackmun concurring in part with whom Justice Marshall joins.

Adjourned until Tuesday, February 21, 1989 at 10 o'clock.

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No. A-580. Theodore Robert Bundy, Applicant *v.* Richard L. Dugger, Secretary, Florida Department of Corrections;

No. A-585. Theodore Robert Bundy, Applicant *v.* Florida; and

No. A-586. Theodore Robert Bundy, Applicant *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The applications for stay of execution of sentence of death presented to Justice Kennedy and by him referred to the Court are denied. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Justice Blackmun would grant the applications for stay in Nos. A-580 and A-586. Justice Stevens would grant the application for stay in No. A-580.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

CERTIORARI DENIED

No. 88-6138. Arthur James Julius, Petitioner *v.* Alabama, et al. The application for stay of execution of sentence of death, presented to Justice Kennedy and by him referred to the Court, is denied. The petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-603. Richard L. Dugger, Secretary, Florida Department of Corrections, Applicant *v.* Raymond Robert Clark. The application of the Attorney General of Florida for an order to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Eleventh Circuit presented to Justice Kennedy and by him referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

OPINION PER CURIAM

No. 88-5890. In Re Jessie McDonald. The motion of petitioner for leave to proceed *in forma pauperis* is denied. The petitioner is allowed until March 14, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. We also direct the Clerk not to accept any further petitions from petitioner for extraordinary writs pursuant to 28 U.S.C. §§ 1651(a), 2241 and 2254(a), unless he pays the docketing fee required by Rule 45(a), and submits his petition in compliance with Rule 33. Opinion *per curiam*. Dissenting opinion by Justice Brennan with whom Justice Marshall, Justice Blackmun, and Justice Stevens join.

APPEALS—SUMMARY DISPOSITION

No. 88-669. Hofley Manufacturing Company, Appellant *v.* Robert Williams. Appeal from the Supreme Court of Michigan. The motion of appellee for leave to proceed *in forma pauperis* is granted. The appeal is dismissed for want of a substantial federal question.

No. 88-877. O. R. Karst, Appellant *v.* John Woods. Appeal from the United States Court of Appeals for the Ninth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Justice Kennedy took no part in the consideration or decision of this case.

No. 88-895. John J. Stanton, Appellant *v.* District of Columbia Court of Appeals. Appeal from the District of Columbia Court of Appeals. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5392. Dale Buller, etc., Appellant *v.* First Leasing Company. Appeal from the Supreme Court of South Dakota. The appeal is dis-

missed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5536. Dale Buller, etc., Appellant *v.* Hurley State Bank. Appeal from the Circuit Court of South Dakota, 1st Judicial Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5580. Cameron Wehringer, Appellant, *v.* New Hampshire. Appeal from the Supreme Court of New Hampshire. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-5914. In Re Mitchell Williams, Appellant. Appeal from the United States Court of Appeals for the First Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-6180. Sherwood T. Rodrigues, Appellant *v.* Roscoe L. Egger, Jr., Commissioner of Internal Revenue, et al. Appeal from the United States Court of Appeals for the Ninth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-960. Liberty Mobilehome Sales, Inc., Appellant *v.* Stephen Eamiello, et ux. Appeal from the Supreme Court of Connecticut. The appeal is dismissed for want of jurisdiction.

No. 88-1067. Thomas J. Kavanagh, Appellant *v.* Richard E. Coven. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of jurisdiction.

No. 88-1009. Ardeth Houde, et vir, Appellants *v.* Ronald Starkweather, et al. Appeal from the Appellate Division of the Supreme Court of New York, Fourth Judicial Department. The appeal is dismissed for want of a substantial federal question.

No. 88-1059. Vroom Developments (Florida), Inc., Appellant *v.* Town of Longboat Key. Appeal from the District Court of Appeal of Florida, Second District. The appeal is dismissed for want of a substantial federal question.

No. 88-1097. Raymond Duane Richards, Jr., Appellant *v.* Texas. Appeal from the Court of Appeals of Texas, First District. The appeal is dismissed for want of a substantial federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 87-6315. Gerald Kaiser, Petitioner *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Broce*, 488 U.S. — (1989).

No. 88-764. Samuel Jones, Jr., Petitioner *v.* Preuit & Mauldin, etc., et al. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Owens v. Okure*, 488 U.S. — (1989).

CERTIFICATE DISMISSED

No. 88-1179. United States, Appellant *v.* Steve Fafowora. The question certified by the United States Court of Appeals for the District of Columbia Circuit is dismissed.

ORDERS IN PENDING CASES

No. —. Maurice M., Petitioner *v.* Jacqueline Bouknight. The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is granted.

No. A-524. Ross Aaron, Applicant *v.* Charlie Jones, Warden, et al. The application for bail addressed to Justice Marshall and referred to the Court is denied.

No. A-582. Samuel G. Eubanks, et al., Applicants *v.* Wallace Wilkinson, Governor of Kentucky, et al. The application for stay pending appeal to the United States Court of Appeals for the Sixth Circuit presented to Justice Scalia and by him referred to the Court is denied.

No. A-641. John Short, Applicant *v.* Martin Klein, Guardian of Nancy Klein, et al. The application for stay addressed to Justice Scalia and referred to the Court is denied.

No. A-642. C. T. Carden, et al., Applicants *v.* Arkoma Associates. The application for stay of enforcement of the mandate of the United States Court of Appeals for the Fifth Circuit presented to Justice White and by him referred to the Court is granted pending the timely filing and disposition of a petition for a writ of certiorari. This order is

conditioned upon the posting of a good and sufficient security with the Clerk of the United States District Court for the Eastern District of Louisiana, the adequacy of such security to be determined by a judge of that court.

No. **D-737**. In the Matter of Disbarment of Gerald Weatherly. The motion to defer consideration is denied. Disbarment order entered.

No. **D-738**. In the Matter of Disbarment of Jerome Joseph Burke, Jr. Disbarment order entered.

No. **D-744**. In the Matter of Disbarment of Samuel J. Hecht. The motion to defer consideration is denied. Disbarment order entered.

No. **D-745**. In the Matter of Disbarment of Barry Howard Denker. Disbarment order entered.

No. **D-747**. In the Matter of Disbarment of Nicholas W. Williams. Disbarment order entered.

No. **D-752**. In the Matter of Disbarment of Perry Sanford Albin. Disbarment order entered.

No. **D-766**. In the Matter of Disbarment of Donald Kenneth Halper. It is ordered that Donald Kenneth Halper, of Sherman Oaks, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-767**. In the Matter of Disbarment of Leonard Raymond Eston. It is ordered that Leonard Raymond Eston, of Detroit, Michigan, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-768**. In the Matter of Disbarment of Samuel Henry Sanders, III. It is ordered that Samuel Henry Sanders, III, of Birmingham, Alabama, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-769**. In the Matter of Disbarment of William Trickett Smith. It is ordered that William Trickett Smith, of Harrisburg, Pennsylvania, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-770**. In the Matter of Disbarment of Michael Joseph Matthews. It is ordered that Michael Joseph Matthews, of Gonzales, Louisiana, be suspended from the practice of law in this Court and that a rule

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

No. 65, Original. State of Texas, Plaintiff *v.* State of New Mexico. The motion of the River Master for approval of fees and expenses is granted and the River Master is awarded \$5,154.73 for the period July 1, 1988–December 31, 1988, to be paid equally by the parties.

No. 105, Original. State of Kansas, Plaintiff *v.* State of Colorado. The motion to refer to the Special Master the motion for leave to amend the complaint is granted.

No. 109, Original. States of Oklahoma and Texas, Plaintiffs *v.* State of New Mexico. The motion of New Mexico for leave to file a supplemental answer is granted. The motion of the Special Master for award of fees and expenses is granted and the Special Master is awarded \$22,744.99 to be paid equally by the parties.

No. 111, Original. State of Delaware, Plaintiff *v.* State of New York. The motion of Texas for leave to file a complaint in intervention is granted. The parties are allowed sixty days within which to answer.

No. 87-1589. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al.; and

No. 87-1888. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al. The motion of respondent Interstate Commerce Commission for divided argument is denied. The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted to be divided as follows: 30 minutes for the petitioner; 30 minutes for the respondent; and 30 minutes for the Acting Solicitor General, as *amicus curiae*.

No. 87-1759. Texas State Teachers Association, et al., Petitioners *v.* Garland Independent School District, et al. The motion of Texas Association of School Boards, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-40. United States, Petitioner *v.* Frank S. Zolin, et al. The motion of Bernard M. Barrett, Jr., for leave to participate in oral argument as *amicus curiae*, for divided argument and for additional time for oral argument is denied. Justice Brennan took no part in the consideration or decision of this motion.

No. 88-192. McKesson Corporation, Petitioner *v.* Division of Alcoholic Beverages and Tobacco, Department of Business Regulation of Florida, et al.; and

No. 88-325. American Trucking Associations, Inc., et al., Petitioners *v.* Maurice Smith, Director, Arkansas Highway and Transportation Department, et al. The motion of respondents for divided argument is granted. The request for additional time for oral argument is denied. The motion of petitioners for divided argument is granted. The request for additional time for oral argument is denied.

No. 88-305. South Carolina, Petitioner *v.* Demetrius Gathers. The motion of SOLACE, et al. for leave to file a brief as *amici curiae* is granted. The motion of Barbara Babcock, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-389. Public Employees Retirement System of Ohio, Appellant *v.* June M. Betts. The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-411. Edward W. Murray, Director, Virginia Department of Corrections, et al., Petitioners *v.* Joseph M. Giarratano, Johnny Watkins, Jr., and Richard T. Boggs, et al. The motion of American Civil Liberties Union for leave to file a brief as *amicus curiae* is granted. The motion of National Legal Aid & Defender Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of Maryland State Bar Association, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-420. Jimmy Jones, Superintendent, Missouri Training Center for Men at Moberly, Petitioner *v.* Larry P. Thomas. The motion for appointment of counsel is granted and it is ordered that Springfield Baldwin, Esquire, of Shrewsburg, Missouri, is appointed to serve as counsel for the respondent in this case.

No. 88-429. Public Citizen, Appellant *v.* United States Department of Justice, et al.; and

No. 88-494. Washington Legal Foundation, Appellant *v.* United States Department of Justice, et al. The motion of the Acting Solicitor General for divided argument is denied. The motion of appellants for divided argument is granted. Justice Scalia took no part in the consideration or decision of these motions.

No. 88-449. John F. Healy, et al., Appellants *v.* The Beer Institute, et al.; and

No. 88-513. Wine and Spirits Wholesalers of Connecticut, Inc., Appellants *v.* The Beer Institute, et al. The motion of Wine and Spirits Wholesalers of America, Inc. for leave to file a brief as *amicus curiae* is granted.

No. 88-454. United States, Petitioner *v.* Peter Monsanto. The motion of Committee on Criminal Advocacy, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is denied.

No. 88-515. Sable Communications of California, Inc., Appellant *v.* Federal Communications Commission, et al.; and

No. 88-525. Federal Communications Commission, et al., Appellants *v.* Sable Communications of California, Inc. The motion of the Acting Solicitor General to dispense with printing the joint appendix is granted.

No. 88-556. Browning-Ferris Industries of Vermont, Inc., et al., Petitioners *v.* Kelco Disposal, Inc., et al. The motion of Metromedia, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Good-year Tire and Rubber Company for leave to file a brief as *amicus curiae* is granted.

No. 88-681. California State Board of Equalization, Petitioner *v.* Sierra Summit, Inc. The motion of National Governors' Association, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-927. Keystone Shipping Co., Petitioner *v.* New England Energy, Inc., et al. The motion of respondents to expedite consideration of the petition for a writ of certiorari is denied.

No. 88-1070. Associated General Contractors of America, et al., Petitioners *v.* Occupational Safety and Health Administration, etc., et al.; and

No. 88-1075. Associated Builders and Contractors, Inc., et al., Petitioners *v.* Occupational Safety and Health Administration, etc., et al. The application for stay addressed to the Chief Justice and referred to the Court is denied.

No. 88-1207. G. K. C. Michigan Theatres, Inc., et al., Petitioners *v.* National Amusements, Inc. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-5853. John F. Corch, Petitioner *v.* Director, Office of Workers' Compensation Programs, United States Department of Labor. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 14, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan and Justice Marshall, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6060. Lee Roy Tucker, Petitioner *v.* Prudential Insurance Company. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 14, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6131. Curtis L. Wrenn, Petitioner *v.* United States District Court for the Northern District of Ohio. The motion of petitioner to proceed *in forma pauperis* is denied. Petitioner is allowed until March 14, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6177. Richard A. Gardner, Petitioner *v.* United States. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 14, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6263. Curtis L. Wrenn, Petitioner *v.* New York City Health and Hospitals Corporation, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 14, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

APPEALS—JURISDICTION NOTED

No. 88-952. United States, Appellant *v.* Sperry Corporation, et al. Appeal from the United States Court of Appeals for the Federal Circuit. In this case probable jurisdiction is noted.

No. 88-1048. Robert J. Quinn, Jr., and Patricia J. Kampsen, etc., Appellants *v.* Wayne L. Millsap, et al. Appeal from the Supreme Court of Missouri. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-124. Lynn L. Breininger, Petitioner *v.* Sheet Metal Workers International Association Local Union No. 6. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 88-791. Pavelic & Leflore, Petitioner *v.* Marvel Entertainment Group, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 88-1083. John Doe Agency and John Doe Government Agency, Petitioners *v.* John Doe Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 87-1979. Chesapeake and Ohio Railway Company, Petitioner *v.* Nancy J. Schwalb and William McGlone; and

No. 88-127. Norfolk & Western Railway Company, Petitioner *v.* Robert T. Goode, Jr. Petitions for writs of certiorari to the Supreme Court of Virginia granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-512. Michigan, Petitioner *v.* Tyris Lemont Harvey. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeals of Michigan granted.

No. 88-840. Golden State Transit Corp., Petitioner *v.* City of Los Angeles. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to the following question: "Whether in the absence of a direct violation of a federal statute, an allegation that a state statute is preempted by a federal statute is cognizable under 42 U.S.C. § 1983."

No. 88-5909. Dock McKoy, Jr., Petitioner *v.* North Carolina. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of North Carolina granted.

No. 88-6075. Darryl James, Petitioner *v.* Illinois. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Illinois granted.

CERTIORARI DENIED

No. 88-541. North Carolina, Petitioner *v.* Joseph Mario Tarantino. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 88-614. 9/1 KG Containers, More or Less, of an Article of Drug for Veterinary Use, and Schuyler Laboratories, Inc., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-687. Liberty Lobby, Inc., Petitioner *v.* John Rees, et ux., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-701. International Association of Machinists and Aerospace Workers, District Lodge No. 19, Petitioner *v.* Soo Line Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-753. Universal Cooperatives, Inc., Petitioner *v.* FCX, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-768. Vincent W. Franco, Petitioner *v.* Department of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-778. World Color Press, Inc., Petitioner *v.* Elizabeth Dole, Secretary of Labor, and Graphic Communications International Union, Local 554. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-792. Glen F. Miller, Petitioner *v.* Bobby L. Person and United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-795. John Judge, Joe Choo, and Gary Clark, Petitioners *v.* United States Department of Agriculture. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-803. Grant Anthony, Petitioner *v.* Don M. Newman, Acting Secretary. United States Department of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-807. Sharon R. Childs, et al., Petitioners *v.* United States District Court for the Central District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-830. Quality Inn South, et al., Petitioners *v.* Rajni J. Patel. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-839. Andrew L. Arruza, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-846. Gerald M. Sparks, Petitioner *v.* Character and Fitness Committee of Kentucky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-848. American Mining Congress, The Aluminum Association and Kennecott, Petitioners *v.* Environmental Defense Fund, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-851. Thomas Henry Pidcock, Petitioner *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 88-853. BMT Commodity Corp. and Delca Distributors, Inc., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-857. Louis W. Roszkos, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-858. Sue Wells, etc., et al., Petitioners *v.* Woodson D. Walker, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-865. Sun Exploration and Production Company, et al., Petitioners *v.* Manuel Lujan, Jr., Secretary of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-866. Quantum Chemical Corporation, Petitioner *v.* Patricia L. Pratt; and

No. 88-1078. Patricia L. Pratt, Petitioner *v.* Quantum Chemical Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-873. Michael R. Shroeder, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-875. Carole L. Taylor, Petitioner *v.* Robert R. Taylor. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-878. Irvin H. Roberts, Jr., Petitioner *v.* Donald Ray Hardin. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-879. Darrell Lamont Lowen, Petitioner *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 88-880. Julius Trump, et al., Petitioner *v.* Bertram Field. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-886. Taylor Made Office Systems, Inc., Petitioner *v.* National Labor Relations Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-887. Oscar Fernando Cuevas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-889. Millers National Insurance Company, et al., Petitioners *v.* Axel's Express, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-891. Donald L. Holeman, Petitioner *v.* Director, Federal Emergency Management Agency for the National Flood Insurance Program. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-913. California, Petitioner *v.* Charles Allison. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-916. Winston A. Mitchell and Winston A. Mitchell, Inc., Petitioners *v.* Frank R. Howard Memorial Hospital, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-921. William F. Netsky, Executor of the Estate of Frank W. Netsky, Deceased, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-922. Kathryn A. Heily, Petitioner *v.* Merrill Lynch, Pierce, Fenner & Smith, Inc., et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-923. Charles Ben Howell, Petitioner *v.* Homecraft Land Development, Inc., et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 88-925. Alonzia Harris, et al., Petitioners *v.* Israelite Bible Class, Inc. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 88-933. Hemmert Shipping Corporation, et al., Petitioners *v.* Furness Withy (Chartering) Panama, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-935. Lewis B. Skolnick, Petitioner *v.* Terry Wells. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-936. Reiner Schwarz, Petitioner *v.* City of Warwick, Rhode Island, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-939. Russell Leon, Personal Representative of the Estate of Jorge Morales, Petitioner *v.* Joaquin Avino, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-942. LaBoure Associates Personnel Services, Inc., Petitioner *v.* Kathryn J. Whitmire, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-943. John G. Barrow, Jr., Petitioner *v.* H. Ray Walker, Tax Collector, Columbia County, Florida. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-945. Aline Ervin, Petitioner *v.* County of Los Angeles. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-946. Mack Aplin, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-954. Julius Laczay, et ux., Petitioners *v.* Ross Adhesives, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-956. LSLJ Partnership, Petitioner *v.* Frito-Lay, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-957. Vincent S. Toussaint, Petitioner *v.* Laurens County Health Care System, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-961. Michael L. Schmidt, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-962. Margaret Varma, et al., Petitioners *v.* Edward J. Bloustein, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-964. James C. Howes, Petitioner *v.* North Dakota Workers Compensation Bureau, et al. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 88-965. Leighton Ewell, et al., Petitioners *v.* Herbert Thompson, Commissioner of Conservation and Assistant Secretary, Office of Conservation of Louisiana, et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 88-970. Charles D. Roselin, Petitioner *v.* Mansoor A. Arain. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-972. Wilfredo Maisonet, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-976. Vincent James Landano, Petitioner *v.* John J. Rafferty, Superintendent, Rahway State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-981. Nerry E. Lawson, et ux., individually and on behalf of their minor children, Tonya and Teri Lawson, Petitioners *v.* Diamond M Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-983. Joe Lacey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-985. Technograph Liquidating Trust, Petitioner *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-987. David Hesse, Petitioner *v.* Board of Education of Township High School District No. 211, Cook County, Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-991. U. S. Roofing Corporation, Petitioner *v.* Owens-Corning Fiberglas Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-993. Danny Michael Linkous, Petitioner *v.* Nancy L. Linkous. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-997. Nicky M. Higgins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-1001. Oil, Chemical and Atomic Workers International Union, AFL-CIO, et al., Petitioners *v.* Conoco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1002. Edith Horowitz Broida, Petitioner *v.* Edmund Newbold. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1004. Cambridge Properties, Inc., Petitioner *v.* Baton Rouge Production Credit Association. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1005. Wanda Haynes, Petitioner *v.* Seattle School District No. 1, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 88-1006. Larry Lee Jaynes, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-1007. Estelle Linn, Petitioner *v.* Samuel R. Pierce, Jr., Secretary, Department of Housing and Urban Development. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1010. Landahl, Brown & Weed Associates, Inc., Petitioner *v.* Longardner & Associates, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1014. Brotherhood of Railway Carmen, Division of Transportation Communications International Union, Petitioner *v.* CSX Transportation, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1015. Marie Cully, Petitioner *v.* Grace Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1016. Horace M. Chambers, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1018. Arthur D. Little, et al., Petitioners *v.* Richard Lessler. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1020. W. Schlafhorst & Co., et al., Petitioners *v.* Schubert & Salzer Maschinenfabrik Aktiengesellschaft. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1022. Henrico County Public Schools, et al., Petitioners *v.* Jonathan Spielberg, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1023. United States, Petitioner *v.* Karl W. Christey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1024. David M. Pierson, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-1025. Thomas R. Larkins and Herbert M. Larkins, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1028. Moira Q. Scanlon, Petitioner *v.* Howard M. Schrinar, Commissioner, Public Lands of Wyoming, et al. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 88-1030. Barbara Brown, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Court of Appeals of Arkansas denied.

No. 88-1032. Joseph Jutkofsky, Petitioner *v.* Aldo Maestri and Gloria Zook. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1033. Norfolk & Western Railway Company, Petitioner *v.* John E. Gardner, et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 88-1040. John Mancinone, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-1041. Irvin James Huntzinger, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1045. Louis Douglas Williams, Petitioner *v.* Attorney General of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1046. Raymond J. Torres, et al., Petitioners *v.* Wisconsin Department of Health and Social Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1047. Bechtel Construction Inc., Petitioner *v.* Laborers District Council, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1050. Karen Applegate, et vir, Petitioners *v.* California, et al.; and

No. 88-1054. California, Petitioner *v.* Harold Freeman. Petitions for writs of certiorari to the Supreme Court of California denied.

No. 88-1051. Edward Dennis Jacks, Jr., Petitioner *v.* Jack Duckworth, Superintendent, Indiana State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1057. NEC America, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1058. William D. Treeby and State Farm Fire and Casualty Company, Petitioners *v.* Marvin Gorman and Marvin Gorman Ministries, Inc.; and

No. 88-1080. Jimmy Swaggart, et al., Petitioners *v.* David V. Adler, Trustee in Bankruptcy, et al. Petitions for writs of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 88-1060. Joseph E. Powers, Petitioner *v.* Board of County Commissioners of Kingman County, Kansas, et al. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 88-1061. Ben Hammond, Petitioner *v.* Auburn University, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1065. James T. Patterson, Sr., Petitioner *v.* Atlanta Bar Association, et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-1073. Michael Sierra, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1077. Alcan Alumínio do Brasil, S.A., et al., Petitioners *v.* Lercy D. Benitez-Allende, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1082. Babu Patel, et al., Petitioners *v.* Maryland Casualty Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1084. E. G. Fischer, Petitioner *v.* Bar Harbor Banking & Trust Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1086. Albuquerque A.R.T. Co., Petitioner *v.* Mirage Editions, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1087. John Henaio-Ospina and Martha Gutierrez-Barranco, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1090. Lawrence Tresize, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1091. Evanna Powell, Petitioner *v.* Anthony Nigro, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1092. Maryland Casualty Company, Petitioner *v.* Ricardo Lozano. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1093. Billy Joe Hill, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1096. Barton Boyd Adams, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Court of Appeals of Arkansas denied.

No. 88-1102. Westminster Management Corporation, et al., Petitioners *v.* Paul C. Mitchell, Jr., Director of Finance, City of New Orleans, et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 88-1104. Pennsylvania, Petitioner *v.* Paul Giannini and Douglas Voight. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-1106. Andrea Aiello, aka Antonio Aiello, and Lorenzo Scaduto, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1107. Mathas Brown, Petitioner *v.* City of Fort Lauderdale, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1110. Charles Gilbert Hardy and Buddy Huffman, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1113. Mikulec Industries, Inc., Petitioner *v.* ICI Americas, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1117. Vincent E. Oswald, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1118. Dennis E. Lutz and O. Anthony Leyva, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1120. John W. Williams, et ux., Petitioners *v.* Tucson Unified School District No. 1 of Pima County, Arizona, et al. Petition for writ of certiorari to the Court of Appeals of Arizona, Division Two, denied.

No. 88-1123. Landers Seed Co., Inc., Petitioner *v.* Champaign National Bank. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 88-1126. Roy L. Ryan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1127. Mahinder S. Uberoi, Petitioner *v.* University of Colorado, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1133. Niels H. Oster, Petitioner *v.* Don M. Newman, Acting Secretary, Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1141. Democratic Central Committee of the District of Columbia, et al., Petitioners *v.* D. C. Transit System, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1152. Income Properties, Inc., et al., Petitioners *v.* John C. Lunsford, et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-1156. Griselda Blanco, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1158. Marcos J. Perez and Sean Burke, Petitioners *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-1162. Melvin C. Moore, Petitioner *v.* City of Richmond, et al. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-1164. Spectron Broadcasting Corporation, Petitioner *v.* Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1167. Daniel Construction Company, etc., Petitioner *v.* Local 257, International Brotherhood of Electrical Workers, AFL-CIO, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1171. Arch Emmett Graham, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1189. Walter M. Ketchum, Petitioner *v.* Administrator, Attorney Registration and Disciplinary Commission of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-5188. Bernice Bennett, Petitioner *v.* Corroon & Black Corp., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5438. Ricky Terrebonne, Petitioner *v.* Hilton Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5573. John Joseph Conn, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Eastern Division, denied.

No. 88-5715. Oscar Gates, Petitioner *v.* Dan Vasquez, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5754. Michael Ronning, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 88-5802. Robert A. and Audrey J. Hawley, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-5825. Raymond Earl Stokes, Petitioner *v.* Edward W. Murray, Director, Virginia Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5857. Will D. Highfill, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District IV, denied.

No. 88-5858. Charles A. Karlin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5869. James Phillip Brewer, Petitioner *v.* United States; and

No. 88-6129. Giles Erwin Ferguson, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5894. Samuel John Major Davis, Jr., Petitioner *v.* Julia S. Gibbons, Judge, United States District Court for the Western District of Tennessee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5895. Lawrence D. Caldwell, Petitioner *v.* Harold G. Miller, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5897. Ronald Del Raine, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5900. Durwood Arthur Hood, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-5913. Ronald Del Raine, Petitioner *v.* R. Banks, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5916. Danny Davis, Petitioner *v.* William N. Barber, Parole Officer, Indiana Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5917. Anselm Holman, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-5922. Jerry Mack Denson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5925. Angel Torres-Lopez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-5926. Carlos Valdes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5937. Carlos Sanchez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-5944. Joseph Sun, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5965. Tarik Ali Bey, Petitioner *v.* LeRoy S. Zimmerman, Attorney General of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5971. Johnny Ray Graham, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5980. Robert Lloyd Middleton, Jr., Petitioner *v.* Thomas A. Fulcomer, Superintendent, State Correctional Institution at Huntingdon. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5993. Orlando Foreman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6000. Noel Murphy, aka Noel O'Murchu, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6021. Felipe Molina-Uribe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6022. Mark Marvin Musser, Petitioner *v.* United States; and

No. 88-6027. Gary Wayne Harvey, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6037. James E. Zola, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 88-6046. Anthony Charles Durham, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6049. Samuel Nikolaou, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6050. Richard Malizia, Petitioner *v.* Charles Scully, Superintendent, Green Haven Correctional Facility, et al. Petition for writ of

certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6052. Jeffrey A. Murr, Petitioner *v.* James Jackson, Superintendent, Pickaway Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6054. Edrick Teagler, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-6055. Ronald Herbert Stivers, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6057. Richard L. Smith, Petitioner, *v.* Office of Disciplinary Counsel. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 88-6058. Vito Sgaraglino, Petitioner *v.* State Farm Fire and Casualty Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6061. Joseph Pete Smith, Petitioner *v.* Thomas A. Fulcomer, Superintendent, State Correctional Institution at Huntingdon. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6065. Clarence Miller, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-6067. James Green, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6068. Dennis Friel, Petitioner *v.* David S. Owens, Jr., Commissioner, Pennsylvania Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6071. James Mitchell, Petitioner *v.* Robert J. Henderson, Superintendent, Auburn Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6077. James Dean Mezo, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 88-6081. Sylvester Jones, Petitioner *v.* City of St. Louis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6085. Donald Washington, Jr., Petitioner *v.* Eddie Ylst, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6087. Robert D. Littleton, Petitioner *v.* Paul Alexander, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6089. Ralph M. Lepiscopo, Petitioner *v.* H. Richard Blackhurst, Judge, District Court of New Mexico, Second Judicial District. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 88-6091. Frank Kevin Pool, Petitioner *v.* Bill Armontrout, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6095. Carl Cortez, Petitioner *v.* Royce Elaine Price, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6099. Reeve Shayanfar, aka Farivar Shayanfar, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6102. James Riley Lemons, Petitioner *v.* Kenneth G. Cox, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6103. Danny Travis, aka O'Daniel Travis, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 88-6106. Ronald Louis Larkins, Petitioner *v.* Michigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6107. Carle Eierle, Petitioner *v.* Marion Ellis, Superintendent, Union Correctional Institution, Raiford, Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6109. Pearly Wilson, Petitioner *v.* A. J. Tenoglia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6110. Pearly L. Wilson, Petitioner *v.* Richard P. Seiter, Director, Ohio Department of Rehabilitation and Correction, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6111. Pearly L. Wilson, Petitioner *v.* George F. Denton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6112. Pearly L. Wilson, Petitioner *v.* Richard P. Seiter, Director, Ohio Department of Rehabilitation and Correction, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6114. Arvil Davenport, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Hamilton County, denied.

No. 88-6115. Jeffrey S. Balawajder, Petitioner *v.* Criminal District Court of Texas at Fort Worth, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6116. Nathanael Schultz, et ux., Petitioners *v.* Jeff Swanhorst, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6118. Rudolph Janes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6119. Joseph Wildred Moten, Jr., Petitioner *v.* P. Johnson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6123. Ernesto C. Castaneda, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6124. Eughinia Jones, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Correctional Institution at Graterford, Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6125. Irene K. Trotz, Petitioner *v.* Supreme Court of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6130. Alberto Murrietta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6132. Allen Semenchuk, Petitioner *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6134. James V. Day, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6137. Rita Swenson, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6139. Ricky Ricardo Harris, Petitioner *v.* Warden, Maryland House of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6143. Larry Gray, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Sixth District, denied.

No. 88-6144. Stephen Luther Evans, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-6145. James L. Martin, Petitioner *v.* Rowland Shank, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6146. James M. Diamond, Petitioner *v.* Disciplinary Counsel, etc., et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 88-6147. Ralph R. Stogner, III, Petitioner *v.* Robert J. Pickett, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6149. Curtiss Childs, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District IV, denied.

No. 88-6151. Edwin G. Hamilton, Petitioner *v.* District Court of Montana, Third Judicial District. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 88-6152. Odo Charles Wilkinson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6156. Burton H. Wolfe, Petitioner *v.* Alexandria, Virginia, et al.; and Burton H. Wolfe, Petitioner *v.* United States District Court for the Northern District of California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6157. Morna E. Young, Petitioner *v.* Don Kraatz, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-6158. Joseph M. Walls, Petitioner *v.* Prothonotary, New Castle County. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 88-6160. Gordon Hunt, Petitioner *v.* Vermont. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 88-6162. Frank Fica, Petitioner *v.* Sheldon Schwartz. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-6163. Jerry Edmund Aronhalt, aka Leon Wit Jonjock, Petitioner *v.* George Deeds, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6164. Hunter Huang, Petitioner *v.* Stern, Rosenau & Rosenthal. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-6165. Edward J. Moore, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6167. Michael Henry Ferdik, Petitioner *v.* Samuel A. Lewis, Director, Arizona Department of Corrections, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 88-6168. Muharem Kurbegovich, aka Muharem K. Kurbegovich, Petitioner *v.* Dan B. Vasquez, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6169. John Robert Demos, Jr., Petitioner *v.* United States District Court for the Eastern District of Washington. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6170. Stephen Craig Schiefelbein, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-6171. Billy Carl Turner, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-6172. Shafik Ragheb, Petitioner *v.* Blue Cross and Blue Shield of Michigan. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6173. Leonard Levy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6174. Moshe Rotman, Petitioner *v.* Worcester Housing Authority. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6175. Zofia Rynkiewicz, Petitioner *v.* Jeanes Hospital, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6176. Deloris Arlene Mauldin, Petitioner *v.* Larry Fields, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6178. Jesus John Hernandez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6179. William F. McDevitt, Jr., Petitioner *v.* Charles F. Blumenstein. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6182. Leonard Bobby Ortega, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6183. Sheridan Edwards, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-6184. Mary Ann Slaby, Petitioner *v.* American Physical Society, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6185. Boyd Franklin Hall, III, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-6186. Alex William Herbage, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6191. Gary Baker, Petitioner *v.* Norris McMackin, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6192. Isaac Jackson, Petitioner *v.* Michael Dutton, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6194. James D. Barnette, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6195. Rodney Eugene Moore, Petitioner *v.* Hoyt C. Cupp, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6196. Arthur F. Hillary, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6197. Samuel C. Williams, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-6198. Edward Lee Mornes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6199. James Stewart, Petitioner *v.* St. Petersburg Times. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6200. Richard Williams, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-6201. Walter Clyde White, bnf Jean Swafford, Petitioner *v.* Gary W. Gerbitz, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6205. Robert Paul Darrow, Petitioner *v.* Leoneal Davis, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6206. Richard Steven Maulick, Petitioner *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6208. Donny Joel Harvey, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6209. Horace Griffin, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-6210. Earl Eugene Box, Petitioner *v.* George Petsock, Superintendent, State Correctional Institution and Diagnostic (and Classification Center) at Pittsburgh, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6213. James Knox Botsch, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6214. Gary Fisher, Petitioner *v.* Charles J. Scully, Superintendent, Green Haven Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6215. Roberto Sosa, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6217. John W. Duncan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6218. Gustavo Arias Gomez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6219. Calvin Walker, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6220. Steven Duane Bower, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 88-6221. Anthony Gregory, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-6223. William Joseph Hannaford, Petitioner *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-6225. Florencio Jaramillo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6226. Roy Lawrence aka Roger Lawrence, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6228. Irej Alex Malekzadeh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6229. Paul Anthony White, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6230. John Perotti, Petitioner *v.* Raymond Shaner. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6231. Robert Dale Miller, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-6232. James Bond Outlaw, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6233. Harold Scott, Petitioner *v.* Phillip G. Dantes, Chairman, Maryland Parole Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6235. Oliver Carlson Giles, Petitioner *v.* Thomas Garwood, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6238. Robert Feldman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6239. Pearly Wilson, Petitioner *v.* George F. Denton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6240. Tommy Span, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6241. Gregory Neal, Petitioner *v.* IAM Local Lodge 2386. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6244. Hosea E. Kelly, Petitioner *v.* Billy McWherter, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied.

No. 88-6246. Mark DuPree, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6247. Aaron J. Herman, Petitioner *v.* Tom Geer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6248. Dennis Lee Helwig, Jr., Petitioner *v.* Robert LeCureaux, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6249. Richard L. Lowe, Petitioner *v.* Linda King, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6250. William Lebron Church, Petitioner *v.* Thomas V. Warren, III, Judge, Circuit Court of Virginia, Amelia County, et al. Peti-

tion for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6251. Charlie Hunter, Petitioner *v.* Warden Lewis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6252. Clyde Ainsworth, Petitioner *v.* Raymond Roberts, Superintendent, Rankin County Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6253. Deborah M. Allen, Petitioner *v.* Stephen T. Harris, et al. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 88-6254. Eugene Noble, Petitioner *v.* Robert Rees, Superintendent, Deuel Vocational Institution. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6256. Theodore McSwain, Petitioner *v.* Howard L. Beyer, Administrator, New Jersey State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6257. John W. Pearsall, Petitioner *v.* District of Columbia Department of Human Services. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-6259. James W. Whiteside, Petitioner *v.* Minnesota, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6261. Cecilia Nuttelman, Petitioner *v.* Dennis Julch, et al. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 88-6262. Jirik Parez, Petitioner *v.* General Atomic, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6266. Calvin W. Olive, Petitioner *v.* Sears, Roebuck and Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6276. David Allen Mann, Petitioner *v.* Audrey Burke, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6278. Robert Strickland, Jr., Petitioner *v.* Curtis V. Tillman, Chief Judge, DeKalb County Superior Court, et al. Petition for writ of

certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6279. Charles E. Morrison, Petitioner *v.* Departmental Disciplinary Committee for the First Judicial Department. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 88-6280. Pedro Garcia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6284. Elmer Winters, Petitioner *v.* Patrick Lynch, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6291. Babatunde Sunday Adesiji, Petitioner *v.* Minnesota. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6302. Patrick Gerald Henry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6303. Luis Elias Handal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6304. Ralph and Carol Buelow, Petitioners *v.* Stephen E. Bablitch, Administrator, Wisconsin Department of Health and Social Services, Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6312. Ronald M. Tauber, Petitioner *v.* Robert Brown, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6314. Gregory G. Lewis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6322. Lance McNair, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-6323. Linzie Gardner, Petitioner *v.* Gene Borgert, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6332. Mario Torres-Benavidez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6339. Yolanda Bisbicus, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6344. Felton Eugene Kennedy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6351. James R. Lowenberg, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6355. Victor Quinones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6357. Primitivo Provencio-Martinez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6364. Carla Strifler and Ronald Wayne Strifler, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-399. Billie Hammond, Petitioner *v.* Terminal Railroad Association of St. Louis. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Brennan and Justice White would grant certiorari.

No. 88-651. Richard Anderson Photography, Petitioner *v.* Radford University, et al. The motion of American Intellectual Property Law Association for leave to file a brief as *amicus curiae* is granted. The motion of Association of American Publishers, Inc., et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-776. Gene Raff, Arkansas State Prosecutor, et al., Petitioners *v.* Roy C. Lewellen, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice White would grant certiorari.

No. 88-777. Guangzhou Maritime Transport Bureau of China, Petitioner *v.* Hughes Drilling Fluids. The motion of Maritime Law Association of the United States for leave to file a brief as *amicus curiae* is

granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-813. Cincinnati Post, et al., Petitioners *v.* General Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 88-850. Blinder, Robinson & Co., Inc., et al., Petitioners *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Marshall took no part in the consideration or decision of this petition.

No. 88-920. Gary W. Dixon, Warden, et al., Petitioners *v.* Robert Henry McDowell. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1026. Bill Armontrout, Warden, Petitioner *v.* Frank Kevin Pool. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1043. Walter Zant, Warden, Petitioner *v.* Michael Albert Cervi. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-950. Carole L. Page, Petitioner *v.* E. I. DuPont de Nemours and Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice O'Connor took no part in the consideration or decision of this petition.

No. 88-975. Robert Dudley, Petitioner *v.* John Stubbs. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Justice O'Connor with whom The Chief Justice and Justice Kennedy join.

No. 88-998. Craig E. Caldwell, Petitioner *v.* United States. The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Stevens took no part in the consideration or decision of this motion and this petition.

No. 88-1008. Ronald Alman, Trustee, Board of Trustees, Northeast Department ILGWU Health and Welfare Fund, etc., Petitioner *v.* George Manufacturing Corp., et al. The motion of National Coordinating Committee for Multiemployer Plans for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1062. Beer Wholesalers, Inc., Petitioner *v.* Miller Brewing Company, et al. Petition for writ of certiorari to the Court of Appeals of Minnesota denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 88-1089. Louella F. Benson, Petitioner *v.* E.J. Faul, et al.; and In Re Louella F. Benson and Louella F. Benson, Petitioners *v.* Glenn A. Ally, et al. The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1112. Honolulu Federal Savings and Loan Association, Petitioner *v.* Harris N. Murabayashi, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Stevens took no part in the consideration or decision of this petition.

No. 88-5586. Andre Burton, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5871. Jeffrey Paul Sloan, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6079. William T. Jones, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6082. Kenneth Hardy, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6101. William T. Turner, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6135. William Theodore Boliek, Jr., Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Southern District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6136. Harold Lee Harvey, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6166. Ronald Keith Allridge, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6190. Donald Williams, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6202. Billy Ray Hamilton, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6290. George Gilmore, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6325. Debra Denise Brown, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6113. Howard Paul Cobb, Petitioner *v.* K. A. Nizami, et al. The motion of NAACP Legal Defense and Educational Fund for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6133. Irene K. Troitz, Petitioner *v.* United States District Court for the Western District of Pennsylvania. The application for stay addressed to The Chief Justice and referred to the Court is denied. The petition for a writ of certiorari to the United States Court of Appeals for the Third Circuit is denied.

No. 88-6281. Laurence John Layton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Kennedy took no part in the consideration or decision of this petition.

No. 88-5892. In Re S. Petitioner. The motion of petitioner to seal appendix to petition for writ of certiorari is granted. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-6009. Eddie Albert Crawford, Petitioner *v.* Georgia. The petition for a writ of certiorari to the Supreme Court of Georgia is denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall. Justice Blackmun would grant certiorari.

No. 88-6059. Rhett G. Depew, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 88-6078. DeWayne C. Britz, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

COMMON LAW CERTIORARI DENIED

No. 88-6181. In Re Clarence Harrison, Petitioner. The petition for a writ of certiorari is denied.

MANDAMUS DENIED

No. 88-5958. In Re Joseph Simanonok, Petitioner;

No. 88-5988. In Re James L. Martin, Petitioner;

No. 88-6043. In Re Fardee Mulazim, Petitioner;

No. 88-6051. In Re Ellis Lindberg Barnett, Petitioner; and

No. 88-6234. In Re Wilmer B. Gay. The petitions for writs of mandamus are denied.

No. 88-971. In Re Bernard J. Dolenz, Petitioner;

No. 88-6072. In Re Barbara S. Youngs, Petitioner;

No. 88-6128. In Re Sylvester Jones, Petitioner; and

No. 88-6227. In Re Athanasios Theodoropoulos, Petitioner. The petitions for writs of mandamus and/or prohibition are denied.

REHEARINGS DENIED

No. 87-2009. Donald L. Greenman, Petitioner *v.* United States;

No. 88-237. Paul Emile Noel, Petitioner *v.* Department of Sanitation of City of New York;

No. 88-459. Belinda Anderson, et al., Petitioners *v.* United States;

No. 88-736. Evelyn Wankoff, Individually and as Administratrix of the Estate of Irvin Wankoff, deceased, Petitioner *v.* Thomas Tibbs, et al.;

No. 88-751. Clark W. Rowland, Petitioner *v.* Alameda County Probation Department;

No. 88-896. Earlene Polyak, Appellant *v.* Frank Hulen and Wilma Lesnansky;

No. 88-5603. Nicholas Lee Ingram, Petitioner *v.* Ralph Kemp, Warden;

No. 88-5701. Tommy Span, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al.;

No. 88-5716. Ann Lemberg, Petitioner *v.* Andrew Tseng, et al.;

No. 88-5768. John Eugene Sellner, Petitioner *v.* Prince George's County, Maryland, et al.;

No. 88-5852. Rolf Betka, Appellant *v.* City of West Linn, etc., et al.; and Rolf Betka, Appellant *v.* City of West Linn, etc., et al.;

No. 88-5860. Irene K. Trotz, Petitioner *v.* United States District Court, Western District of Pennsylvania, et al.;

No. 88-5880. Cornelius Singleton, Petitioner *v.* Morris Thigpen, Commissioner, Alabama Department of Corrections; and

No. 88-5982. *In Re* Robert Lee Gill, Jr., Petitioner. The petitions for rehearing are denied.

No. 87-7311. Dewaine Poindexter, Petitioner *v.* Ohio. The motion for leave to file a petition for rehearing is denied.

No. 88-575. William R. Burt, Petitioner *v.* Maui Architectural Group, Inc., et al. The motion of appellant to consolidate is denied. The petition for rehearing is denied.

No. 88-647. Jack R. Whitehorn, et ux., Petitioners *v.* Margaret H. Murphy and Smith, Gambrell & Russell. The petition for rehearing is denied. Justice Brennan and Justice Stevens took no part in the consideration or decision of this petition.

No. 88-656. Wilbur H. Friedman, Jr., Petitioner *v.* Thomas B. Ferguson, et al.;

No. 88-677. Delbert Boyle, Personal Representative of the Heirs and Estate of David A. Boyle, Deceased, Petitioner *v.* United Technologies Corporation; and

No. 88-5921. *In Re* James Martin, Petitioner. The petitions for rehearing are denied. Justice Brennan took no part in the consideration and decision of these petitions.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------|-----------------------|----------------------------|
| Arthur L. Allen | Little Rock, AR | Thomas Milton Carpenter |
| Joseph E. Altomare | Titusville, PA | Robert L. Walker |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|------------------------|-----------------------------|
| James R. Anderson | Marshall, MN | David F. Durenberger |
| Brian L. Anderson | Milwaukee, WI | Edward Thomas Schilling |
| Kristian Anderson | Des Moines, IA | Thomas J. Levis |
| Kenneth George Anderson | Jacksonville, FL | Edward M. Booth |
| William F. Anzalone | Wilkes-Barre, PA | Neil L. Conway |
| Kevin James Arquit | Washington, DC | Terry Calvani |
| Andrea G. Asaro | San Francisco, CA | Sanford Jay Rosen |
| Blake Bailey | Tyler, TX | Larry Robert Daves |
| Robert Theodore Russ Bailey | Montgomery, AL | Jimmy Bryan Pool |
| Stephen W. Baker | Galveston, TX | Charles M. Jordan |
| Kathleen Bowers Baliunas | Chicago, IL | Burton S. Odelson |
| David Joseph Barber | Boise, ID | Clive James Strong |
| James Cairns Barry | West Palm Beach, FL | Leland C. Shepard Jr. |
| Walter A. Bates | Cleveland, OH | R. Crawford Morris |
| J. Michael Baxley | Hartsville, SC | Martin S. Driggers Sr. |
| Charles Edward Beachley III | Lewisville, TX | Edmund Reynolds Wood |
| David A. Beale | New York, NY | Peter M. Gilman |
| Clinton David Beaver | Cheyenne, WY | Peter J. Mulvaney |
| Richard L. Beizer | Washington, DC | Brian Christian Elmer |
| Geoffrey Allen Berkin | Los Angeles, CA | Douglas Lawrence Hallett |
| Steven Lee Berson | San Francisco, CA | A. Robert Pietrzak |
| Bernard A. Bianchino | Leawood, KS | David M. Eisenberg |
| Philip Chase Bobbitt | Austin, TX | Lloyd N. Cutler |
| Thomas Mark Bondy | Washington, DC | Jay Scott Bybee |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|-----------------------------|
| Paul Bousquet | Washington, DC | Robert Reed Gray |
| Lynn Ciolino Boyajian | Newark, NJ | Ronald H. DeMaria |
| Barbara Dianne Brady | Fayetteville, NC | Ronnie Monroe Mitchell |
| Thomas Phillip Brandt | Dallas, TX | Terrence Scott Welch |
| Carol Estes Bray | Corpus Christi, TX | Felix Hallum George Jr. |
| Travis Rex Brewer | Houston, TX | G. Wesley Urquhart |
| Jerrold S. Brown | Buffalo, NY | Victor T. Fuzak |
| Elvin J. Brown | Norman, OK | Fielding Dale Haas |
| Nannette Suzanne Brown | Las Vegas, NV | Thomas Duncan Beatty III |
| Thomas E. Bryant Jr. | Mobile, AL | Harwell Ellis Coale Jr. |
| Carter R. Buller | Philadelphia, PA | John C. Wright Jr. |
| Larry Joseph Burdick | Mt. Pleasant, MI | Joseph Thomas Barberi |
| William G. Burke | Braintree, MA | George Frederick Himmel |
| Charles Wainman Burson | Nashville, TN | Andy D. Bennett |
| Peter Anthony Cahill | Minneapolis, MN | Steven Edward Antolak |
| Carlos Alberto Canet | Miami, FL | L. Mark Dachs |
| Charles Edward Cardin | Atlanta, GA | William Alford Wall |
| Graham Cullen Carlton III | Evanston, IL | David Anthony Beran |
| David Eric Carmichael | Eugene, OR | Edward Norman Fadeley |
| Deborah Leah Turner Carney | Golden, CO | K. Preston Oade Jr. |
| Darol H. M. Carr | Port Charlotte, FL | Bernard R. Moseley |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------------|-------------------------|------------------------------|
| Carol A. Carrigan | Phoenix, AZ | John P. Frank |
| Yvonne Carroll | Seattle, WA | Floyd Frost Fulle |
| William M. Casey | Colorado Springs, CO | Robert John Boonstoppel |
| Leslie Denis Cassidy III | Corpus Christi, TX | William Roland Kendall Jr |
| Thomas John Cawley | Fairfax, VA | Linda Lemmon Najjourn |
| Rosemary de Juan Chambers | Mobile, AL | Sandra Jo Grisham |
| Scott R. Christiansen | Sarasota, FL | James H. Burgess Jr. |
| Robert J. Clary | Dallas, TX | Charles Lee Perry |
| John Robert Clemons | Carbondale, IL | Paul Gerald Schoen |
| Daniel H. Clifford | San Diego, CA | Peter Michael Callahan |
| Stephen R. Coffey | Albany, NY | Cornelius D. Murray |
| Mark B. Cohn | Cleveland, OH | Daniel Robert McCarthy |
| Jeffrey Jordan Colbath | West Palm Beach, FL | Leland C. Shepard Jr. |
| William Herbert Colby | Kansas City, MO | William Wayne Shinn |
| David D. Cole | New York, NY | Michael David Ratner |
| Richard A. Colegrove Jr. | Sanford, FL | Mack N. Cleveland Jr. |
| Robert L. Collins | Houston, TX | Luis Vallejo |
| Thomas Francis Connell | Washington, DC | Timothy Belcher Dyk |
| Alexander L. Constantino | Auburn, CA | Richard L. Gilbert |
| Bradford Howard Copley | Winter Haven, FL | Gerald Paul Hill |
| Robert Carlo Coppo | San Diego, CA | Keith Alan Liker |
| Stephen Roland Corbeil | Hartford, CT | George Arthur Athanson |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|---------------------------------|
| Gardner G. Courson | Atlanta, GA | Peter G. Nash |
| Carroll L. Crawley Jr. | Houston, TX | James Walter Cox |
| Patrick Michael Cummings | Chicago, IL | C. Jerome Smith |
| Philip H. Curtis | New York, N | Otis Pratt Pearsall |
| Morris Czaczkes | Norwich, CT | Elliott B. Pollack |
| Timothy Anthony Dachille | Baltimore, MD | Ronald S. Kowitz |
| Michael Francis Dahlen | Carbondale, IL | Paul Gerald Schoen |
| Joseph Patrick Daly | Washington, DC | Andrew Francis Campbell |
| Michael J. Davie | Jacksonville, FL | W. Douglas Childs |
| Horatio Maurice Davis | Springfield, IL | Henry Rankin Barber |
| Julius Denenberg | Southfield, MI | Leslie W. Fleming |
| Allan Brent Diamond | Dallas, TX | Robert H. Mow Jr. |
| Lawrence Lyndon Doolittle | Castleton, NY | Nancy Ann Spiegel |
| Amy E. Dougherty | Lexington, KY | James Gilbert Harralson |
| John H. Drucker | New York, NY | Andrew Ian Sutter |
| William Allen Dudley | Corpus Christi, TX | William Ryle Edwards Jr. |
| Larry Michael Dunn | Boise, ID | Theodore Victor Spangler Jr. |
| James Richard Dunworth | Balboa, Panama, | Dwight Alwin McKabney |
| J. Marquis Eastwood | Minneapolis, MN | Michael James Wahoske |
| Ron Edmondson | Corsicana, TX | Leonard Wayne Scott |
| H. Reed Ellis | Newark, NJ | Ronald H. DeMaria |
| Eric John Emanuel | Los Angeles, CA | Christian R. Van Deusen |
| Theophilus James Emison Jr. | Alamo, TN | John Daniel Breen |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|------------------------|---------------------------------|
| Jeffrey A. Esses | Denver, CO | Richard J. Spelts |
| J. Randolph Evans | Douglasville, GA | William Henry Kitchens |
| David Nelson Farren | Phoenix, AZ | Brice Isaac Bishop |
| William Joseph Fenili | Wheaton, IL | Jeffrey Michael Lerner |
| David Jamiel Ferrell | El Paso, TX | Douglas Cannon Smith |
| Brett Kevin Findler | West Palm Beach, FL | Gerald Arthur Rosenthal |
| Richard F. Finn | San Francisco, CA | Timothy Graves Laddish |
| Perry Gary Fish | Long Beach, NY | Lester Raskin |
| Kenneth R. Fisher | Rochester, NY | Michael A. Telesca |
| Ellen B. Fishman | New York, NY | Stephen J. McGrath |
| Raymond L. Fitzgerald | New York, NY | Thomas A. Butler |
| James Scott Fitzgerald | Kirkland, WA | Philip L. Carter |
| Rex J. Ford | Ocala, FL | Phyllis Gallub Coleman |
| James Val Fulcher | Teague, TX | W. V. Dunnam Jr. |
| Timothy McIver Fults | Dallas, TX | Michael Joseph Whitten |
| Sally Dunn Garr | Washington, DC | Harold Richard Henderson Jr. |
| Richard Paul Gartner | Lansing, MI | Louis J Caruso |
| Nancy Ina Gaynor | Los Angeles, CA | Jill Ellen Ishida |
| Richard E. Gentilli | Boston, MA | Jay L. Fialkow |
| James Edward Girvin | Albany, NY | Cornelius D. Murray |
| Kenneth Jay Glassman | New York, NY | Gerald T. Hersheopf |
| Stephen R. Glassroth | Montgomery, AL | John L. Carroll |
| Robert J. Glynn | San Francisco, CA | John Daly Link |
| William Charles Glynn | Chicago, IL | Theophil Carl Kammholz |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|------------------------|------------------------------|
| Ronald Gold | Woodland Hills, CA | John Joseph Murphy Jr. |
| Howard A. Goldberg | Atlantic City, NJ | Leonard C. Horn |
| Kenneth A. Goodwin | New Orleans, LA | Fred James Cassibry |
| Gary P. Gordon | Lansing, MI | Louis J. Caruso |
| Eric L. Grayson | Wilmington, DE | David H. Williams |
| Cathy J. Green | Manchester, NH | Andru H. Volinsky |
| Joel Greenberg | Atlantic City, NJ | Leonard C. Horn |
| Harry Black Gregory Jr. | Columbia, SC | Lana Hancock Sims Jr. |
| William R. Grimm | Cohasset, MA | Michael P. DeFanti |
| David C. Gryce | Washington, DC | John Timothy Hobbs |
| Neil J. Hamburg | Philadelphia, PA | Bonnie Susan Brier |
| Daniel Dalton Hamrick | Radford, VA | Clifford Lee Harrison |
| Donald B. Harden | Atlanta, GA | Mallory Erle Phillips Jr. |
| Elizabeth P. Harris | Philadelphia, PA | John C. Wright Jr. |
| Clifford Layne Harrison | Houston, TX | Eliot P. Tucker |
| Robert W. Hastings | Pittsburgh, PA | Clayton A. Sweeney |
| Wm. S. Hawgood II | Phoenix, AZ | Lawrence Allen Katz |
| Stephen D. Hawke | Jefferson City, MO | John M. Morris III |
| John Thomas Hawley Jr. | Boise, ID | Merlyn W. Clark |
| Lynn Cooper Hearnese | Jefferson City, MO | Richard E. Gardiner |
| Michael William Heaviside | Alexandria, VA | J. Hunt Brasfield |
| Carol M. Henderson | Hamilton Square, NJ | Debra Lynn Stone |
| Dohn R. Henion | Crescent City, CA | William August Cornell II |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------------|-----------------------|-------------------------------|
| Richard P. Herman | Balboa Island, CA | Garvin F. Shallenberger |
| Enrique A. Hernandez | Los Angeles, CA | Mary Ann Healy |
| Robert Brian Hetherington | Rockville, MD | Charles E. Wilson Jr. |
| Mark Hilkert | Akron, OH | Timothy F. Scanlon |
| Frank Warren Hill | Arlington, TX | Frank Gilstrap |
| Ralph Julian Hobby Jr. | Dallas, TX | Lance Stockwell |
| Charles Lee Hobson | Frankfort, KY | Joseh J. Leary |
| John Michael Hogan | Miami, FL | Julie St. John Thornton |
| Cynthia Carolyn Hollingsworth | Dallas, TX | Martin E. Rose |
| Jeffrey Dean Honeywell | Albany, NY | Cornelius D. Murray |
| Howard S. Hoover Jr. | Houston, TX | John P. McGrath |
| Jerry L. Horn | Lexington, KY | Roy Burl Meccoy Jr. |
| Richard Michael Horowitz | Bronx, NY | Thomas Alan Lifland |
| John P. Howard | Boise, ID | Brian K. Julian |
| Scott G. Hoy | Sioux Falls, SD | James Arthur Eirinberg |
| Chelun Huang | Honolulu, HI | Joseph A. Ryan |
| Edwin John Hull III | Chicago, IL | Steven Dale Pearson |
| John Daniel Hull IV | Washington, DC | Michael Gordon Kushnick |
| Mary Theresa Claudson Hupp | Kansas City, MO | David Cole Trowbridge |
| Christopher Wilson Hutton | Hampton, VA | Robert Edward Bradenham II |
| Michael Morse Jackson | Topeka, KS | Charles Bruce Works |
| Dennis James Jr. | Washington, DC | Bruno Alexander Ristau |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|--------------------------------|
| James George Jatras | Alexandria, VA | Lincoln C. Oliphant |
| Thomas R. Jayne | St. Louis, MO | James W. Erwin |
| David Ray Jenkins | Fresno, CA | Frank Herbert Lang Jr. |
| Albert Linch Jordan | Birmingham, AL | John James Coleman III |
| Patrick J. Joyce | Reno, NV | William Henry Kockenmeister |
| Suzanne Lynne Kalfus | Washington, DC | Robert Russell Bailey |
| Rona Zucker Kaplan | Atlantic City, NJ | Leonard C. Horn |
| Philip S. Kaufmann | Akron, OH | Timothy F. Scanlon |
| Ellen Birnbaum Kehr | Los Angeles, CA | Mark Alan Hart |
| William Arthur Keils Jr. | Teague, TX | W. V. Dunnam Jr. |
| Patricia Gregory Kenworthy | St. Louis, MO | Richard Allen Kleine |
| Danny L. Kepner | Pensacola, FL | Louis K. Rosenbloum |
| Sharon R. Kimball | Amarillo, TX | George Whittenburg |
| Warren Seth Kinsler | Los Angeles, CA | Robert James Henry |
| Judith Trevor Kirtland | Indianapolis, IN | Edward D. Lewis |
| Lauren G. Klein | New York, NY | James G. Greilsheimer |
| Alan M. Klinger | New York, NY | Alvin K. Hellerstein |
| Jeffrey L. Knapp | Basking Ridge, NJ | Richard F. Collier Jr. |
| Clemens J. M. Kochinke | Washington, DC | Bruce Zagaris |
| Sharon Goldstein Kramer | Chicago, IL | Julius Lucius Echeles |
| Gary Paul Landry | New Orleans, LA | Sidney Daniel Meeks |
| William . Lane | Fort Worth, TX | Larry Michael Moore |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--|---|---|
| Mark LeRoy LeFevour | Chicago, IL | Robert Short Bailey |
| Ellen L. Leesfield | Coconut Grove, FL | Donald Lynn Graham |
| Chaim Alexander Levin Mark M. Levin | New York, NY Washington, DC | Allen G. Schwartz John Wallace Barnum |
| Diana Lewis | West Palm Beach, FL | Marjorie Diane Gadarián |
| James Brandon Lieber George McQuade Lipman | Pittsburgh, PA Baltimore, MD | Roslyn M. Litman Alan Hamilton Murrell |
| Federico Lora Lopez Juan Lopez-Morales | Hato Rey, PR San Juan, PR | Pedro J. Varela Judge Daniel E. Lopez-Pritchard |
| Arthur Anthony Lovisi | Norfolk, VA | J. Marshall Coleman |
| Keegan Graham Low | Reno, NV | Prince A. Hawkins |
| Walter M. Lupan | Boston, MA | Joseph Samuel Uberman Bodoff |
| Thomas H. Lyons | Louisville, KY | Robert Foster Matthews Jr. |
| Gregory T. Magarity Eileen Mallon | Philadelphia, PA Washington, DC | Alan J. Davis Walter Becker Slocombe |
| Ronald J. Mann | Houston, TX | Justice Lewis Franklin Powell, Jr., Retired |
| Jo Anne Therese Mantz | Maywood, NJ | Pamela Ann Spinelli |
| Laurel W. Marc-Charles J. Brent Marchbanks Stephen A. Martin | Miami, FL Boise, ID St. Charles, MO | Albert J. Krieger John J. McMahon Wayne Thomas Schoeneberg |
| John J. Martin III | Troy, MI | Leslie Suzanne Geddis |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|---------------------------------|
| Hugo E. Martz | Valparaiso, IN | Ivan E. Bodensteiner |
| John Patrick Mason | Agana, Guam, | Donald A. Stock |
| Thomas Aquinas Massey | Evansville, IN | F. Wesley Bowers |
| Ellen Young McClain | Washington, DC | Michael T. Schmitz |
| Sheryl Gordon McCloud | Seattle, WA | Irwin H. Schwartz |
| Joseph Dean McCollum Jr. | Boise, ID | Jess Bradford Hawley |
| Sheila M. McDevitt | Tampa, FL | Frank D. McDevitt |
| Michael Geoffrey McGuire | Oklahoma City, OK | Carl Douglas Hughes |
| Grover L. McKean | Los Angeles, CA | Howell Y. Jackson |
| Roland Virgil McKneely Jr. | Bossier City, LA | Henry N. Brown Jr. |
| John N. McNamara Jr. | Denver, CO | Fred M. Winner |
| Gary Scott Meinken | Atlanta, GA | Philip H. Corboy |
| Richard S. Meyer | Philadelphia, PA | John F. Smith III |
| Michael Alan Meyer | Nashville, TN | Michael E. Terry |
| Mark Emil Mikulka | Rosemead, CA | Charls R. Kocher |
| M. Elizabeth Monihan | Cleveland, OH | Brian F. Toohey |
| Daniel Litton Moody | Clearwater, FL | John Treleaven Blakely |
| Robert C. Moody | Boise, ID | Brian K. Julian |
| William E. Mooz Jr. | Denver, CO | Stephen F. Williams |
| Dean Barry Morphonios | Tallahassee, FL | Judge Ellen James Morphonios |
| Edward T. Murray | Atlanta, GA | Judge Wm. Bryant Huff |
| James William Murray III | Oklahoma City, OK | Jack LeDrew Neville Jr. |
| Douglas Michael Nabhan | Richmond, VA | Samuel W. Hixon III |
| John J. Nagle III | Towson, MD | Thomas George Bodie |
| Todd Barry Narvol | Harrisburg, PA | Richard A. Lewis |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|--------------------------|
| Jimmy Michael Negem | Tyler, TX | Larry Robert Daves |
| Rita Neumann | New Brunswick, NJ | Philip L. Strong |
| Diane M. Nicks | Madison, WI | Barry Martin Levenson |
| Andrew Thomas Niebergall Jr. | Lake Oswego, OR | Alan S. Cooper |
| Theodore J. Nowacki | Indianapolis, IN | William M. Evans |
| David A. Nowak | Indianapolis, IN | Robert Steven Spear |
| Constance O'Keefe | Washington, DC | Michael William Dolan |
| Robert E. Paarz | Atlantic City, NJ | Leonard C. Horn |
| David Patton Parker | Washington, DC | David U. Patton |
| William Henry Pasch | Winter Haven, FL | Douglas S. Connor |
| E. William Pastor | Philadelphia, PA | Donald A. Semisch |
| Kathleen F. Patterson | Washington, DC | Bruno Alexander Ristau |
| John Robert Pennington | Los Angeles, CA | J. Stanley Mullin |
| James Albert Philips | Mobile, AL | Abram L. Philips Jr. |
| Gary S. Phillips | Los Angeles, CA | Elliott Hugh Kajan |
| Jonathan Lewis Pines | New York, NY | Leonard J. Koerner |
| Lloyd Leva Plaine | Washington, DC | Marx Leva |
| L. Steven Platt | Chicago, IL | Charles Allen Linn |
| Robert Murray Pomeroy Jr. | Denver, CO | William Cant McClearn |
| Robert Charles Port | Atlanta, GA | John Edward Robinson |
| Suzanne Carol Porter | Akron, OH | Timothy F. Scanlon |
| Lorene Lockard Clemans Powell | Tallahassee, FL | Lawrence Albert Poltrock |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-------------------------|------------------------------|
| Cleve Wallace Powell | Ponca City, OK | Clarence D. Northcutt |
| Kenneth E. Prather | Detroit, MI | Stanley Charles Kazul |
| Alan A. Pretnar | Taylor Springs, IL | David W. Stuckel |
| Paul Arthur Price | Salt Lake City, UT | Scott M. Matheson |
| Tom Pye | Atlanta, GA | Durwood Thomas Pye |
| Peter Quon Jr. | San Diego, CA | Michael D. Wellington |
| Terry Ernest Rector | Colorado Springs, CO | Leo Wesley Rector |
| Richard T. Redano | Houston, TX | Peter J. Shurn III |
| Robert S. Reich | New Orleans, LA | Walter Carroll Jr. |
| Stephen Howard Reisman | Miami, FL | Joseph B. Reisman |
| James Otis Reyer | San Francisco, CA | Paul A. Golinski |
| Brent Dail Riggs | Pasadena, CA | Arnold T. Guminski |
| Shannon Aline Robinson | Denver, CO | Richard J. Spelts |
| Neil Jacob Rosenbaum | San Francisco, CA | Robert Arthur Weppner III |
| Frank A. Roth | Philadelphia, PA | Bonnie Susan Brier |
| Jeffrey B. Rudman | Boston, MA | Stephen Howes Oleskey |
| David A. Sacks | Atlantic City, NJ | Leonard C. Horn |
| Jeffrey A. Sadowski | Birmingham, MI | Michael Dinnin Jr. |
| Deborah R. Sallings | Little Rock, AR | Philip K. Lyon |
| David Alan Sattler | Arlington, VA | Leonard S. Sattler |
| Thomas-Joseph Savoca II | San Francisco, CA | Jerome Schwartz |
| Jeffrey Schanback | New York, NY | Leonard J. Koerner |
| Steven Marc Schneebaum | Washington, DC | Timothy J. May |
| Duane E. Schreimann | Jefferson City, MO | Gerald E. Roark |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|------------------------|
| Judith Drazen Schretter | Washington, DC | Mark Edward Kellogg |
| William Robert Schulz | Lansing, MI | Webb A. Smith |
| Leslie Faye Schwartz | Cranford, NJ | Albert Ives Telsey |
| Robert V. Seymour | Southfield, MI | Alvin Carl Sallen |
| Robert Stephen Shafer | Little Rock, AR | Paul Burrus Benham III |
| Stephen Michael Sheehy | Boston, MA | Paul F. Kelly |
| Gary Lee Shockey | Jackson, WY | Gerald Leonard Spence |
| Jerry Lee Short | Jefferson City, MO | Michael L. Boicourt |
| Jeffrey R. Siegel | Agana, Guam, | Howard Gustaf Trapp |
| Charles P. Siner | Boulder, CO | Ronald K. Olson |
| David George Skeen | Port Townsend, WA | Timothy K. Ford |
| John Carl Skube | San Diego, CA | Louis S. Katz |
| Kathleen A. Slaydon | Houston, TX | Glenn Edwin Johnson |
| Michael E. Smoller | Dallas, TX | Frank Norton |
| Linda Rocker Sogg | Cleveland, OH | Wilton Sherman Sogg |
| Theresa L. Sorota | Washington, DC | Phillip Edward Stano |
| Paul Michael Soucie | Westlake, OH | Robert T. Rosenfeld |
| Terri A. Southwick | Washington, DC | Robert Alan Garrett |
| David Alan Stein | New York, NY | Alvin K. Hellerstein |
| James Lamont Stengel | New York, NY | Daniel R. Murdock |
| Martin A. Stern | New Orleans, LA | Thomas J. Wyllie |
| James Patrick Stevens | Jacksonville, FL | Edward M. Booth |
| Hugh G. Stevenson | Boston, MA | Robert E. Sullivan |
| Bryan S. Stevenson | Atlanta, GA | Stephen B. Bright |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|------------------------|------------------------------------|
| Jeffrey Jerome Stewart | Washington, DC | Rosalie Simmonds Ballentine |
| Tamu Kipepeo Sudduth | San Francisco, CA | James J. Brosnahan |
| Katherine L. Suga | Upper Montclair, NJ | Arthur M. Suga |
| Dennis M. Sullivan | Milwaukee, WI | Ralph Ruebner |
| Robert D. Sweeney Jr. | Washington, DC | Donald Belton Ayer |
| John F. Sweet | Atlanta, GA | Laughlin McDonald |
| Robert A. Swenson | San Antonio, TX | Maury Maverick Jr. |
| Marlene Karen Tandy | Youngstown, OH | William Walbridge Greenhalgh |
| Daniel Russell Taylor Jr. | Winston-Salem, NC | Ralph Madison Stockton Jr. |
| Joseph W. Thomas II | Maitland, FL | Richard William Boylston |
| Jeffrey Glenn Thompson | Cocoa, FL | Hale Baugh |
| Julie A. Tigges | Washington, DC | Richard A. Allen |
| James Scott Todd IV | Tucson, AZ | Daniel John Meador |
| Gary Steven Tucker | Chicago, IL | Nathan George Brenner Jr. |
| Samuel D. Turner | Washington, DC | Alan Reed Bennett |
| John Michael Turner | Laurens, SC | Danny R. Smith |
| Ira A. Turret | New York, NY | David A. Field |
| Gay B. Ummel | Denver, CO | Patrick Ray Mahan |
| Paul Newman Vance | New Orleans, LA | Winston Edward Rice |
| Carlos Manuel Vazquez | Washington, DC | Roberts Bishop Owen Jr. |
| Richard P. Vitek | Birmingham, AL | Michael Dinnin Jr. |
| Marc S. Wallis | St. Louis, MO | Mark I. Bronson |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|-------------------------------|
| E. Parry Warner | Philadelphia, PA | Ruth Rudbarg Wessel |
| Frank E. Weathered | Corpus Christi, TX | George G. Brin |
| Thomas Hayden Wessel | Miami, FL | Paul Mendelson |
| James E. Williams | Montgomery, AL | Oakley Webster Melton Jr. |
| Jay Barton Williams | Oklahoma City, OK | Kenneth I. Jones Jr. |
| Donnie Edward Wilson | Germantown, MD | Clarence H. Featherson |
| Robert Bullington Wilson V | Hampton, VA | Robert Edward Bradenham II |
| John B. Wise | Pittsburgh, PA | Henry E. Rea Jr. |
| Alexander A. Wold Jr. | Eugene, OR | Alva Jarrett Morris |
| Harry William Wolowski | Laguna Hills, CA | Daniel J. Cooper |
| Gregory G. Wrobel | Chicago, IL | Joseph V. Giffin |
| Orlana E. Wyshnytzky | Chicago, IL | Gary Matthew Spraker |
| Marcia Horn Yavitz | Phoenix, AZ | Lawrence Allen Katz |
| Bruce R. Young | Clearwater, FL | George Lawrence Sandefer |
| Richard E. Young | Dallas, TX | Daniel J. Sheehan Jr. |
| Martin Zehr | Kansas City, MO | Arthur A. Benson II |
| Paul K. Zeman Jr. | Vandalia, IL | David Allen Oldfield |

OPINIONS

No. 87-1201. Myles Osterneck and Guy-Kenneth Osterneck, etc., Petitioners *v.* Ernst & Whinney. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed. Opinion by Justice Kennedy.

No. 87-1054. Firestone Tire and Rubber Company, et al., Petitioners *v.* Richard Bruch, etc., et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed in

part, reversed in part and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice O'Connor. Opinion by Justice Scalia concurring in part and concurring in the judgment.

No. 87-1206. Kathryn Isabella Mesa and Shabbir A. Ebrahim, aka Shabbir Azam, Petitioners *v.* California. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice O'Connor. Concurring opinion by Justice Brennan with whom Justice Marshall joins.

No. 87-1346. Bonito Boats, Inc., Petitioner *v.* Thunder Craft Boats, Inc. On writ of certiorari to the Supreme Court of Florida. Judgment affirmed. Opinion by Justice O'Connor.

No. 87-470. Fort Wayne Books, Inc., Petitioner *v.* Indiana, et al. On writ of certiorari to the Supreme Court of Indiana; and

No. 87-614. Ronald W. Sappenfield, et al., Petitioners *v.* Indiana. On writ of certiorari to the Court of Appeals of Indiana, First District. The judgment in No. 87-470 is reversed and the case is remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. The judgment in No. 87-614 is affirmed and the case is remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice White. Opinion by Justice Blackmun concurring in part and concurring in the judgment. Opinion by Justice O'Connor concurring in part and dissenting in part. Opinion by Justice Stevens dissenting in No. 87-614 and concurring in part and dissenting in part in No. 87-470 with whom Justice Brennan and Justice Marshall join.

No. 87-1485. Arthur J. Blanchard, Petitioner *v.* James Bergeron, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice White. Opinion by Justice Scalia concurring in part and concurring in the judgment.

No. 87-1245. Texas Monthly, Inc., Appellant *v.* Bob Bullock, Comptroller of Public Accounts of the State of Texas, et al. Appeal from the Court of Appeals of Texas, Third District. Judgment reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Justice Brennan announced the judgment of the Court and delivered an opinion in which Justice Marshall and Justice Stevens join. Opinion by Justice White concurring in the judgment. Opinion by Justice Blackmun concurring in the judgment

with whom Justice O'Connor joins. Dissenting opinion by Justice Scalia with whom the Chief Justice and Justice Kennedy join.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------|-----------------------|------------------------|
| Brent Orrin Hatch | Salt Lake City, UT | Orrin G. Hatch |
| Robert Neal Dobbins | Laguna Beach, CA | Robert Lee Bodansky |

ORAL ARGUMENTS

No. 88-64. Missouri, et al., Petitioners *v.* Kalima Jenkins, by her friend, Kamau Agvei, et al. Argued by Mr. Bruce Farmer for the petitioners and by Mr. Jay Topkis for the respondents.

No. 88-32. Massachusetts, Petitioner *v.* Richard N. Morash. Argued by Mr. Carl Valvo for the petitioner and by Mr. Jason Berger for the respondent.

No. 88-266. Oklahoma Tax Commission, Petitioner *v.* Jan Graham, et al. Argued by Mr. David Allen Miley for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. Bob Rabon for the respondents.

No. 87-6571. Dethorne Graham, Petitioner *v.* M. S. Connor, et al. Argued by Mr. H. Gerald Beaver for the petitioner and by Mr. Mark I. Levy for the respondents.

Adjourned until tomorrow at 10 o'clock.

x

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-1602. Ronald D. Castille, etc., et al., Petitioners *v.* Michael Peoples. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Scalia.

No. 87-5259. Frank Dean Teague, Petitioner *v.* Michael Lane, Director, Illinois Department of Corrections, et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Justice O'Connor announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, II, and III, and an opinion with respect to Parts IV and V, with whom the Chief Justice, Justice Scalia and Justice Kennedy join. Opinion by Justice White concurring in part and concurring in the judgment. Opinion by Justice Blackmun concurring in part and concurring in the judgment. Opinion by Justice Stevens concurring in part and concurring in the judgment with whom Justice Blackmun joins as to Part I. Dissenting opinion by Justice Brennan with whom Justice Marshall joins.

No. 87-5677. Warren Lee Harris, Petitioner *v.* Marvin Reed, Warden, et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Blackmun. Concurring opinion by Justice Stevens. Concurring opinion by Justice O'Connor with whom the Chief Justice and Justice Scalia join. Dissenting opinion by Justice Kennedy.

No. 87-1043. United States, Petitioner *v.* Ron Pair Enterprises, Inc. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Blackmun. Dissenting opinion by Justice O'Connor with whom Justice Brennan, Justice Marshall, and Justice Stevens join.

No. 87-1269. March Fong Eu, Secretary of State of California, et al., Appellants *v.* San Francisco County Democratic Central Committee, et al. Appeal from the United States Court of Appeals for the Ninth Cir-

cuit. Judgment affirmed. Opinion by Justice Marshall. Concurring opinion by Justice Stevens. The Chief Justice took no part in the consideration or decision of this case.

No. 87-154. Joshua DeShaney, a Minor, by his Guardian ad Litem, and Melody DeShaney, Petitioners *v.* Winnebago County Department of Social Services, et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by the Chief Justice. Dissenting opinion by Justice Brennan with whom Justice Marshall and Justice Blackmun join. Dissenting opinion by Justice Blackmun.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|--------------------------|
| Terrance Gilroy Reed | Silver Spring, MD | Samuel J. Buffone |
| Brian Jonathan Burstin | New York, NY | Aaron D. Maslow |
| Joseph Allan Fisher | Muskegon, MI | Michael Paul Flaherty |

ORAL ARGUMENTS

No. 87-2050. County of Allegheny, et al., Petitioners *v.* American Civil Liberties Union Greater Pittsburgh Chapter, et al.;

No. 88-90. Chabad, Petitioner *v.* American Civil Liberties Union, et al.; and

No. 88-96. City of Pittsburgh, Petitioner *v.* American Civil Liberties Union Greater Pittsburgh Chapter, et al. Argued by Mr. Peter Buscemi for the petitioners in No. 87-2050 and No. 88-96, by Mr. Nathan L. Lewis for the petitioner in No. 88-90, and by Mrs. Roslyn M. Litman for the respondents.

No. 87-1868. Mead Corporation, Petitioner *v.* B. E. Tilley, et al. Argued by Mr. Patrick F. McCartan for the petitioner and by Mr. Clifford L. Harrison for the respondents.

No. 87-2013. Board of Trustees of the State University of New York, et al., Petitioners *v.* Todd Fox, et al. Argued by Mr. O. Peter Sherwood for the petitioners and by Mr. Henry T. Reath for the respondents.

No. 87-1882. Dean Neitzke, etc., et al., Petitioners *v.* Harry Lawrence Williams, Sr. Argued by Mr. Robert S. Spear for the petitioners and by Mr. George A. Rutherglen for the respondent.

Adjourned until Monday, February 27, 1989 at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDERS IN PENDING CASES

No. 88-6585. Donald Kenneth Fetterly, Petitioner *v.* Idaho. The application to continue stay of execution of death warrant presented to Justice O'Connor and by her referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6635. Harold Glenn Williams, Petitioner *v.* Ralph Kemp, Warden. The application of the respondent for an order to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Eleventh Circuit presented to Justice Kennedy and by him referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 88-715. Forrest H. Burlison, Appellant *v.* Jacqueline D. Burlison. Appeal from the Court of Appeal of California, Third Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 88-5990. Elaine Robinson, Appellant *v.* United States Department of Education. Appeal from the United States District Court for the Eastern District of Pennsylvania. The appeal is dismissed for want of jurisdiction.

No. 88-6242. Elaine L. Robinson, Appellant *v.* English Department of the University of Pennsylvania, et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. The appeal is dismissed for want of jurisdiction.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1784. Massachusetts, Petitioner *v.* Stephen J. Gray, Trustee in Bankruptcy of Newbury Cafe, Inc., dba 29 Newbury. On petition for writ of certiorari to the United States Court of Appeals for the First Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the First Circuit for further consideration in light of *United States v. Ron Pair Enterprises, Inc.*, 489 U.S. — (1989).

No. 87-2070. Chester DeGeare, et al., Petitioners *v.* Slattery Group, Inc., et al. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Firestone Tire and Rubber Company v. Bruch*, 489 U.S. — (1989).

No. 87-6063. David Meadows, Petitioner *v.* Manfred G. Holland, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Harris v. Reed*, 489 U.S. — (1989).

No. 87-7320. Lawrence J. Sparks, Petitioner *v.* Dale Foltz, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Harris v. Reed*, 489 U.S. — (1989).

No. 88-163. Combustion Engineering, Inc., et al., Petitioners *v.* Arsenio C. Saporito, et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Firestone Tire and Rubber Company v. Bruch*, 489 U.S. — (1989).

No. 88-729. Robert Rowe, et al., Petitioners *v.* Allied Chemical Hourly Employees' Pension Plan, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Firestone Tire and Rubber Company v. Bruch*, 489 U.S. — (1989).

ORDERS IN PENDING CASES

No. D-723. In the Matter of Disbarment of William C. Stark. Disbarment order entered.

No. D-735. In the Matter of Disbarment of Peter Richard Stoll. Disbarment order entered.

No. D-771. In the Matter of Disbarment of Mario Biaggi. It is ordered that Mario Biaggi, of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 114, **Original**. State of Louisiana, Plaintiff *v.* State of Mississippi, et al. The petition for rehearing and alternative motion to file a separate complaint is denied.

No. 87-2127. American Foreign Service Association, et al., Appellants *v.* Steven Garfinkel, Director, Information Security Oversight Office, et al. The motion of United States Senate for leave to file a brief as *amicus curiae*, out-of-time, is granted. The motion of Speaker and Leadership Group for leave to file a brief as *amici curiae*, out-of-time, is granted.

No. 88-148. Southern Natural Gas Company, Petitioner *v.* Joseph F. Fritz, et al. The motion of petitioner to defer consideration of the petition for certiorari is granted.

No. 88-293. Community for Creative Non-Violence, et al., Petitioners *v.* James Earl Reid. The motion of Volunteer Lawyers for the Arts Inc., et al. for leave to file a brief as *amici curiae* is granted.

No. 88-309. Wyoming, Petitioner *v.* United States, et al. The motion of petitioner to dispense with printing the joint appendix is granted.

No. 88-1105. Curtis Guidry, Petitioner *v.* Sheet Metal Workers National Pension Fund, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-6265. James Carlson, et ux., Petitioners *v.* County of Hennepin, Minnesota, et al. The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until March 20, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

CERTIORARI GRANTED

No. 88-928. James M. White, etc., Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 88-995. Northbrook National Insurance Company, Petitioner *v.* Larry W. Brewer. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 87-2012. FW/PBS, Inc., dba Paris Adult Bookstore II, et al., Petitioners *v.* City of Dallas, et al.:

No. 87-2051. M. J. R., Inc., et al., Petitioners *v.* City of Dallas; and

No. 88-49. Calvin Berry, III, et al., Petitioners *v.* City of Dallas, et al. The motion of Citizens For Decency Through Law, Inc. for leave to file a brief as *amicus curiae* in No. 87-2012 is granted. The petition for a writ of certiorari in No. 87-2012 to the United States Court of Appeals for the Fifth Circuit is granted limited to Questions I, II and III presented by the petition. The petition for a writ of certiorari in No. 87-2051 to the United States Court of Appeals for the Fifth Circuit is granted limited to Questions 1 and 2 presented by the petition. The petition for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit in No. 88-49 is granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-5050. Daniel Holland, Petitioner *v.* Illinois. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Illinois granted.

No. 88-6025. Reuben Dowling, Petitioner *v.* United States. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

CERTIORARI DENIED

No. 87-1283. Patrick Higgins, Petitioner *v.* City of Vallejo, California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1754. City of South Bend, et al., Petitioners *v.* Timothy Janowiak. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-2022. Robert Anderson, Jr., et al., Petitioners *v.* Slattery Group, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-2052. M. E. F. Enterprises, Inc., and M. K. D. Enterprises, Inc., Petitioners *v.* City of Houston, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-5813. Lonnie Yates, Petitioner *v.* Phillip T. Hardiman, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-5816. James Newsome, Petitioner *v.* Michael P. Lane, Director, Illinois Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-5884. Joseph Miller, Petitioner *v.* Michael O'Leary, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-6031. Michael Roman, Petitioner *v.* Robert Abrams, Attorney General of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-6154. Harold Schreiber, Petitioner *v.* Dominick R. Salamack, Superintendent, Edgecombe Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-6302. Richard D. Smith, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied.

No. 87-6789. Noel Shane Harren, Petitioner *v.* Lacy H. Thornburg, Attorney General of North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-828. Mario Biaggi and Meade Esposito, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-892. Arthur Kinoy, Petitioner *v.* Clyde A. Tolson, Executor of the Estate of J. Edgar Hoover, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-907. Rita M. Skelton, Petitioner *v.* ACTION. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-919. Richard McCarthy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-924. John N. Gronda, Petitioner *v.* Don M. Newman, Acting Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-940. Bank One, Stevens Point, NA, Petitioner *v.* United States Department of Commerce, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-947. Thomas C. Harrison, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-948. City of Brunswick, Georgia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-966. Maribeth Sweeney and Susan Sweeney, Petitioners *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-979. Thomas J. Baum, et al., Petitioners *v.* T. Edward Nolan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-990. Gurcharan Dehal, Petitioner *v.* Anthony M. Frank, Postmaster General. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-999. Guy Fraccola, Petitioner *v.* City of Utica, et al. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Fourth Judicial Department, denied.

No. 88-1064. Clayton Kendall Miller, III, Petitioner *v.* ConAgra, Inc. and Peavy Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1085. Estate of Anderson Willis, Deceased, et al., Petitioners *v.* Estate of John Riley, Deceased, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1098. William Berg, Petitioner *v.* John Hunter, Individually and as President of the College of Lake County, Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1101. Eunice C. Madison, Petitioner *v.* District of Columbia Rental Housing Commission. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-1103. Stephen F. Wilder, et al., Petitioners *v.* New York State Urban Development Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1115. Debra Jo Wilmoth, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-1122. Bernhard Goetz, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-1124. City of Berwyn and Joseph J. Lanzillotti, Mayor, Petitioners *v.* Pizzato's Inc., Horace D'Angelo and John Burnett. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-1129. Alwan Brothers Company, et al., Petitioners *v.* Jane Gnidovec, et al. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 88-1130. Nutri/System, Inc., et al., Petitioners *v.* Henry Herskowitz, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1131. Harbor Insurance Company, Petitioner *v.* Trammell Crow, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1132. Martin A. Finn, Petitioner *v.* Chevron, U. S. A., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1134. Lester W. Smith, Petitioner *v.* Combustion Engineering, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1135. Charles Larrance, Petitioner *v.* Illinois Human Rights Commission, et al. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 88-1137. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW, Petitioner *v.* Mack Trucks, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1140. Robert W. Ludwig, Jr., Petitioner *v.* Evergreen Overlook, Inc., et al. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-1172. Marion Gownaris, et vir, Petitioners *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1183. J. D. White, Warden, Petitioner *v.* Jere Chatom. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1196. Bryan K. Goree, et al., Petitioners *v.* Michael E. Lavelle, et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-1205. Timothy Haggerty, Petitioner *v.* City of Pompano Beach, Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 88-1219. Thomas Bielicki, et ux., Petitioners *v.* Pakistan National Shipping Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1226. Earl Bryant, Petitioner *v.* California. Petition for writ of certiorari to the Superior Court of California, County of Alameda, Appellate Division, denied.

No. 88-1230. Charles Manuel, Petitioner *v.* Veterans Administration Hospital, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1231. Walter J. Moeller, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1235. Robert T. Boineau, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1251. Hector Fabio Velez, Johnny Velez-Posso, Jose Guevara-Bautista and Farouk Hernandez, Jr., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1262. Butch Burke, aka Abbitt Owens, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1287. James A. Murray, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5415. Calvin Dean Reedy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5668. Steven A. Bruni, Petitioner *v.* Samuel Lewis, Director, Arizona Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5681. Scott S. Workman, Petitioner *v.* Arthur Tate, Jr., Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5849. Floyd August Davis, Jr., Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-6030. Gwendolyn Bowden, aka Gwendolyn Bowden Drakeford, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6140. Joseph A. Bonacci and Richard Allen Tyree, Petitioners *v.* Thomas R. Kindt, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6243. Brian Lyle Hefner, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-6245. Tommy Gene Clark, Petitioner *v.* Paul Fortney, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6264. Brian Cambridge, Petitioner *v.* Jack Duckworth, Superintendent, Indiana State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6268. Paul O. Maynard, Sr., Petitioner *v.* Marion Power Shovel, Division of Dresser Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6269. George Fournette, Petitioner *v.* Hilton Butler, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6270. Roland Norman Jarvis, Jr., Petitioner *v.* C. A. Meares, Superintendent, Gaston Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6271. Hulen Timmothy Harrell, Petitioner *v.* Robert Borg, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6274. Ricardo Villamor, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6275. Glenn Dyson Riley, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6282. Roosevelt Elswick, Petitioner *v.* Al Parke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6283. George Curley, Petitioner *v.* Terry Morris, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6286. Essie Andres Perez, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 88-6288. Carlos Gutierrez, Petitioner *v.* Charles J. Scully, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6289. Clarence B. Jackson, Petitioner *v.* South Texas College of Law, et al. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-6292. Clyde M. Davis-El, Jr., Petitioner *v.* John Robinson. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6295. Ronald Eugene Mills, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-6296. Robert D. Spickler, Petitioner *v.* Roger P. Dube, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6297. James Lenard Small, Petitioner *v.* Michael E. Bumgarner, Superintendent, Southern Correctional Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6298. Herman Maddox, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6299. Mike Klause Nobles, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-6300. Carl Sanders, Petitioner *v.* Michael P. Lane, Illinois Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6301. Geraldo Angelo Sultana, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-6307. Joseph Francis Tinghitella, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6309. Clarence Leon Taylor, Jr., Petitioner *v.* Edward W. Murray, Director, Virginia Department of Corrections. Petition for

writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6311. Vladimir Zatko, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-6313. Bobby Lee Story, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6328. Darrel Lee McCabe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6340. Robert Louis Barr, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6354. Abraham V. K. Asante, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6362. Tyrone Victor Hardin, Petitioner *v.* John Makowski, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6367. Freeman Barnhill, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6369. Bobby Dawson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6371. George Marcus Affleck, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6377. Charles Montana Richardson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6378. Claude Quay Shook and Mickey Lynn Shook, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6382. Ahmad A. Kabir, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6389. Frank E. Vennes, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6398. James M. Slaughter, Petitioner *v.* Leroy Moody, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6400. Terry Paul Schleicher, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6406. Omar Zulueta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6407. Andrew Chester Morse, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6413. Michael Lane Landrie, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6419. Ric Isaac Chambers, Petitioner *v.* Kenneth DuCharme, Superintendent, Washington State Reformatory. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6421. W. T. Reeves, Petitioner *v.* Shawn Reed. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 88-6426. Johnny Ray Roberts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 87-889. Joseph Compoy, Warden, Petitioner *v.* Nathan Kevin Turner. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-5617. Michael Lindsey, Petitioner *v.* Fred Smith, Commissioner, Alabama Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-6740. Girvies Davis, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7103. Beoria A. Simmons, Jr., Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5082. Henry Willis, III, Petitioner *v.* Walter Zant, Superintendent, Georgia Diagnostic and Classification Center. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5473. Edward Horsley, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5687. Leo E. Edwards, Jr., Petitioner *v.* Lee Roy Black, Commissioner, Mississippi Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5828. Horace Franklin Dunkins, Jr., Petitioner *v.* Morris L. Thigpen, Commissioner, Alabama Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6237. James Cunningham, Jr., Petitioner *v.* Walter Zant, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6310. John G. Brown, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6383. William Kirkpatrick, Jr., Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6410. Emmett Nave, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-581. United States, Petitioner *v.* Reginald Dean Still. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White and Justice Blackmun would grant certiorari.

No. 88-1019. Herbert D. Berkson, Petitioner *v.* Del Monte Corporation, et al. Petition for writ of certiorari to the United States Court of

Appeals for the First Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 88-1136. Connecticut National Bank, Petitioner *v.* Henry Herskowitz, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice White would grant certiorari.

No. 88-5343. Robert J. Farmer, Petitioner *v.* George Sumner, Director, Nevada Department of Prisons. Petition for writ of certiorari to the Supreme Court of Nevada denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

MANDAMUS DENIED

No. 88-6285. In Re David D. Todd, Petitioner; and

No. 88-6334. In Re Sylvester Jones, Petitioner. The petitions for writs of mandamus are denied.

REHEARINGS DENIED

No. 88-845. John W. Bibb, et ux., Petitioners *v.* United States;

No. 88-5271. Winthrop Earl Eaton, Petitioner *v.* Louisiana;

No. 88-5600. Robert C. Gilliard, Jr., Petitioner *v.* Gene A. Scroggy, Commissioner, Mississippi Department of Corrections, et al.;

No. 88-5670. Larry G. Lonchar, Petitioner *v.* Georgia;

No. 88-5785. Paul O'Leary, and James F. O'Leary, Appellants, *v.* Steven E. Yarmosky; and

No. 88-5920. Sam Burgest, Petitioner *v.* Ross Gearing, Warden. The petitions for rehearing are denied.

No. 87-1896. Jerome B. Rosenthal, Appellant *v.* State Bar of California. The motion of appellant for leave to file second petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from March 6, 1989 until March 20, 1989.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|------------------|
| David H. Nix | Tucson, AZ | David J. Leonard |
| Kevin Joseph Lanigan | Phoenix, AZ | Allen R. Snyder |

ORAL ARGUMENTS

No. 87-1865. Federal Savings and Loan Insurance Corporation, as Receiver for Manning Savings and Loan Association, Petitioner *v.* Harold J. Ticktin, et al. Argued by Mr. Richard G. Taranto for the petitioner and by Mr. James B. Koch for the respondents.

No. 88-226. Benjamin R. Ward, et al., Petitioners *v.* Rock Against Racism. Argued by Mr. Leonard J. Koerner for the petitioners and by Mr. William M. Kunstler for the respondent.

No. 87-1661. ASARCO Incorporated, et al., Petitioners *v.* Frank Kadish, et ux., et al. Argued by Mr. Daniel M. Gribbon for the petitioners, by Mr. David S. Baron for the respondents, and by Mr. Christopher J. Wright for the United States, as *amicus curiae* in support of respondents, by special leave of Court.

No. 87-1862. California, et al., Appellants *v.* ARC America Corporation, et al. Argued by Mr. Thomas Greene for the appellants, by Mr. Roy T. Englert, Jr., for the United States, as *amicus curiae* in support of appellants, by special leave of Court, and by Mr. Theodore B. Olson for the appellees.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-548. *Trans World Airlines, Inc., Petitioner v. Independent Federation of Flight Attendants*. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice O'Connor. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Dissenting opinion by Justice Blackmun with whom Justice Brennan joins as to Parts I and II.

No. 86-1088. *City of Canton, Ohio, Petitioner v. Geraldine Harris, et al.* On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice White. Concurring opinion by Justice Brennan. Opinion by Justice O'Connor concurring in part and dissenting in part with whom Justice Scalia and Justice Kennedy join.

No. 87-121. *Richard L. Dugger, Secretary, Florida Department of Corrections, and Robert A. Butterworth, Attorney General of Florida, Petitioners v. Aubrey Dennis Adams, Jr.* On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice White. Dissenting opinion by Justice Blackmun with whom Justice Brennan, Justice Marshall, and Justice Stevens join.

No. 87-1064. *United States, Petitioner v. Philip George Stuart, Sr., et al.* On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Brennan. Opinion by Justice Kennedy concurring in part and concurring in the judgment with whom Justice O'Connor joins. Opinion by Justice Scalia concurring in the judgment.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------|-----------------------|-----------------------|
| Melissa Beth Patack | Chicago, IL | William H. Gillers |
| Lucetta Anne Dunn | Santa Ana, CA | Robert Putnam Will |

ORAL ARGUMENTS

No. 88-1. Consolidated Rail Corporation, Petitioner *v.* Railway Labor Executives' Association, et al. Argued by Mr. Dennis J. Morikawa for the petitioner and by Mr. John O'B. Clarke, Jr., for the respondents.

No. 87-1855. Thomas K. Gilhool, Secretary of Education of Pennsylvania, Petitioner *v.* Russell A. Muth, Jr., et al. Argued by Ms. Maria Parisi-Vickers for the petitioner and by Ms. Martha A. Field for the respondents.

No. 87-1490. John E. Mallard, Petitioner *v.* United States District Court for the Southern District of Iowa, et al. Argued by Mr. John E. Mallard for the petitioner and by Mr. Gordon E. Allen for the respondents.

No. 87-1973. Barbara Finley, Petitioner *v.* United States. Argued by Mr. Joseph T. Cook for the petitioner and by Mr. David L. Shapiro for the respondent.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|------------------------|
| Diane Curry Grapsas | Chicago, IL | Judge Richard L. Curry |
| John Cardinal Parks | Washington, DC | Paul E. Gutermann |
| Edna Youlanda Baugh | East Orange, NJ | Jason Holt |
| Larry Lewis Johnson | East Orange, NJ | Jason Holt |
| John H. Watson, Jr. | East Orange, NJ | Jason Holt |
| Lucas Evelyn Phillips, Jr. | East Orange, NJ | Jason Holt |

ORAL ARGUMENTS

No. 87-1759. Texas State Teachers Association, et al., Petitioners *v.* Garland Independent School District, et al. Argued by Mr. Robert H. Chanin for the petitioners and by Mr. Earl Luna for the respondents.

No. 87-2098. Samuel K. Skinner, Secretary of Transportation, Appellant *v.* Mid-America Pipeline Company. Argued by Mr. Thomas W. Merrill for the appellant and by Mr. Richard McMillan, Jr., for the appellee.

No. 87-1945. William A. Frazee, Appellant *v.* Illinois Department of Employment Security, et al. Argued by Mr. David A. French for the appellant and by Mr. Robert J. Ruiz for the appellees.

No. 87-1848. City of Dallas, et al., Petitioners *v.* Charles M. Stanglin, Individually, and dba Twilight Skating Rink. Argued by Mr. Craig Lee Hopkins for the petitioners and by Mr. Daniel J. Sheehan, Jr., for the respondent.

Adjourned until Monday, March 6, 1989 at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice O'Connor, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 87-1860. William G. Milliken, et al., Appellants *v.* Michigan Road Builders Association, Inc., et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The judgment is affirmed.

No. 88-977. Colorado-Ute Electric Association, Inc., et al., Appellants *v.* Public Utilities Commission of Colorado, et al. Appeal from the Supreme Court of Colorado. The appeal is dismissed for want of a properly presented federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1001. H. K. Porter Company, Inc., Petitioner *v.* Metropolitan Dade County, Florida, and John A. Dyer, etc. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *City of Richmond v. J. A. Croson Company*, 488 U.S. — (1989). Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens would deny certiorari.

No. 88-802. Frederick Smith, etc., et al., Petitioners *v.* Kathleen Stoneking. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The motion of petitioners to consolidate this case with No. 88-1350, *Smith v. Sowers*, is denied. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *DeShaney v. Winnebago County Department of Social Services*, 489 U.S. — (1989).

No. 88-816. City of New Kensington, et al., Petitioners *v.* Mamie Horton, etc. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certio-

rari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *DeShaney v. Winnebago County Department of Social Services*, 489 U.S. — (1989).

ORDERS IN PENDING CASES

No. —. John Lathen, Applicant *v.* United States. The application for an extension of time within which to file a petition for a writ of certiorari, out-of-time, is denied.

No. —. Mary Margaret Ward, et al., Petitioners *v.* Richard W. Freedman. The motion of petitioners for leave to file a petition for a writ of certiorari under seal is denied.

No. A-624. Olivia Boyce, Applicant *v.* Israelite Bible Class, Inc. The application for stay presented to Justice Stevens and by him referred to the Court is denied.

No. 112, **Original**. State of Wyoming, Plaintiff *v.* State of Oklahoma. It is ordered that the Hon. Philip W. Tone, of Chicago, Illinois, be appointed Special Master in this case with authority to fix the time and conditions for the filing of additional pleadings and to direct subsequent proceedings, and with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem necessary to call for. The Special Master is directed to submit such reports as he may deem appropriate.

The compensation of the Special Master, the allowances to him, the compensation paid to his legal, technical, stenographic, and clerical assistants, the cost of printing his report, and all other expenses, including travel expenses, shall be charged against and be borne by the parties in such proportion as the Court may hereafter direct.

No. 88-333. Alabama, Petitioner *v.* James Lewis Smith. The motion for appointment of counsel is granted, and it is ordered that Delores Boyd, Esq., of Montgomery, Alabama, is appointed to serve as counsel for the respondent in this case.

No. 88-412. Martin W. Hoffman, Trustee, Petitioner *v.* Connecticut Department of Income Maintenance, et al. The motion of INSLAW, Inc. for leave to file a brief as *amicus curiae* is granted.

No. 88-515. Sable Communications of California, Inc., Appellant *v.* Federal Communications Commission, et al.; and

No. 88-525. Federal Communications Commission, et al., Appellants *v.* Sable Communications of California, Inc. The motion of United States Catholic Conference for leave to file a brief as *amicus curiae* is

granted. The motion of American Family Association, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Morality in Media, Inc. for leave to file a brief as *amicus curiae* is granted.

No. 88-605. William L. Webster, Attorney General of Missouri, et al., Appellants *v.* Reproductive Health Services, et al. The motion of James Joseph Lynch, Jr., for leave to file a brief as *amicus curiae* is granted. The motion of National Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of Legal Defense for Unborn Children for leave to file a brief as *amicus curiae* is denied. The motion of Alan Ernest for leave to represent children unborn and born alive is denied.

No. 88-1083. John Doe Agency and John Doe Government Agency, Petitioners *v.* John Doe Corporation. The motion of respondent to advance oral argument is denied.

No. 88-1281. Alex Ngiraingas, et al., Petitioners *v.* Francisco Q. Sanchez, etc., et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States. Justice Kennedy took no part in the consideration or decision of this order.

No. 88-6352. Richard R. Burkart, Petitioner *v.* Post-Browning, Inc. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 27, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6635. Harold Glenn Williams, Petitioner *v.* Ralph Kemp, Warden. The application of the Attorney General of Georgia to vacate the stay of execution granted by the United States Court of Appeals for the Eleventh Circuit presented to Justice Kennedy and by him referred to the Court is denied.

CERTIORARI GRANTED

No. 87-1965. Marcus C. Zinermon, et al., Petitioners *v.* Darrell E. Burch. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit granted.

No. 88-599. Washington, et al., Petitioners *v.* Walter Harper. The motion of respondent for leave to proceed *in forma pauperis* is granted.

Petition for writ of certiorari to the Supreme Court of Washington granted.

No. 88-854. Henry G. Spallone, Petitioner *v.* United States, et al.;

No. 88-856. Peter Chema, Petitioner *v.* United States, et al.; and

No. 88-870. Nicholas Longo and Edward Fagan, Petitioners *v.* United States, et al. The petition for a writ of certiorari in No. 88-854 to the United States Court of Appeals for the Second Circuit is granted. The petition for a writ of certiorari in No. 88-856 to the United States Court of Appeals for the Second Circuit is granted limited to Questions 1 through 5 presented by the petition. The petition for a writ of certiorari in No. 88-870 to the United States Court of Appeals for the Second Circuit is granted. The cases are consolidated and a total of one hour is allotted for oral argument.

CERTIORARI DENIED

No. 87-521. James G. Ledbetter, Commissioner of Georgia Department of Human Resources, et al., Petitioners *v.* Kathy Jo Taylor. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1926. Upper Darby Township, et al., Petitioners *v.* Sue Ann Colburn, Administratrix of the Estate of Melinda Lee Stierheim, deceased. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87-2034. Jacqueline Barbera, etc., Petitioner *v.* Stephen Schlessinger, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-2054. Dennis M. O'Connor, Fred Valenzuela, Stephen Donoviel and Thaddeus Kostrubala, Petitioners *v.* Estate of Marilyn Marie Conners, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-2120. Raymond Jorda, Petitioner *v.* City of New Brunswick and New Brunswick Police Department. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-576. Betty J. Archie, et al., Petitioners *v.* City of Racine, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-684. Maine, et al., Petitioners *v.* United States Environmental Protection Agency, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-796. Tommy McIntosh, Charles Marvin Hayes, and Maurice Crawford, Petitioners *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 88-810. District of Columbia, Petitioner *v.* Donald R. Parker, et ux. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-841. Dorothy A. Stevens, Petitioner *v.* Dorothy Wright Tillman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-847. Oscar Sims, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-855. City of Yonkers, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-905. Paul C. Kohlman, Petitioner *v.* Bob Marshall Alliance, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-953. Phenix Federal Savings & Loan Association, Petitioner *v.* Shearson Lehman Hutton, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-967. Frank Scotto and Robert Coar, Petitioners *v.* United States; and

No. 88-1027. Kenneth P. Zauber, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-968. Brotherhood of Locomotive Engineers, Petitioner *v.* Vane Newton, et al.;

No. 88-994. Chicago & North Western Transportation Company, Petitioner *v.* L. Lee Beardsly, et al.;

No. 88-1169. United Transportation Union, Petitioner *v.* L. Lee Beardsly, et al.;

No. 88-1176. Vane Newton, et al., Petitioners *v.* Brotherhood of Locomotive Engineers, et al.; and

No. 88-1184. L. Lee Beardsly, et al., Petitioners *v.* Chicago & North Western Transportation Company, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-974. Kiamichi Area Vocational-Technical School District No. 7, Petitioner *v.* Johnny S. Short; and

No. 88-1148. Johnny S. Short, Petitioner *v.* Kiamichi Area Vocational-Technical School District No. 7. Petitions for writs of certiorari to the Supreme Court of Oklahoma denied.

No. 88-982. Wall Street Publishing Institute, Inc., Petitioner *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1052. Johns-Manville Corporation and Johns-Manville Sales Corporation, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1100. Tennessee Wildlife Resources Agency, Petitioner *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1138. Delta Air Lines, Inc., Petitioner *v.* Charles G. Criswell, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1143. National Bank and Trust Co. of North America, Ltd., dba NATCORP, Petitioner *v.* Banco de Vizcaya, S.A. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-1145. Dong-A Ilbo, et al., Petitioners *v.* Chang-Sin Lee; and

No. 88-1163. Central Virginia Educational Television Corporation, Petitioner *v.* Chang-Sin Lee. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1149. Cessna Aircraft Company, Petitioner *v.* Merylyn W. Butcher, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1168. Donald C. Swain, et al., Petitioners *v.* Kenneth A. Lindsey. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 88-1181. Crystal Cunningham, per next friend Robert Ruby Cunningham, et al., Petitioners *v.* Harry J. Beavers, Superintendent of Schools, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1185. William S. Walters, Jr., Petitioner *v.* First Tennessee Bank, N.A. Memphis. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1195. Joseph Thaddeus Sere, Petitioner *v.* Headquarters, Defense Communications Agency. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1224. Michael Reed, Petitioner *v.* Northwestern Publishing Company, dba The Commercial News, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-1257. Jean Kertesz, Petitioner *v.* University of Southern California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-1276. Robert B. Machen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1301. Giuseppe Pugliese and Pietro Pugliese, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1307. Michael Posner and Sidney Muskovsky, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1312. Estate of Archibald Cornett, Deceased, et al., Petitioners *v.* Estate of M. D. Sikes, Deceased, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1326. Michael Sciarra, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-5062. Martha Molton, Administrator for the Estate of William Molton, Petitioner *v.* City of Cleveland, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5878. Lyle H. Prenzler, Petitioner *v.* Director, Office of Workers' Compensation Programs, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5966. Bufford McDonald, Petitioner *v.* Robert Tansy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6008. Imam Shahid Muhammad, Petitioner *v.* J. Michael Quinlan, Director, Bureau of Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6026. Norman Grider, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6063. Merlyn Yagow, Petitioner *v.* Production Credit Association of Fargo. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6064. Merlyn Yagow, Petitioner *v.* Production Credit Association of Fargo. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6073. Merlyn Yagow, Petitioner *v.* Production Credit Association of Fargo. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6105. Charles Lee Bell, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6212. Ernie Robinson, Petitioner *v.* United States; and

No. 88-6331. David Blankenship, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6258. Jack Potts, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-6293. David Robinson, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6319. Bryant Clifton Redwine, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-6320. John Wayne Brown, Petitioner *v.* Virginia. Petition for writ of certiorari to the Court of Appeals of Virginia denied.

No. 88-6321. John Wayne Brown, Petitioner *v.* Virginia. Petition for writ of certiorari to the Court of Appeals of Virginia denied.

No. 88-6324. James Michael Boyd, Petitioner *v.* Steve W. Puckett, Superintendent, Mississippi State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6329. Joseph D. Parker, Petitioner *v.* George Sumner, Director, Nevada Department of Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6335. Leon Jackson, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6336. David Elliot Chipps, Petitioner *v.* United States Department of Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6337. Charles L. Elliott, Petitioner *v.* Eddie Myers, Superintendent, Correctional Training Facility at Soledad, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6343. Steven Wayne Benson, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-6358. Wayne S. Hicks, Petitioner *v.* Michael V. Fair, Commissioner, Massachusetts Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6372. Jerry D. Daniels, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-6373. John O. Green, aka John Oliver Hornung, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6395. John Shannon, Petitioner *v.* Paul J. Klinkar, Chairman, Illinois Prisoner Review Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6403. Charles Andrew Long, Petitioner *v.* United States Court of Appeals for the Federal Circuit. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6427. Wayne M. Hargrove, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6430. Antonio Delgado and Susie Ruales, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6432. Lucas Gerrardo Caballero Salinas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6433. David Collicott, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6437. Wayne Lee Bates, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6441. Maria Rosario de Fatima Pazos-Flores, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6442. Donald Keith Rolling, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6445. Alexander Gambino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6446. Stanley Asher Cole, aka Oscar Ivan Cole, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6451. John C. Entelisano, Petitioner *v.* E. Porter Felt. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Fourth Judicial Department, denied.

No. 88-6452. Leslie Robert Ramey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6459. Katrina F. Solomon, Petitioner *v.* United States; and

No. 88-6499. Carlos Solomon, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6462. Jose Garcia and Robert Garcia, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6465. William Bryant, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6478. Marilyn Ortiz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6487. Dale Bernard Green, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6488. Ralph Longmire, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6492. Lawrence Arnold Weisman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6495. Alhaji Kamoru Adeyemi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6498. Mona Lisa Packard, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-1460. Richard L. Dugger, Secretary, Florida Department of Corrections, et al., Petitioners *v.* Lenson Hargrave. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 87-2073. Richard L. Dugger, Secretary, Florida Department of Corrections, Petitioner *v.* Larry Eugene Mann. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-800. Richard L. Dugger, Secretary, Florida Department of Corrections, et al., Petitioners *v.* Raymond R. Stone. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1074. Virginia, et al., Petitioners *v.* Dennis Waldon Stockton. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-958. Arthur James Cooper, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice White would grant certiorari.

No. 88-5136. Martin Grossman, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5169. Frank G. Spisak, Jr., Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5216. Roy Allen Harich, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5582. Alvin Bernard Ford, etc., Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5750. Joseph L. Clark, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5799. Michael Francis Beuke, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6005. Walter Stewart, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6121. Robert Anthony Preston, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6187. Robert Cruz McLain, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6224. Jerome Henderson, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6287. Billy Ray Irick, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6317. Donald Lee Maurer, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Stark County, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6353. Daniel Lee Bedford, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6326. John Cockrum, Petitioner *v.* Texas. The application for stay of mandate presented to Justice White and by him referred to the Court is denied. The petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

HABEAS CORPUS DENIED

No. 88-6415. In Re Zakee Kaleem Abdullah, aka Robert Earl White, Petitioner; and

No. 88-6538. In Re Michael Sindram, Petitioner. The petitions for writs of habeas corpus are denied.

REHEARINGS DENIED

No. 86-1650. Trans World Airlines, Inc., Petitioner *v.* Independent Federation of Flight Attendants;

No. 87-2121. Raymond Dobard, Petitioner *v.* Oscar Daste & Sons, Inc.;

No. 88-836. Julia McCain Lampkin Asam, Appellant *v.* Robert J. Shapiro, et al.;

No. 88-838. Reuben Nieves, Appellant *v.* Marina Gardens No. 1, Inc.;

No. 88-5561. Melvin Gilmore, Petitioner *v.* Director, Office of Workers' Compensation Programs, U. S. Department of Labor;

No. 88-5910. Gregg Tallman, Appellant *v.* Dorothy Kelley;

No. 88-5942. Dorsey Lee Robertson, Petitioner *v.* City of Eunice, New Mexico; and

No. 88-5960. Steven E. Dodrill, Petitioner *v.* Arthur Tate, Jr., Superintendent, Chillicothe Correctional Institute. The petitions for rehearing are denied.

ORDER

It is ordered that Shelley L. Dowling be appointed Librarian of the Court to succeed Stephen G. Margeton, effective January 15, 1989, and that she take the oath of office as required by statute.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|-------------------------|
| Joseph George Albert | Wilkes-Barre, PA | Basil Gregory Russin |
| Garland P. Andrews | Dallas, TX | V. Bryan Medlock Jr. |
| John Kelly Astor | Orange, CA | Edward Lister Smilow |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-------------------------|------------------------------|
| Thomas E. Beall Jr. | Arlington, VA | Albert P. Sharpe III |
| Mark A. Berthiaume | Boston, MA | Robert B. Carpenter |
| Frank Nash Bilisoly IV | Norfolk, VA | John Morgan Ryan |
| Gerald N. Blaney Jr. | Lawrenceville, GA | Bryant Huff |
| Ira L. Blank | St. Louis, MO | Gary S. Heifetz |
| George Timothy Boswell | Mineola, TX | John William Alexander |
| William Harrison Branch | Tallahassee, FL | Joseph Robert Boyd |
| Lee Webb Campbell II | Nashville, TN | George Edward Barrett |
| Francis Kelly Cawley | Las Vegas, NV | S. Mahlon Edwards |
| Howard Gray Curtis | San Diego, CA | Maurice John O'Brien |
| David Pickett Cutler | Chicago, IL | Steven Dale Pearson |
| Keith W. Dearborn | Seattle, WA | Stephen C. Kelly |
| Sharon Van Hart Delegal | Pompano Beach, FL | Donald C. Roberge |
| F. Tayton Dencer | Manassas, VA | Wendell Raleigh Bird |
| Kevin P. Dooley | Binghamton, NY | Gerald F. Mollen |
| D. C. Jim Dozier | Houston, TX | Frank Hay Bass Jr. |
| Albert Dragon | Philadelphia, PA | Stanley William Bluestine |
| Paul David Eklund | Cleveland, OH | Martin J. Murphy |
| Robert Scott Fisher | Colorado Springs, CO | Bernard Robert Baker |
| Joseph Goldberg | Philadelphia, PA | Marc B. Zingarini |
| Katrina Grider | Tulsa, OK | Robert Edward Williams |
| James E. Grossberg | Arlington, VA | Lee Jay Levine |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|---|
| David Allen Heck | Los Angeles, CA | Richard C. DuPar |
| Susan Z. Holik | Washington, DC | Patti A. Goldman |
| Thomas H. Jensen | St. Paul, MN | Daniel Martin Scott |
| Michael Duane Jones | Houston, TX | Rene J. Mouledoux |
| Michael Barry Kates | Teaneck, NJ | Stephen J. Moses |
| Laura J. Kipnis | St. Louis, MO | Gary S. Heifetz |
| William C. Kuhn | Sharon, PA | Herman M. Rodgers |
| Gary L. Leshko | Philadelphia, PA | Franklin Poul |
| Terry Craig Leuin | Los Angeles, CA | Bradley C. Withers |
| Jo Ann Purcell Levert | Baton Rouge, LA | William J. Guste Jr. |
| Catherine Marie Meyer | Denver, CO | J. Bayard Young |
| William F. Moran III | Springfield, IL | John C. O'Malley |
| Joseph William Hooge Mott | Rocky Mount, VA | Thomas Keister Greer |
| Claire Moynihan | Atlanta, GA | Brian C. Deuschle |
| Steven John Olechny | Hartford, CT | Eric Watt Wiechmann |
| Robert Stuart Parish Jr. | Santa Ana, CA | Robert J. Feldhake |
| Anne Thomas Paxson | Washington, DC | George Robert Borsari Jr. |
| Joe W. Peel | Washington, DC | B. Michael Herman |
| Michael John Pise | Boston, MA | Anthony J. Iacobo |
| William Richard Powell | Houston, TX | Frank Hay Bass Jr. |
| Robert Ramsey Jr. | Los Angeles, CA | Robert C. Bonner |
| Richard L. Revesz | New York, NY | Honorable Thurgood Marshall Associate Justice of the Supreme Court |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|-------------------------|
| Jeanette Hanna Rost | Cincinnati, OH | John A. Lloyd Jr. |
| Janae L. Schaeffer | Kansas City, MO | Steven Alan Fehr |
| Margaret Tuttle Schenck | Castlewood, VA | Martin Douglas Wegbreit |
| Douglas C. Scovil | Davenport, IA | John Vevers Patton Jr. |
| Stephen Christopher Smith | Seattle, WA | Raymond W. Haman |
| Daniel Roy Spector | Lawrence, NY | Sol Freedman |
| William J. Thomas II | Durham, NC | Norman Ellis Williams |
| Karl Heinz Timmerman | Holden, MO | Austin Francis Shute |
| Wentworth Darcy Vedder | York, PA | Frank B. Boyle |
| Clyde Williamson Vedder | York, PA | Frank B. Boyle |
| James A. Walsh | Hollywood, FL | Mitchell S. Kraft |
| Miles A. Ward | Oregon City, OR | Scott H. Parker |
| Karen Roberts Washington | Dallas, TX | Donald E. Godwin |
| Denise Elizabeth Wright | Beverly Hills, CA | Normal Edell |
| Leonard F. Zandrow Jr. | Boston, MA | Philander S. Ratzkoff |
| Raymond John Zane | Woodbury, NJ | David Andrew Keyko |

OPINIONS

No. 87-1939. Geoffrey W. Barnard, etc., Petitioner *v.* Susan Esposito Thorstenn, et al.; and

No. 87-2008. Virgin Islands Bar Association, Petitioner *v.* Susan Esposito Thorstenn, et al. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Justice Kennedy. Dissenting opinion by the Chief Justice with whom Justice White and Justice O'Connor join.

No. 87-1437. Melvin R. Blanton and Mark D. Fraley, Petitioners *v.* City of North Las Vegas, Nevada. On writ of certiorari to the Supreme Court of Nevada. Judgment affirmed. Opinion by Justice Marshall.

No. 87-636. Efthimios A. Karahalios, Petitioner *v.* National Federation of Federal Employees, Local 1263. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice White.

No. 86-1856. Northwest Central Pipeline Corporation, Appellant v. State Corporation Commission of Kansas, et al. Appeal from the Supreme Court of Kansas. Judgment affirmed. Opinion by Justice Brennan.

No. 87-1318. Volt Information Sciences, Inc., Appellant v. Board of Trustees of Leland Stanford Junior University. Appeal from the Court of Appeal of California, Sixth Appellate District. Judgment affirmed. Opinion by the Chief Justice. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Justice O'Connor took no part in the consideration or decision of this case.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-----------------------------------|
| Jeffrey A. Wigodsky | Rockville, MD | Ronald A. Karp |
| Angela J. Campbell | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Robert Hale Foote | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Noreene Caroline Stehlik | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Angela E. Vallot | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Barbara L. Waite | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Patricia Margaret Zell | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Barry A. L. Hoffman | Boston, MA | Peter Paul Weidenbruch, Jr. |
| Paul Bennett Bran | Washington, DC | Peter Paul Weidenbruch, Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|-----------------------------|
| Mark A. Gallagher | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Robert Jay Groner | Olney, MD | Peter Paul Weidenbruch, Jr. |
| Margaret Williams Grove | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Donna K. Feinberg | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Bradley Deck Belt | Washington, DC | Peter Paul Weidenbruch, Jr. |
| Patricia Ann Kate Benzinger | Springfield, VA | Peter Paul Weidenbruch, Jr. |
| John Joseph Lane | Great Falls, VA | Peter Paul Weidenbruch, Jr. |
| Linda Sharon Burgan | Sylacauga, AL | Hugh Robert Overholt |
| Donald G. Curry, Jr. | Tuscaloosa, AL | Hugh Robert Overholt |
| Dean C. Berry | Charlottesville, VA | Hugh Robert Overholt |
| Carlton L. Jackson | Columbus, GA | Hugh Robert Overholt |
| Stephen William Bross | Colusa, IL | Hugh Robert Overholt |
| Stephanie Claire Spahn | Nauvoo, IL | Hugh Robert Overholt |
| Norman Allen Weeden | Indianapolis, IN | Hugh Robert Overholt |
| James Patrick Pottorff, Jr. | Douglass, KS | Hugh Robert Overholt |
| Lyle Wyman Cayce | Princeton, KY | Hugh Robert Overholt |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|----------------------|
| John B. McDaniel | Olympia, WA | Hugh Robert Overholt |
| David Scott Franke | Reading, PA | Hugh Robert Overholt |
| Anthony M. Crebbin | Columbus, NB | Hugh Robert Overholt |
| Fred Timothy Pribble | Summit, IL | Hugh Robert Overholt |
| Gill P. Beck | Lenoir, NC | Hugh Robert Overholt |
| Michael Kevin Cameron | Charlotte, NC | Hugh Robert Overholt |
| William E. Fitzgerald | Mulino, OR | Hugh Robert Overholt |
| Jeffery Alan Stonerock | Winston-Salem, NC | Hugh Robert Overholt |
| James J. McGroary | Tampa, FL | Hugh Robert Overholt |
| Rafael Lara, Jr. | Las Vegas, NV | Hugh Robert Overholt |
| Nancy A. Higgins | Buffalo, NY | Hugh Robert Overholt |
| Robert M. Lewis | Auburn, NY | Hugh Robert Overholt |
| Charles W. Baccus | Toledo, OH | Hugh Robert Overholt |
| Joseph Cecil Swetnam | Columbus, OH | Hugh Robert Overholt |
| Gary David Hyder | Tulsa, OK | Hugh Robert Overholt |
| Douglas Benson Tesdahl | Portland, OR | Hugh Robert Overholt |
| Gregory Oliver Block | Mercer Island, WA | Hugh Robert Overholt |
| Joseph J. Lodge, Jr. | Santa Clara, CA | Hugh Robert Overholt |
| Juan Jose Rivera | Mayaguez, PR | Hugh Robert Overholt |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|----------------------|
| James C. Walker | Greenville, SC | Hugh Robert Overholt |
| Paul David Hoburg | Pittsburgh, PA | Hugh Robert Overholt |
| Henry Russell Richmond | Charlottesville, VA | Hugh Robert Overholt |
| Orin Robert Hilmo, Jr. | El Paso, TX | Hugh Robert Overholt |
| James Mackey Ives | El Paso, TX | Hugh Robert Overholt |
| William Henry Mullis | Waco, TX | Hugh Robert Overholt |
| David Lee Pointer | Dallas, TX | Hugh Robert Overholt |
| Linda Diane Kristof Webster | Austin, TX | Hugh Robert Overholt |
| Richard O. Hatch | Monticello, UT | Hugh Robert Overholt |
| Robert LeMoyne Littleton, Jr. | Charlottesville, VA | Hugh Robert Overholt |
| Margaret Ogilvie Steinbeck | Charlottesville, VA | Hugh Robert Overholt |
| Annamary Sullivan | Charlottesville, VA | Hugh Robert Overholt |
| Robert B. Thomas, Jr. | Richmond, VA | Hugh Robert Overholt |
| John Murray German | Napa, CA | Hugh Robert Overholt |

Adjourned until Monday, March 20, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

CERTIORARI DENIED

No. 88-6721. Albert Ray Beam, Petitioner *v.* Idaho. The application to continue stay of execution of death warrant presented to Justice O'Connor and by her referred to the Court is denied. The petition for a writ of certiorari to the Supreme Court of Idaho is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-727. Jonas H. Whitmore, Individually and as Next Friend of Ronald Gene Simmons, Applicant *v.* Arkansas. The application for stay of execution of sentence of death presented to Justice Blackmun and by him referred to the Court is granted pending the timely filing and disposition by this Court of a petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the issuance of the mandate of this Court.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 88-844. Willard G. Chrisman, Appellant *v.* Times Mirror Company. Appeal from the Court of Appeal of California, Fourth Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-1013. Raymond DeLeo, et ux., Appellants *v.* Anthony A. Nunes, Inc., et al. Appeal from the Supreme Court of Rhode Island. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-6386. Lynn A. Jenkins, Appellant *v.* United States Court of Appeals for the District of Columbia Circuit. Appeal from the United States Court of Appeals for the District of Columbia Circuit. The appeal is dismissed for want of jurisdiction.

No. 88-6471. Howard Crim, Jr., Appellant *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction.

ORDERS IN PENDING CASES

No. A-695. Michigan Citizens for an Independent Press, et al., Applicants *v.* Richard Thornburgh, Attorney General of the United States, et al. The application for stay presented to Justice Brennan and by him referred to the Court is denied. The order heretofore entered March 4, 1989, by Justice Brennan is vacated. Justice Blackmun and Justice Stevens would grant the application. Justice White took no part in the consideration or decision of this application.

No. D-536. In the Matter of Lee Gilson Lovett. The motion to vacate the order of disbarment is denied.

No. D-751. In the Matter of Disbarment of Brian A. Eberstein. Disbarment order entered.

No. D-772. In the Matter of Disbarment of Rembert Thomas Brown. It is ordered that Rembert Thomas Brown, of San Diego, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-773. In the Matter of Disbarment of William Lee Gagen. It is ordered that William Lee Gagen, of Lebanon, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-774. In the Matter of Disbarment of James Roger Gunderman. It is ordered that James Roger Gunderman, of Buffalo, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-775. In the Matter of Disbarment of David Hardin Graves. It is ordered that David Hardin Graves, of Houston, Texas, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-6997. Eugene John Carella, Appellant *v.* California. The motion of appellant to discharge appointed counsel and appoint new counsel is denied.

No. 88-333. Alabama, Petitioner *v.* James Lewis Smith. The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-348. New Orleans Public Service, Inc., Petitioner *v.* Council of City of New Orleans, et al. The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-420. Jimmy Jones, Superintendent, Missouri Training Center for Men at Moberly, Petitioner *v.* Larry P. Thomas. The motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

No. 88-515. Sable Communications of California, Inc., Appellant *v.* Federal Communications Commission, et al.; and

No. 88-525. Federal Communications Commission, et al., Appellants *v.* Sable Communications of California, Inc. The motion of Citizens for Decency Through Law, Inc., et al. for leave to file a brief as *amici curiae* in No. 88-525 is granted. The motion of Minority Members of the Committee on Energy and Commerce of the United States House of Representatives for leave to file a brief as *amicus curiae* is granted.

No. 88-605. William L. Webster, Attorney General of Missouri, et al., Appellants *v.* Reproductive Health Services, et al. The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-616. Louis W. Sullivan, Secretary of Health and Human Services, Petitioner *v.* Elmer Hudson. The motion of the Acting Solicitor General to permit Amy L. Wax, Esq. to present oral argument *pro hac vice* is denied.

No. 88-709. John Roe, Petitioner *v.* Superior Court of California, County of Marin (Sherry Doe, Real Party in Interest). The application to continue the stay entered by the Superior Court of California, County of Marin, on March 3, 1989, Case No. 128238, presented to Justice O'Connor and by her referred to the Court is denied.

No. 88-1114. Marvin Lebman and Gerald Lebman, et al., Petitioners *v.* Aktiebolaget Electrolux, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-1243. Company X, Petitioner *v.* United States. The renewed application for stay presented to Justice White and by him referred to the Court is granted pending final disposition of the petition for a writ of certiorari.

No. 88-5977. Curtis Wrenn, Petitioner *v.* Richard Thornburgh, Attorney General of the United States, et al. The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

CERTIORARI GRANTED

No. 88-42. Olaf A. Hallstrom, et ux., Petitioners *v.* Tillamook County. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 88-1203. Hoffmann-La Roche, Inc., Petitioner *v.* Richard Sperling, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 88-1213. Employment Division, Department of Human Resources of Oregon, et al., Petitioners *v.* Alfred L. Smith, et al. Petition for writ of certiorari to the Supreme Court of Oregon granted.

CERTIORARI DENIED

No. 88-276. Walter R. Griffin, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-927. Keystone Shipping Co., Petitioner *v.* New England Energy, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-988. Townley Manufacturing Co., Inc., Petitioner *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1029. Yonkers Racing Corporation, Petitioner *v.* City of Yonkers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1034. Quentin M. Derryberry, II, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1035. Northside Sanitary Landfill, Inc., Petitioner *v.* William K. Reilly, Administrator of the Environmental Protection Agency, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1044. Association of Seat Lift Manufacturers, et al., Petitioners *v.* Louis W. Sullivan, Secretary of Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1066. Estate of George Johnson, et al., Petitioners *v.* Clyde William Engle, et al.; and

No. 88-1232. Clyde W. Engle, et al., Petitioners *v.* Estate of George Johnson, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1068. Suketu H. Nanavati, Petitioner *v.* Burdette Tomlin Memorial Hospital, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1081. Perlle Donald Workman and Jeffrey Workman, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1108. New York Typographical Union, No. 6, Petitioner *v.* Royal Composing Room, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1111. Richard Wilkins and Rico Industries, Inc., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1128. California, Petitioner *v.* Antone Folkins and Kenneth Mattz. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-1139. Certified Registered Nurse Anesthetists of Anesthesia Group Practice, et al., Petitioners *v.* Anesthesia Group Practice, Inc., et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Hamilton County, denied.

No. 88-1174. Paul A. Simmons, United States District Judge for the Western District of Pennsylvania, Petitioner *v.* James Moody, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1175. Gary R. Clark, Petitioner *v.* C & O Railway Company. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-1180. Utility Workers Union of America, AFL-CIO, Local No. 246, et al., Petitioners *v.* Southern California Edison Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1188. Stephen D. Learned, Petitioner *v.* City of Bellevue, Washington. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1190. Wilbur H. Friedman, Jr., Petitioner *v.* Montgomery County, Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-1192. Alvie B. Graham, Petitioner *v.* J. Warren Bettis, Judge, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Columbiana County, denied.

No. 88-1193. Southwestern Bell Telephone Company, Petitioner *v.* Continental Casualty Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1197. Drake Towing Company, Inc., et al., Petitioners *v.* Lloyd Atwood, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1199. Roland E. Hemon, et al., Petitioners *v.* Office of Public Guardian, et al. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 88-1201. Darrel G. Harden, Petitioner *v.* C. W. Bert, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1202. Ivan P. Leidy, Petitioner *v.* John Q. Stranahan and Francis J. Fornelli; and Ivan P. Leidy, Petitioner *v.* Sharon Herald Newspaper Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1206. Delta Truck & Tractor, Inc., Petitioner *v.* J. I. Case Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1209. Charles W. Bauer, et ux., Petitioners *v.* Robert H. Waldschmidt, Trustee of the Bankruptcy Estate of Charles W. Bauer, et ux., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1211. Douglas W. Hunt, et al., Petitioners *v.* Jefferson Savings and Loan Association. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 88-1212. Mark Robert Hoffman, Petitioner *v.* City of Troy, Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-1214. Dorchen Leidholdt, Petitioner *v.* L.F.P., Inc., dba LFP, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1215. Peggy Ault, Petitioner *v.* Hustler Magazine, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1216. Patricia B. Taylor, Petitioner *v.* First Union Corporation of South Carolina, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1218. Roland Markum, et al., Petitioners *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-1220. Victoria E. Ullmann, Petitioner *v.* Olwine, Connelly, Chase, O'Donnell and Weyher, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1221. Charles A. Weisman, Petitioner *v.* Minnesota. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 88-1222. Hollywood Marine, Inc., Petitioner *v.* Wiedemann & Fransen. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 88-1225. Herbert Scandell, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 88-1227. Stephen J. Russo, Petitioner *v.* Superior Court of California, County of Santa Clara (Bear, Stearns & Co., Inc., et al., Real Parties in Interest). Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-1233. Harold W. Grandchamp, et al., Petitioners *v.* United Air Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1234. United Services Automobile Association, Petitioner *v.* Leroy Tuck, Administrator of the Estate of Johnny L. Tuck, Deceased, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1236. City of Watsonville, California, Petitioner *v.* Dolores Cruz Gomez, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1237. Transamerica-Occidental Life Insurance Company, Petitioner *v.* Provident Life & Accident Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1240. Jonathan B. Ainsworth, Petitioner *v.* State Bar of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-1241. Gwendolyn Price, Petitioner *v.* Joseph Tanner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1242. Jack R. Hughes and Merle A. Pettit, Petitioners *v.* General Motors Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1244. M/T Stolt Sheaf, her engines, boilers, etc., et al., Petitioners *v.* National Petrochemical Company of Iran. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1245. Harry DuChesne, Petitioner *v.* Wylie Williams, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1247. Central Milk Producers Cooperative, Petitioner *v.* National Farmers' Organization; and

No. 88-1248. Associated Milk Producers, Inc., et al., Petitioners *v.* National Farmers' Organization, Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1256. Benny Pelligra, Petitioner *v.* Goodyear Tire & Rubber Company. Petition for writ of certiorari to the Court of Appeals of Ohio, Summit County, denied.

No. 88-1258. County of DuPage, et al., Petitioners *v.* LaSalle National Bank of Chicago, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1261. Maria Peste, et al., Petitioners *v.* R. R. Denny Clunk, Judge, Court of Common Pleas, Probate Division, Stark County, Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1263. Roger Hohl, on behalf of himself and his daughters, Cassandra & Danielle Hohl, Petitioner *v.* William W. Miller, Magistrate, Cass County Magistrate's Court, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1267. Robert (Bob) Odom, et al., Petitioners *v.* D. A. Delahoussaye, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1268. John E. Maddox, Petitioner *v.* AmSouth Bank, N.A. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1269. Wisconsin Department of Health and Social Services, et al., Petitioners *v.* Raymond J. Torres, Franklin J. Utz, and Gerald F. Schmit. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1270. William D. Petras, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 88-1277. Stanley V. Tucker, Petitioner *v.* Connecticut National Bank, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1278. Consolidated Television Cable Service, Inc., Petitioner *v.* City of Frankfort, Kentucky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1279. Walton Sutherland, Petitioner *v.* United States Postal Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1293. Richard A. Holman, Petitioner *v.* L. Metcalfe Walling; and

No. 88-1355. Wall Street Reports and Intelligence Bulletin, Inc., Petitioner *v.* L. Metcalfe Walling. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1294. Pramod K. Sharma, Petitioner *v.* Lockheed Engineering and Management Services Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1296. Harold Allan Andrews, Petitioner *v.* Kenneth Love, Judge, District Court of McClain County, Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-1314. Morris F. Cranmer, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1334. Billy W. Williams, Petitioner *v.* United States Department of Energy, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1352. Ratinavelu Ramachandran, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1359. Tenley and Cleveland Park Emergency Committee, et al., Petitioners *v.* District of Columbia Board of Zoning Adjustment, et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-1368. William T. Connolly and Lizabeth V. Connolly, Petitioners *v.* Maryland Casualty Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1370. Joseph N. Gallo and Joseph Armone, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1372. Comuni-Centre Broadcasting, Inc., Petitioner *v.* Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1375. Juan Francisco Valdez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1386. William A. Goichman, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1387. William H. Kinsey, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1389. Sherman Wayne Swearingen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5043. Philip Landry, Petitioner *v.* J. Robert Hoepfner, Judge. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5231. Gregory W. Boudette, Petitioner *v.* Arizona. Petition for writ of certiorari to the Superior Court of Arizona, Maricopa County, denied.

No. 88-5887. Keenan Kester Cofield, Petitioner *v.* Morris Thigpen, Commissioner, Alabama Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5898. Donald Bennafield, Petitioner *v.* City of Canton Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-5939. Alan K. McFadden, Petitioner *v.* Donald Cabana, Superintendent, Mississippi State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-5970. Caruna D. Krishnan, Petitioner *v.* Mark S. Julius. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-5998. Haywood M. Hamm, Petitioner *v.* Ralph W. Packard, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6096. Pamela Irene Aucoin, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied.

No. 88-6108. Don Grimes, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-6126. Jerry Alfred Whitworth, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6188. John (Janos) M. Toth, III, Petitioner *v.* Pennsylvania Board of Probation and Parole, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6193. Ray L. Corona, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6207. Kenneth Marvin Baker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6236. Ian J. Blair, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-6260. Martha S. Murray, Petitioner *v.* Department of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6267. Judith Kay Cook, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 88-6327. Ernest Bouvier-Moore, Petitioner *v.* United States District Court for the Southern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6338. Joseph Walls, Petitioner *v.* New Castle County Police Department, et al. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 88-6342. Vincent L. Boylan, Petitioner *v.* Anthony M. Frank, Postmaster General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6345. Dennis Eugene Cordes, Petitioner *v.* Tulsa City Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6346. Jimmy Lewis Chambers, Jr., Petitioner *v.* Truett Goodwin, Superintendent, Central Correctional Institution at Macon, Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6366. David L. Keenan, Petitioner *v.* Parker Evatt, Commissioner, South Carolina Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6370. Johnny Robert Lopez, Petitioner *v.* Superior Court of California, San Joaquin County, et al. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 88-6374. Heriberto Dominguez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6379. Larry Kurina, Petitioner *v.* Ronald Haws, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6380. Ulysses S. Altizer, III, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Lake County, denied.

No. 88-6381. Robert Hebel, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 88-6384. Victor Graciano, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6391. Amos Brown, aka Nabb Ali, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6392. Guy T. Martin, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-6396. John M. Matusavage, Petitioner *v.* General Services Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6397. Hugo Ramirez, Petitioner *v.* Suzanne Ahn, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6399. Michael Curtis Miller, Petitioner *v.* North Carolina, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6402. Kevin B. Scott, Petitioner *v.* Michael D. Parsons, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6408. Henry Timothy Maloney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6409. Donnie O. Weaver, Petitioner *v.* Walter Redman, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6411. Roy Wayne Dean, Petitioner *v.* Bill Seabold, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6412. Rodolfo Morlett, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6414. Jane Adele Kettleson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6417. John Robert Demos, Jr., Petitioner *v.* Supreme Court of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 88-6420. Willie James Price, Petitioner *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6422. Leonard V. Kraus, et ux, Petitioners *v.* Crete State Bank. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 88-6423. Johnny Paul Molina, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-6425. Johnny Lee Prymer, Petitioner *v.* Roy Anderberg. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 88-6428. Richard Steven Maulick, Petitioner *v.* Thomas Israel, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6429. John Wayne Edlin, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 88-6431. Edward J. Brennan, Jr., Petitioner *v.* City of Mount Dora, Lake County, Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6436. Rita Ann Wayno, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6439. Rebecca M. Denial, Petitioner *v.* Margaret A. Smith, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6449. Juan Banda, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-6453. Roel Rivas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6454. John Paul Sahagian, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6455. Angel Maldonado, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 88-6456. Geneva H. Sayles, Petitioner *v.* Circuit Court of Bedford County, Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-6460. Kenneth Paul Muetze, Petitioner *v.* Herman Solem, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6461. Paul Lampack, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6463. Donald C. Jackson, Petitioner *v.* Long Beach Police Department. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6464. Dennis Nelson Fixel, Petitioner *v.* Harold Whitley, Warden. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-6469. Vernon E. Rodman, Petitioner *v.* R. Misner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6472. Michael Murphy, Petitioner *v.* Cindy Theissen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6483. Luis Felipe Wilches, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6486. Hasna Sayed Dahdah, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6490. Joseph Travis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6502. Anne C. Voss, Petitioner *v.* United States Parole Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6507. Lee Ross Shear, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6509. Earnest Walker, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6510. Hector A. Vidaure, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6514. Gerard Latchinian, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6517. Pablo Cabrera, Petitioner *v.* Charles J. Scully, Superintendent, Green Haven Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6518. Jeffrey Malcolm Couzens, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6521. Kirk Bradley Bell, Petitioner *v.* Jack Duckworth, Superintendent, Indiana State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6522. Herman T. Clark, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6523. Yudhvir Singh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6526. Carl Leibowitz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6528. George Paul LaRoque, Petitioner *v.* United States, et al.; and *In Re* George Paul LaRoque. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6534. William Ryan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6545. Ira Joiner, Petitioner *v.* Herman Solem, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6551. Luis Ortega, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6556. Charles Cox, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6558. Samuel M. Rittenour, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-6559. Maurice Bernard Moore, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6561. Frederick March Cheeseborough, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6565. William J. R. Embrey, Petitioner *v.* United States; and William J. R. Embrey, Petitioner *v.* United States; and William J. R. Embrey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6566. Eric Alan Hill, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6569. James Michael Hall, Petitioner *v.* Dewey Sowders, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6576. Antonio Villarreal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6583. William Joseph Powell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6587. Bobby Gene Rantz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6608. Wenancjusz F. Kunek, Petitioner *v.* Stanley K. Coffman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6609. Esperanza Saa, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6616. Jesus Ayub, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6625. Mario Vito Heubel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6633. James Milton Cotten, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6640. John L. Weir, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6645. Anthony Lioumis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-902. John A. Bersani, et al., Petitioners *v.* United States Environmental Protection Agency, et al.; and

No. 88-929. Joseph Robichaud and Citizens in Support of Attleboro Mall, Petitioners *v.* United States Environmental Protection Agency, et al. The motion of National Association of Home Builders, et al. for leave to file a brief as *amici curiae* in No. 88-902 is granted. The motion of American Planning Association for leave to file a brief as *amicus curiae* in No. 88-902 is granted. The motion of Chamber of Commerce of the United States for leave to file a brief as *amicus curiae* in No. 88-902 is granted. The motion of Pacific Legal Foundation, et al. for leave to file a brief as *amici curiae* is granted. The motion of Louisiana Landowners Association, Inc. for leave to file a brief as *amicus curiae* in No. 88-902 is granted. The motion of American Association of Port Authorities for leave to file a brief as *amicus curiae* is granted. The petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1003. Colonial Savings Association and Subsidiaries, Petitioners *v.* Commissioner of Internal Revenue. The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. Peti-

tion for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1099. BV Engineering, Petitioner *v.* University of California, Los Angeles. The motion of Columbia Pictures Industries, Inc., et al. for leave to file a brief as *amici curiae* is granted. The motion of Association of American Publishers, Inc., et al. for leave to file a brief as *amici curiae* is granted. The motion of Center for the Protection of Creative Rights for leave to file a brief as *amicus curiae* is granted. The motion of American Intellectual Property Law Association for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1165. County of Sonoma, Petitioner *v.* John S. Herrington, David S. Herrington and Quail Hill Ranch. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice O'Connor took no part in the consideration or decision of this petition.

No. 88-1204. Alfred Avins and Northern Virginia Law School, Petitioners *v.* Virginia Council of Higher Education, et al. The motion of Coalition for Religious Freedom for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-1229. Ohio, Petitioner *v.* James A. Bowe and Wayne R. Adkins. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeals of Ohio, Summit County, denied.

No. 88-1266. Idaho State Tax Commission, et al., Petitioners *v.* Robert F. Blangers, et al. Petition for writ of certiorari to the Supreme Court of Idaho denied. Justice Blackmun and Justice O'Connor would grant certiorari.

No. 88-1275. Lewis R. Crist, Receiver for Transit Casualty Company, Petitioner *v.* Wal-Mart Stores, Inc., et al. The motion of Texas Property and Casualty Insurance Guaranty Association for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Blackmun took no part in the consideration or decision of this motion and this petition.

No. 88-5961. James E. Copeland, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6148. Harvey Earvin, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6150. Danny Lee Barber, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6203. Earl Matthews, Jr., Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6350. Michael Wayne Jennings, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6361. Erskine Leroy Johnson, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Western Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6365. Roger M. Bell, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6393. Ronald Raymond Woomer, Petitioner *v.* James Aiken, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6424. Carzell Moore, Petitioner *v.* Walter D. Zant, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6530. David Lee Holland, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6655. Dwayne Derick Stevens, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6012. Dung Thai Tran, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice White took no part in the consideration or decision of this petition.

No. 88-6341. William George Bonin, Petitioner *v.* California. The petition for a writ of certiorari to the Supreme Court of California denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

HABEAS CORPUS DENIED

No. 88-6597. In Re Ernest W. McKnight, Petitioner. The petition for writ of habeas corpus is denied.

MANDAMUS DENIED

No. 88-1246. In Re Robert Boris Beachboard; and

No. 88-6390. In Re Donald J. Strable, Petitioner. The petitions for writs of mandamus are denied.

REHEARINGS DENIED

No. 87-1224. Mark H. Oring, Appellant *v.* State Bar of California;

No. 88-893. Glen Walker, et al., Appellants *v.* Valley National Bank of Des Moines, Iowa, etc., et al.;

No. 88-5864. Joseph Bryant Hooks, Petitioner *v.* Alabama;

No. 88-5936. Levern Davis, Petitioner *v.* City of Tucson; and

No. 88-6137. Rita Swenson, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army. The petitions for rehearing are denied.

No. 88-658. Panhandle Eastern Pipe Line Company, Petitioner *v.* Illinois, ex rel. Neil F. Hartigan, Attorney General of Illinois. The motion for leave to file a petition for rehearing is denied.

No. 88-5732. William Marvin Hill, Petitioner *v.* Robert Redman, Warden. The motion for leave to file a petition for rehearing is denied. Justice Brennan took no part in the consideration or decision of this motion.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|--------------------------|
| Ethel Abeita | Laguna, NM | Herbert Arnold Becker |
| Joel J. Africk | Chicago, IL | Jerold S. Solovy |
| Peter C. Alkalay | New York, NY | Martin I. Shelton |
| Martha Phillips Allbright | Denver, CO | Glenn G. Saunders |
| Peter James Alsen | Bayshore, NY | Alexander Sacks |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--|--|--|
| Calum Bruce Anderson Robert T. Anderson | Boston, MA Boulder, CO | Stephen S. Young Walter R. Echo- Hawk |
| Richard L. Armstrong | Dallas, TX | Manuel James Edling |
| Terry D. Bailey | Carthage, TX | George Thomas Allison III |
| Deborah Susan Baird | Princeton, NJ | Robert R. Levinson |
| James Patrick Baker Bernie H. Beaver Susan J. Becker | San Francisco, CA Minneapolis, MN Cleveland, OH | Karen E. Ford Stephen T. Refsell William Thomas Plesec |
| Karen P. Blado | Hartford, CT | Constance L. Epstein |
| Stephen T. Bolton | Youngstown, OH | George James Limbirt |
| Kathleen M. Boozang L. Barrett Boss | St. Louis, MO Washington, DC | J. Roger Edgar Matthew Louis Myers |
| Robert Laurent Bouley Gerald James Brentnall Jr. Robert S. Brill Paul Brown | Boston, MA Menlo Park, CA Minneapolis, MN Springfield, IL | John J. C. Herlihy Billy Smith Jr. Stephen T. Refsell Harvey B. Stephens |
| Thomas Ewing Bulleit Jr. | Lexington, KY | Shelby C. Kinkead Jr. |
| M. James Callahan | Phoenix, AZ | Roderick Gregory McDougall |
| Patrick Eugene Carr | Tulsa, OK | James Edward Frasier |
| Daniel Elliot Claggett Ralph Cohen Sheldon J. Cohn | St. Louis, MO Brooklyn, NY Los Angeles, CA | Barry A. Short Joseph P. Napoli Thomas Frazer Hozduk |
| Brooks William Conover III | Austin, TX | James Albon Mattox |
| Christopher Robert Costa | Washington, DC | John T. Westermeyer Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-------------------------|----------------------------------|
| Julie Welch Davis | Washington, DC | Walter Becker Slocombe |
| Joseph W. Dellapenna | Villanova, PA | William D. Valente |
| Kurt A. Denke | Philadelphia, PA | Melvin R. Shuster |
| Richard A. Derevan | Newport Beach, CA | Raymond John Ikola |
| Don George Di Dio | Milwaukee, WI | Ellen M. Kozak |
| Scott Eric Diamond | Princeton, NJ | Robert R. Levinson |
| Michael J. Donahoe | Helena, MT | Dorothy Bicker McCarter |
| Craig J. Donaldson | Nashville, TN | Lewis H. Conner Jr. |
| Christopher A Duggan | Boston, MA | Thomas David Burns |
| Andrew Daniel Fallon | Colorado Springs, CO | Robert Stewart Gardner |
| H. F. Foster III | New Orleans, LA | John E. McAuliffe Jr. |
| Phil Frazier | Tulsa, OK | Ken Ray Underwood |
| Susan H. Freemon | Tampa, FL | Stuart Craig Markman |
| Jeffrey Lawrence Friedman | New York, NY | Theodore Anthony Krebsbach |
| David M. Fuller | Atlanta, GA | Homer Marshall Stark |
| Annette B. Garofalo | Washington, DC | John L. Keefe |
| Patrick Francis Gartland | Denver, CO | J. Bayard Young |
| Margaret Elizabeth Gee | Washington, DC | Elizabeth Rose Hilder |
| Albert J. Givray | Tulsa, OK | William C. Anderson |
| Charles F. Glass | Detroit, MI | Thomas H. Schwarze |
| David M. Golove | New York, NY | Eric M. Lieberman |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-----------------------|-------------------------------|
| Peter M. Gross | Dallas, TX | Edwin S. Tobolowsky |
| Robert L. Gullette Jr. | Nicholasville, KY | Bernard T. Moynahan Jr. |
| Carol Ann Gundel | Miami, FL | Alexander J. Russ |
| Robert Y. Gwin | Louisville, KY | John R. McCall |
| Helen Louise Halpert | Seattle, WA | Hilbert P. Zarky |
| Terry Ross Hanna | Oklahoma City, OK | Andrew M. Coats |
| William Harrison Harriger II | Lubbock, TX | George Harrison McCleskey |
| John Michael Hemmer | Washington, DC | Charles Alvin Miller |
| Charles W. Herf | Phoenix, AZ | Patrick Robert Moya |
| Stephen C. Herman | Chicago, IL | Harold E. Spencer |
| Mitchell W. Herzog | New Orleans, LA | Donald Aaron Meyer |
| Robert DeHardit Hicks | Gloucester, VA | Clarence Flippo Hicks |
| David Alan Hirsh | Boston, MA | Paul A. Cunningham |
| Daniel Charles Holdgreiwe | Alexandria, VA | Jack Gaines McKay |
| John Joseph Hopkins | Granite City, IL | Felix Lasceller Callis |
| John Wayne Howard | San Diego, CA | Colin Wilson Wied |
| Frederik A. Jacobsen | San Francisco, CA | Richard Joseph Sideman |
| David Francis Jankowski | Denver, CO | Michael Douglas White |
| Alan Scott Kaden | Washington, DC | Robert Sargent Shriver Jr. |
| Edward Glenn Kelly | Asheville, NC | Robert J. Deutsch |
| Robert A. Klayman | Washington, DC | Albert G. Lauber Jr. |
| Kodzo Paaku Kludze | Hohoe, Ghana. | Steven Franklin Friedell |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|------------------------------|
| Fred Kolikoff | New York, NY | Arnold K. Kolikoff |
| Raymond G. LaPlaca | Mitchellville, MD | Charles Aubrey Dukes Jr. |
| Curtis Lyndon Laird | Dallas, TX | Harvey Melvin Shapan |
| Dorothy Eugenia Langan | Washington, DC | Ralph J. Moore Jr. |
| Charles Scott Lanz | Youngstown, OH | George James Limbert |
| Brian Richard Lenker | Sparta, NJ | John David Fanburg |
| Lynn M. Luker | New Orleans, LA | Robert A. Vosbein |
| Brian A. Luscher | Phoenix, AZ | Paul V. Bonn |
| Sallie Conley Lux | Akron, OH | John A. Lloyd Jr. |
| Dennis Patrick Lynch | Philadelphia, PA | Patrick T. Ryan |
| Gregory Marshall | San Diego, CA | Thomas F. Homann |
| Johnnie W. Mask Jr. | New York, NY | Patricia Mary Lancaster |
| David N. Matlock | Shreveport, LA | Malcolm Stanton Murchison |
| William Robert Maynard | El Paso, TX | Lucien Benton Campbell |
| Franklin H. McCallum | Midland, TX | Larry L. Vickrey |
| John Joseph McCoy | Cincinnati, OH | Lawrence D. Walker |
| John Anthony Mehlick | Springfield, IL | John William Roberts |
| Thomas A. Mickes | St. Louis, MO | Stephen Howard Rovak |
| Virginia Hinrichs Miller | Philadelphia, PA | Bruce W. Kauffman |
| Douglas George Morris | New York, NY | Simon H. Rifkind |
| David P. Morzenti | Montreal, WI | Anthony R. Varda |
| Alison Moss | Seattle, WA | Stephen C. Kelly |
| Polly Jean Nelson | Washington, DC | John H. Pickering |
| David Paul Nicoli | Washington, DC | Philip Allen Lacovara |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|---------------------------------|
| Michael Louis Novicoff | Los Angeles, CA | Philip W. Boesch Jr. |
| Richard Frederick O'Hair | Paris, IL | Frank Joseph Spinner |
| Timothy Joseph O'Rourke | Falls Church, VA | Terrence B. Adamson |
| Joseph William O'Toole | Bartlesville, OK | Robert Letcher Moore II |
| Thomas Paschos | Philadelphia, PA | John Gerard Devlin |
| Alan Penn | Allentown, PA | Bernard Frank |
| Angelo A. Plakas | Detroit, MI | James A. Kandreas |
| Robert J. Pohlman | Phoenix, AZ | Paul V. Bonn |
| Julia L. Porter | Washington, DC | Judge Harold H. Greene |
| Donald James Ramsell | Schaumburg, IL | Richard G. Larsen |
| Samuel Barclay Reiner II | Miami, FL | Samuel Theodore Reiner |
| James Ward Rhodes | Norman, OK | Don J. Gutteridge Jr. |
| Michael Louis Rich | Morristown, NJ | Thomas Charles Campbell Humi |
| Jonathan M. Rich | Washington, DC | Anna Swerdel |
| Mark Laun Rodgers | Bemdji, MN | Steven Mark Fuller |
| Russell S. Roeca | San Francisco, CA | Howard M. Garfield |
| Elizabeth Rogers | El Paso, TX | John B. Luscombe Jr. |
| Michael B. Roitman | Boston, MA | Harold B. Roitman |
| Stephen Rose | New Orleans, LA | Walter Wimberly Christy |
| Batya Roth | Washington, DC | Richard Allen Kirby |
| David L. Saine | Denver, CO | L. Duane Woodard |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------------|-----------------------|--------------------------|
| Juliette Topacio Sarmiento | San Francisco, CA | Victor Agmata Jr. |
| James L. Sayre | Des Moines, IA | Richard N. Winders |
| Michael L. Shea | Denver, CO | Maurice G. Knaizer |
| William Silverman | Washington, DC | Kenneth David Salomon |
| Gregory Dye Smith | Nashville, TN | William R. Willis Jr |
| Helmut E. Soika | New York, NY | Martin Joseph Feely |
| Marvin E. Stepson Jr. | Norman, OK | F. Browning Pipestem |
| Edward H. Stopher | Louisville, KY | Frank P. Doheny Jr. |
| David Carey Stratton | Pikeville, KY | Henry D. Stratton |
| Randall B. Strong | Baytown, TX | Roy L. Fuller |
| Peter Gordon Thompson | Washington, DC | Lee Jay Levine |
| C. Tab Turner | Little Rock, AR | Otis Hawes Turner |
| Peter Tyson VanDyke | Oklahoma City, OK | William D. Curlee |
| Douglas Veith | Bellevue, NE | James Robert Welsh |
| Timothy James Mathew Walk | St. Louis, MO | Howard Paperner |
| Justina MaBelle Wasicek | Harrisburg, PA | Thomas Y. Au |
| James Lawrence Watts | Newport Beach, CA | Jeremiah S. Buckley |
| James Douglas Wellington | Morristown, NJ | Thomas J. Bitar |
| Susan Mary Williams | Albuquerque, NM | W. Richard West Jr. |
| Joseph Douglas Wilson | Washington, DC | William C. Bryson |
| Terry M. Word | Albuquerque, NM | Ronald Calvin Morgan |
| George E. Yokitis | Pittsburgh, PA | Michael Yukevich Jr. |
| Richard John Zanassi | San Francisco, CA | Truitt A. Richey Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|---------------------|
| Michael J. Zavatsky | Cincinnati, OH | Lawrence D. Walker |
| Kenneth Winston Starr | Washington, DC | Donald Belton Starr |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|----------------|
| Gary John Gasper | Washington, DC | Rex E. Lee |
| Patrick Scott Casey | Chicago, IL | Rex E. Lee |
| Elizabeth Henderson Esty | Washington, DC | Rex E. Lee |
| Richard Brian Dagen | Washington, DC | Rex E. Lee |
| Jean Ann Maneke | Kansas City, MO | Lee Jay Levine |
| Rebecca B. Ransom | McLean, VA | David G. Lane |
| Gary Robert Portner Allen | Alexandria, VA | David G. Lane |

ORAL ARGUMENTS

No. 87-1428. Patricia A. Lorance, et al., Petitioners *v.* AT&T Technologies, Inc., et al. Argued by Mr. Barry L. Goldstein for the petitioners, by Mr. Charles A. Shanor for the United States and Equal Employment Opportunity Commission as *amici curiae*, supporting petitioners by special leave of Court, and by Mr. David W. Carpenter for the respondents.

No. 87-2127. American Foreign Service Association, et al., Appellants *v.* Steven Garfinkel, Director, Information Security Oversight Office, et al. Argued by Ms. Patti A. Goldman for the appellants and by Mr. Edwin S. Kneedler for the appellees.

No. 88-10. Harte-Hanks Communications, Inc., Petitioner *v.* Daniel Connaughton. Argued by Mr. Lee Levine for the petitioner and by Mr. John A. Lloyd, Jr., for the respondent.

No. 88-40. United States, Petitioner *v.* Frank S. Zolin, et al. Argued by Mr. Alan I. Horowitz for the petitioner and by Mr. Michael Lee Hertzberg for the respondents.

Adjourned until tomorrow at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-1555. Samuel K. Skinner, Secretary of Transportation, et al., Petitioners *v.* Railway Labor Executives' Association, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Kennedy. Opinion by Justice Stevens concurring in part and concurring in the judgment. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 86-1879. National Treasury Employees Union, et al., Petitioners *v.* William Von Raab, Commissioner, United States Customs Service. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed in part, vacated in part and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Kennedy. Dissenting opinion by Justice Marshall with whom Justice Brennan joins. Dissenting opinion by Justice Scalia with whom Justice Stevens joins.

No. 87-248. Georgia Brower, Individually and as Administrator of the Estate of William James Caldwell (Brower), Deceased, et al., Petitioners *v.* County of Inyo, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Scalia. Opinion by Justice Stevens concurring in the judgment with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

No. 87-996. Coit Independence Joint Venture, Petitioner *v.* Federal Savings and Loan Insurance Corporation, as Receiver of FirstSouth, F.A. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice O'Connor. Opinion by Justice Blackmun concurring in part and concurring in the judgment. Opinion by Justice Scalia concurring in part and concurring in the judgment.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-------------------------|----------------------------|
| Jack M. Kress | Saratoga Springs, NY | Judge Loren Allen Smith |
| Karen Rampy Wise | Dallas, TX | Dolena T. Westergard |
| Donald A. Gallagher, Jr. | Eugene, OR | Douglas Ross |
| T. Michael Christian | Lancaster, OH | Herbert N. Harmon |

ORAL ARGUMENTS

No. 87-1729. Caplin & Drysale, Chartered, Petitioner *v.* United States. Argued by Mr. Peter Van N. Lockwood for the petitioner and by Acting Solicitor General William C. Bryson for the respondent.

No. 88-454. United States, Petitioner *v.* Peter Monsanto. Argued by Mr. Edward M. Chikofsky for the respondent and by Acting Solicitor General William C. Bryson for the petitioner.

No. 87-329. The Florida Star, Appellant *v.* B. J. F. Argued by Mr. George K. Rahdert for the appellant and by Mr. Joel D. Eaton for the appellee.

No. 88-155. Texas, Petitioner *v.* Gregory Lee Johnson. Argued by Ms. Kathi Alyce Drew for the petitioner and by Mr. William M. Kunstler for the respondent.

Adjourned until tomorrow at 10 o'clock.

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No. 88-6857. Leon Rutherford King, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections; and

No. 88-6861. Leon R. King, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. The applications for stay of execution of sentence of death presented to Justice White and by him referred to the Court are denied. The petition for a writ of certiorari in No. 88-6857 to the Court of Criminal Appeals of Texas is denied. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Justice Blackmun and Justice Stevens would grant the application for stay in No. A-758 (88-6861).

No. 88-6863. Leon Rutherford King, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of sentence of death presented to Justice White and by him referred to the Court is denied. The petition for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-1168. Commissioner of Internal Revenue, Petitioner *v.* Donald E. Clark, et ux. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Justice Stevens. Justice Scalia joins in all but Part III of this opinion. Dissenting opinion by Justice White.

No. 87-1379. United States Department of Justice, et al., Petitioners *v.* Reporters Committee for Freedom of the Press, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens. Opinion by Justice Blackmun concurring in the judgment with whom Justice Brennan joins.

No. 87-6431. Wayne T. Schmuck, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Justice Blackmun. Dissenting opinion by Justice Scalia with whom Justice Brennan, Justice Marshall and Justice O'Connor join.

No. 87-1022. Board of Estimate of City of New York, et al., Appellants *v.* Beverly Morris, et al.; and

No. 87-1112. Frank V. Ponterio, Appellant *v.* Beverly Morris, Joy Clarke Holmes and Joanne Oplustil. Appeals from the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Justice White. Opinion by Justice Blackmun concurring in part and concurring in the judgment. Concurring opinion by Justice Brennan with whom Justice Stevens joins.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------|-----------------------|------------------------------|
| Michael P. Murphy | Washington, DC | Robert Edward Patterson |
| Daniel Cramer Brown | Tallahassee, FL | Joseph C. Mellichamp, III |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|---------------------------------|
| Martha A. Geer | Raleigh, NC | Joseph Drew Sasser |
| Bjarne Rachstang Henderson | Alexandria, VA | Daniel Merrill Replogle, III |
| Robert Cravens Margo | Oklahoma City, OK | Douglas J. Colton |
| Chester Joseph Kleinman | Baltimore, MD | Richard Paul Theis |

ORAL ARGUMENTS

No. 87-1956. Anthony M. Frank, Postmaster General of the United States, et al., Appellants *v.* Minnesota Newspaper Association, Inc. Argued by Mr. Paul J. Larkin, Jr., for the appellants and by Mr. P. Cameron DeVore for the appellee.

No. 87-7023. Tyrone Victor Hardin, Petitioner *v.* Dennis Straub. Argued by Mr. Douglas Ryan Mullkoff for the petitioner and by Mr. Louis J. Caruso for the respondent.

No. 88-411. Edward W. Murray, Director, Virginia Department of Corrections, et al., Petitioners *v.* Joseph M. Giarratano, Johnny Watkins, Jr., and Richard T. Boggs, et al. Argued by Mr. Robert Q. Harris for the petitioners and by Mr. Gerald T. Zerkin for the respondents.

No. 88-192. McKesson Corporation, Petitioner *v.* Division of Alcoholic Beverages and Tobacco, Department of Business Regulation of Florida, et al.; and

No. 88-325. American Trucking Associations, Inc., et al., Petitioners *v.* Maurice Smith, Director, Arkansas Highway and Transportation Department, et al. Argued by Mr. Andrew L. Frey for the petitioners in No. 88-325, by Mr. David G. Robertson for the petitioner in No. 88-192, by Mr. H. Bartow Farr, III, for the respondents in 88-192, and by Mr. A. Raymond Randolph for the respondents in 88-325.

Adjourned until Monday, March 27, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Justice Brennan is not present today due to a death in his family. He will participate in the decision of the cases argued today on the basis of the briefs and transcripts of argument."

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEAL—SUMMARY DISPOSITION

No. 88-1011. James D. Harman, et al., Appellants v. Elizabeth Dole, Secretary of Labor, et al. Appeal from the United States Court of Appeals for the Third Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

ORDERS IN PENDING CASES

No. ——. James McConico, Jr., Petitioner v. Polly Conradi. The motion to direct the Clerk to file a petition for writ of certiorari, out-of-time, is denied.

No. D-746. In the Matter of Disbarment of John Leroy Lindquist. Disbarment order entered.

No. D-748. In the Matter of Disbarment of Marvin Juron. Disbarment order entered.

No. D-753. In the Matter of Disbarment of Frank Reaves, Jr. Disbarment order entered.

No. D-754. In the Matter of Disbarment of Richard Hartman. Disbarment order entered.

No. D-756. In the Matter of Disbarment of Patrick Clark McClurkin. Disbarment order entered.

No. D-758. In the Matter of Disbarment of Mark A. Silverman. Disbarment order entered.

No. D-759. In the Matter of Disbarment of Robert Thomas Hartmann. Disbarment order entered.

No. D-764. In the Matter of Disbarment of Thomas Pryor Smith. Disbarment order entered.

No. 88-6494. Curtis L. Wrenn, Petitioner *v.* Lawrence P. Benson, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until April 17, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6497. Curtis L. Wrenn, Petitioner *v.* Department of Mental Health of Ohio. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until April 17, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6533. Frederick C. Fermin, Petitioner *v.* Commodity Futures Trading Commission, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until April 17, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

APPEAL—JURISDICTION NOTED

No. 88-926. North Dakota, et al., Appellants *v.* United States. Appeal from the United States Court of Appeals for the Eighth Circuit. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-6222. Scott Wayne Blystone, Petitioner *v.* Pennsylvania. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari to the Supreme Court of Pennsylvania, Western District, are granted limited to Question II presented by the petition.

CERTIORARI DENIED

No. 88-1038. Dikran Berberian, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1109. CBC, Inc., Petitioner *v.* Board of Governors of the Federal Reserve System. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1155. Crown Life Insurance Company, Petitioner *v.* Gerald Grimes, Insurance Commissioner of Oklahoma, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1272. H.K. Porter Company, Inc., Petitioner *v.* United Steelworkers of America, AFL-CIO-CLC, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1273. Aaron Aronov, Petitioner *v.* Secretary of Revenue, North Carolina Department of Revenue. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 88-1274. Rolf Larsen, Petitioner *v.* Philadelphia Newspapers, Inc., et al. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-1280. Pennsylvania Independent Petroleum Producers, Petitioner *v.* Pennsylvania Department of Environmental Resources, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 88-1286. Larry Henry Carter, et al., Petitioners *v.* Broadlawns Medical Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1288. Richard Petty, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Richland County, denied.

No. 88-1289. George W. Howe, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-1291. William F. Gregory, et al., Petitioners *v.* Popeye's Famous Fried Chicken & Biscuits, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1292. Clovis Beeding, Petitioner *v.* Thomas K. Miller. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 88-1297. Marvin Glick and Baum, Glick & Wertheimer, Petitioners *v.* Basil Georges, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1303. Billy Gunn Brown, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 88-1306. Eric Krivanek, Petitioner *v.* Mad River Valley Health Center, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1343. Charles F. Darlington, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1373. American Bicycle Company, Inc., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1391. James Avis, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-1408. Joseph Lovett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5994. Victoria Vamos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6053. John Willie Moses, Petitioner *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-6098. Iris Thomas, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-6161. Jose Luis Cantu, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6363. Walter Evans, Jr., Petitioner *v.* Louis W. Sullivan, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6375. Robert James Tafoya, Petitioner *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 88-6388. Charles Edward Curry, Petitioner *v.* Randall G. Barrett, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6466. John William Brown, Petitioner *v.* Missouri, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6467. Lacey Sivak, Petitioner *v.* Al I. Murphy, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6474. Jose L. Valdez, Petitioner *v.* E. R. Myers, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6475. Kenneth Gregory Thompson, Jr., Petitioner *v.* Arthur Velasquez, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6476. Ernie Lee Hoch, Petitioner *v.* Montana. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 88-6479. David L. Carr, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 88-6485. William T. Boland, Jr., Petitioner *v.* John J. Rafferty, Superintendent, New Jersey State Prison at Rahway, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6491. J. T. Garner, Petitioner *v.* Kansas. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 88-6500. Wayne Raymond Messinger, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-6503. Lawrence Minton, Petitioner *v.* Sheet Metal Workers Local Union No. 54, AFL-CIO, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6504. Juan L. Steward, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6506. William R. Cox, Petitioner *v.* Sheriff of Pine County, Minnesota. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 88-6508. Weldon Fells, Petitioner *v.* Thomas A. Fulcomer, Superintendent, State Correctional Institution at Huntingdon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6529. Roger Johnson, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-6535. Esther Leibowitz, Petitioner *v.* Massachusetts, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6536. Michael D. Tempel, Petitioner *v.* Alaska, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6544. William Jay Robbins, Petitioner *v.* Gerald L. Cook, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6552. Linda Anne Cunningham, Petitioner *v.* Department of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6554. Jeffrey Robbins, et ux., Petitioners *v.* City of Auburn, Maine. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 88-6555. William L. Church, Petitioner *v.* Thomas V. Warren, III, Judge, Circuit Court of Virginia, Amelia County. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-6646. Roosevelt Theodore Becton, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6647. C. S. Gowney, Petitioner *v.* J. Gowney, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6676. Darryl Burns, Petitioner *v.* Eddie Nagle, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6694. Weatheries Townsend, Petitioner *v.* Al Parke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6699. Gilbert Martinez-Jimenez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6704. Lascell William Simmons, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6709. Jessie Smith, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6861. Leon Rutherford King, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-989. Florida, Petitioner *v.* Clark A. Caplan. Petition for writ of certiorari to the Supreme Court of Florida denied. Justice White and Justice Blackmun would grant certiorari.

No. 88-1153. W. W. Rodgers and Sons Produce, Inc., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice White would grant certiorari limited to Question 1 presented by the petition.

No. 88-1283. H. Gary Wells, Warden, Petitioner *v.* Gregory Lent. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1299. Kristine M. Gebbie, Assistant Director, Human Resources, etc., Petitioner *v.* William J. Brady. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White would grant certiorari limited to Questions 1 and 2 presented by the petition.

No. 88-6273. Floyd Richardson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6489. Russell Coleman, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6493. David Lee Starr, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6501. Roy Swafford, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6652. Robert J. Van Hook, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6635. Harold Glenn Williams, Petitioner *v.* Ralph Kemp, Warden. The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. The petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is dismissed for want of jurisdiction. Dissenting statement by Justice Brennan and Justice Marshall.

PROHIBITION DENIED

No. 88-6537. In Re Jackson Holmes, Petitioner. The petition for writ of prohibition is denied.

REHEARINGS DENIED

No. 88-6095. Carl Cortez, Petitioner *v.* Royce Elaine Price, et al.;

No. 88-6145. James L. Martin, Petitioner *v.* Rowland Shank, et al.;

No. 88-6146. James M. Diamond, Petitioner *v.* Disciplinary Counsel, etc., et al.; and

No. 88-6210. Earl Eugene Box, Petitioner *v.* George Petsock, Superintendent, State Correctional Institution and Diagnostic (and Classification Center) at Pittsburgh, et al. The petitions for rehearing are denied.

No. 88-6044. Wayne Rogers, Petitioner *v.* Illinois. The motion for leave to file a petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from Monday, April 3, 1989 until Monday, April 17, 1989.

MOTIONS FOR ADMISSION

The written motions for admission of the following lawyers to the Bar of this Court are granted.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------|-----------------------|-------------------------|
| M. Nan Alessandra | New Orleans, LA | Harry A. Rosenberg |
| William Fred Amideo | Atlanta, GA | Michael J. Bowers |
| George J. Annas | Boston, MA | Gerald Conrad Rovner |
| David Bruce Barker | Las Vegas, NV | James Joseph Miller |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|-------------------------|
| Marilyn Schneck Blimline | Baltimore, MD | David Benjamin Mitchell |
| W. Lloyd Bowers | New Orleans, LA | Lawrence D. Wiedemann |
| Michael A. Braun | Chicago, IL | George B. Collins |
| James Alan Burns Jr. | Chicago, IL | Michael Howard King |
| Robert William Byrne | Hackensack, NJ | Sylvan G. Rothenberg |
| Myron N. Chastain | Atlanta, GA | Edwin Marger |
| Miles Paul Clements | New Orleans, LA | Michael Anthony McGlone |
| Allen E. Daubman | Omaha, NE | James L. Koley |
| Harwell G. Davis III | Birmingham, AL | Robert Joe McLean |
| Renee D. Dowling | St. Croix, VI | Albert Augustus Sheen |
| Scott Michael Dressler | Ft. Lauderdale, FL | James R. Parks |
| Ellen A. Efros | Washington, DC | Fritz R. Kahn |
| Edward Francis Fox | St. Paul, MN | Eugene M. Warlich |
| Lawrence Carl Friedman | St. Louis, MO | William Grant Guerri |
| Wyckliffe S. G. Furcron | Red Bank, NJ | Mark Laurence Sucher |
| Mark Granzotto | Detroit, MI | Arthur J. Tarnow |
| James J. Greenfield | Philadelphia, PA | Bruce W. Kauffman |
| Emmitte H. Griggs | Macon, GA | Joseph Hiram Chambless |
| Terry Grimble | Tucson, AZ | Dennis DeConcini |
| Robert Bernard Harwood Jr. | Tuscaloosa, AL | Sam M. Phelps |
| Michael Damon Hayes | Chicago, IL | Paul Thaddeus Fox |
| Barry R. Hillmyer | Fort Myers, FL | George O. Kluttz |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|------------------------------|
| Terrell T. Horne | Sumter, SC | Howard Pickett King |
| Thomas Ray Jackson | Dallas, TX | William Earl Marple |
| Robert T. Johnson | Bronx, NY | Richard Harvey Mangum |
| Kathryn Lawrie Kafka | Seattle, WA | Daniel J. Radin |
| Elliott Neil Kanter | San Diego, CA | James Marshall Gattey |
| David Katz | Phoenix, AZ | Jeremy Edward Butler |
| Eckley Martin Keach | Las Vegas, NV | Oscar Baylin Goodman |
| Kerry Lee Kester | Lincoln, NE | Gary Bruce Schneider |
| Trevor A. Kiessling Jr. | Glen Burnie, MD | Richard Lee May |
| Raymond Alan Kurz | Washington, DC | Gideon Franklin Rothwell IV |
| John Wesley Liebold | Columbus, OH | Harold Dewolf Paddock III |
| Elliott J. Mhler | Boston, MA | Judith Ashton |
| Thomas Estes Maxwell | Birmingham, AL | Lewis Daniel Turberville Jr. |
| Michael L. May | Glen Burnie, MD | Richard Lee May |
| Terence R. McAuliffe | Washington, DC | Eleanor Holmes Norton |
| Michael E. McCue | Dallas, TX | Charles William Blau |
| Stephen E. Milazzo | Secaucus, NJ | Gregory J. Castano |
| George K. Miller Jr. | Atlantic City, NJ | James E. Isman |
| Cynthia Leigh Moore | Washington, DC | Sarah Collins Carey |
| william Grady Morris | Marco Island, FL | Joseph Lewis Howard Jr. |
| Nathan Benjamin Myers | Chicago, IL | Lowell J. Myers |
| Frederick L. Nagle Jr. | Haverhill, MA | Anthony J. DiPerna |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|------------------------|----------------------------------|
| James Peter Nellis | Detroit, MI | Roger John La Rose |
| Charles Hilliard O'Banion | Washington, DC | Alphonso Walter Pendergrass |
| Sarah Alicia O'Reilly-Evans | Jackson, MS | Timmie Hancock |
| Barbara E. Otten | New York, NY | Eve W. Paul |
| Larry Curtis Pace | Kansas City, MO | Harold L. Caskey |
| James D. Pagliaro | Philadelphia, PA | John F. Stillmun III |
| Peter Michael Panken | New York, NY | Mark Abramowitz |
| Samuel W. Panos | St. Louis, MO | Daniel P. Reardon, Jr. |
| John W. Parrott | Montreal, Quebec, | Clarence Evans Beaver |
| David Eugene Peterson | Orlando, FL | Terry C. Young |
| William Edward Pfau III | Youngstown, OH | William E. Pfau Jr. |
| Blaise Picchi | Fort Lauderdale, FL | Richard A. Purdy |
| Douglas R. Pierce | Nashville, TN | Frank S. King, Jr. |
| Gary Clinton Pierson | Oklahoma City, OK | William D. Curlee |
| Elmer Bert Pirtle Jr. | La Jolla, CA | Robert Burns |
| Jill S. Quentzel | Jersey City, NJ | Bart Quentzel |
| Robert W. Reid | Portland, OR | Andrew Neal Bates |
| Mary E. Reisert | New York, NY | Theodore Anthony Krebsbach |
| Richard J. Reisert | New York, NY | James W. Lynch |
| Kenneth Scott Resnick | Cincinnati, OH | Mark Alan Vander Laan |
| Ralph Lawrence Rickdall | Las Vegas, NV | Morton R. Galane |
| Stephen Douglas Rosenthal | Richmond, VA | Mary Sue Terry |
| Steven U. Ross | Beverly Hills, CA | Gil N. Schwartzberg |
| Joanne Rubin | Toledo, OH | Jeffrey D. Levy |
| Gregory J. Schmidt | Stillwater, MN | Edward Frederick Kautzer |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|-------------------------|
| Lewis M. Schrawyer | Spokane, WA | Carl Edward Huebr |
| George M. Schunk | Helena, MT | Robert F.W. Smith |
| Joseph Gregory Sidak | Washington, DC | Jonathan D. Blake |
| Gayle E. Slaughter | Lexington, KY | John H. Garvey |
| Steven Thomas Sloan | Athens, OH | Gerald A. Mollica |
| Thomas H. Steele | San Francisco, CA | Franklin C. Latcham |
| James Hunter Stock Jr. | Memphis, TN | Robert Michael Friedman |
| Larry J. Stroble | Indianapolis, IN | Stanley C. Fickle |
| Trevor Washington Swett III | Washington, DC | Richard E. Timbie |
| Robert C. Walbaum | Springfield, IL | Harvey B. Stephens |
| Richard Thomas Waldow | Los Angeles, CA | John K. Van de Kamp |
| Robert R. Wallace | Salt Lake City, UT | Earl F. Dorius |
| David M. Ward | Austin, TX | Delno John Grosenheider |
| Ruth Wedgwood | New Haven, CT | Burke Marshall |
| Peter R. Weisz | Atlanta, GA | John Edward Robinson |
| Robert Ambrose Wicker | Greensboro, NC | Stephen Perry Millikin |
| Richard B. Wilkinson | Oklahoma City, OK | David F. Morris |
| John Madison Williamson | Richmond, VA | Richard Carson Vorhis |
| Sue Frances Wilson | Brea, CA | Wayne Kenneth Williams |
| Barbara Wrubel | New York, NY | Sheila L. Birnbaum |
| Timothy James Young | Newport Beach, CA | Gary Stark |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|----------------------------|
| Cherry Joy Beysseance | Washington, DC | Judge George E. MacKinnon |
| Robert E. Peterson | Rochester, IN | Birch Evan Bayh Jr. |
| Peter Andjelkovich | Chicago, IL | David L. Shapiro |
| Lee Wain Zimmerman | Lake Ridge, VA | Laurent R. Hourcle |
| Georges A. Hoffmann | Atlanta, GA | Jean-Pierre Joseph Swennen |
| Ann O'Malley Shake | Louisville, KY | Francis William Heft Jr. |
| James M. Shake | Louisville, KY | Francis William Heft Jr. |

ORAL ARGUMENTS

No. 88-385. Ofelia Rodriguez de Quijas, et al., Petitioners *v.* Shearson/American Express, Inc., etc. Argued by Mr. Denis A. Downey for the petitioners and by Mr. Theodore A. Krebsback for the respondent.

No. 88-357. Norm Maleng, etc., et al., Petitioners *v.* Mark Edwin Cook. Argued by Mr. Kenneth O. Eikenberry for the petitioners and by Mr. John B. Midgley for the respondent.

No. 87-6026. Heath A. Wilkins, Petitioner *v.* Missouri. Argued by Ms. Nancy A. McKerrow for the petitioner and by Mr. John M. Morris, III, for the respondent.

No. 87-5765. Kevin N. Stanford, Petitioner *v.* Kentucky. Argued by Mr. Frank W. Heft, Jr., for the petitioner and by Mr. Frederic J. Cowan for the respondent.

Adjourned until tomorrow at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Justice Brennan is not present today due to a death in his family. He will participate in the decision of the cases argued today on the basis of the briefs and transcripts of argument."

OPINIONS

No. 87-1020. Paul S. Davis, Appellant *v.* Michigan Department of Treasury. Appeal from the Court of Appeals of Michigan. Judgment reversed and case remanded to the Court of Appeal for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Kennedy. Dissenting opinion by Justice Stevens.

No. 87-1905. Midland Asphalt Corporation and Albert C. Litteer, Petitioners *v.* United States. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Justice Scalia.

No. 87-1759. Texas State Teachers Association, et al., Petitioners *v.* Garland Independent School District, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further determination of a reasonable attorney's fee consistent with the principles established by our decision in *Hensley v. Eckerhart*, 461 U.S. 424 (1983). Opinion by Justice O'Connor.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|---------------------|
| Jacquelin F. Davis | Columbus, OH | Andrew Ian Sutter |
| Ben Wesley Niedecken Jr. | Dallas, TX | Leonard J. Schwartz |

ORAL ARGUMENTS

No. 87-2084. Norman Jett, Petitioner *v.* Dallas Independent School District; and

No. 88-214. Dallas Independent School District, Petitioner *v.* Norman Jett. Argued by Mr. Frank M. Gilstrap for the petitioner in No. 87-2084 and the respondent in No. 88-214, and by Mr. Leonard J. Schwartz for the respondent in No. 87-2084 and the petitioner in No. 88-214.

No. 88-305. South Carolina, Petitioner *v.* Demetrius Gathers. Argued by Mr. Donald J. Zelenka for the petitioner and by Mr. William Isaac Diggs for the respondent.

No. 88-449. John F. Healy, et al., Appellants *v.* The Beer Institute, et al.; and

No. 88-513. Wine and Spirits Wholesalers of Connecticut, Inc., Appellants *v.* The Beer Institute, et al. Argued by Mr. Robert F. Vacchelli for the appellants and by Mr. Jeffrey Ives Glekel for the appellees.

No. 88-389. Public Employees Retirement System of Ohio, Appellant *v.* June M. Betts. Argued by Mr. Andrew Ian Sutter for the appellant, by Mr. Robert F. Laufman for the appellee, and by Mr. Christopher J. Wright for the Equal Employment Opportunity Commission as *amicus curiae* supporting the appellee, by special leave of Court.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Justice Brennan is not present today due to a death in his family. He will participate in the decision of the cases argued today on the basis of the briefs and transcripts of argument."

OPINIONS

No. 87-1945. William A. Frazee, Appellant *v.* Illinois Department of Employment Security, et al. Appeal from the Appellate Court of Illinois, Third District. Judgment reversed and case remanded to the Appellate Court of Illinois for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice White.

No. 87-1104. Walter Zant, Warden, Petitioner *v.* William Neal Moore. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Teague v. Lane*, 489 U.S. — (1989). Opinion *per curiam* announced by the Chief Justice. Concurring opinion by Justice Brennan. Dissenting opinion by Justice Blackmun.

No. 88-266. Oklahoma Tax Commission, Petitioner *v.* Jan Graham, et al. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment reversed. Opinion *per curiam* announced by the Chief Justice.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|-------------------------|
| David Brian Groce | Dallas, TX | Kevin David McDonald |
| Michael Allen Schoening | Indianapolis, IN | Robert Steven Spear |

ORAL ARGUMENTS

No. 88-293. Community for Creative Non-Violence, et al., Petitioners *v.* James Earl Reid. Argued by Mr. Robert Alan Garrett for the

petitioners, by Mr. Joshua Kaufman for the respondent, and by Mr. Lawrence S. Robbins for the Register of Copyrights as *amicus curiae* supporting respondent, by special leave of Court.

No. 88-317. Jack R. Duckworth, Petitioner *v.* Gary James Eagan. Argued by Mr. David Michael Wallman for the petitioner, by Mr. Michael R. Lazerwitz for the United States as *amicus curiae* supporting petitioner, by special leave of Court, and by Mr. Howard B. Eisenberg for the respondent.

No. 87-1589. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association; and

No. 87-1888. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al. One and one-half hours allowed for oral argument. Argued by Mr. Richard L. Wyatt, Jr., for the petitioner, by Mr. Jeffrey P. Minear for the United States as *amicus curiae*, by special leave of Court, and by Mr. John O'B. Clarke, Jr., for the respondents.

Adjourned until Monday, April 3, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEALS—SUMMARY DISPOSITION

No. 87-2118. Alexander M. Rojas, et al., Appellants *v.* Victoria Independent School District, et al. Appeal from the United States District Court for the Southern District of Texas. The judgment is affirmed. Justice White and Justice Scalia would note probable jurisdiction and set the case for oral argument.

No. 88-1340. Charles F. Wishart, et ux., Appellants *v.* Leslie M. Bates and Randall A. Bates. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

CERTIORARI—SUMMARY DISPOSITION

No. 87-255. Magd E. Zohdi, et al., Petitioners *v.* Federal Savings and Loan Insurance Corporation, as Receiver of Sun Belt Federal Bank, F. S. B., et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Coit Independence Joint Venture v. Federal Savings and Loan Insurance Corporation*, 489 U.S. — (1989).

No. 87-1706. Andrew E. Jenkins, Superintendent of Schools, et al., Petitioners *v.* Juanita M. Jones. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the District of Columbia Circuit for further consideration in light of *Skinner v. Railway Labor Executives' Association*, 489 U.S. — (1989) and *National Treasury Employees Union v. Von Raab*, 489 U.S. — (1989). Justice Stevens would deny certiorari.

No. 88-557. Michigan, Petitioner *v.* Reginald D. Leigh. On petition for writ of certiorari to the Court of Appeals of Michigan. The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeals of Michigan for further consideration in light of *Arizona v. Youngblood*, 488 U.S. — (1989). Justice Stevens would deny certiorari.

No. 88-1121. Stephen G. Bradley, Sr., Stephen M. Bradley, Jr., Regina Bradley and Timothy Buckley, Petitioners *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of the position presently asserted by the Acting Solicitor General in the Brief for the United States filed March 8, 1989. The Chief Justice, Justice White, Justice Scalia and Justice Kennedy would deny certiorari.

No. 88-1350. Frederick Smith, Individually, and as Principal, Bradford Area High School, et al., Petitioners *v.* Judy Grove Sowers. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *DeShaney v. Winnebago County Department of Social Services*, 489 U.S. — (1989).

ORDERS IN PENDING CASES

No. A-761. Miguel A. Gargallo, Applicant *v.* Quick & Reilly Clearing, et al. The application for stay addressed to Justice Blackmun and referred to the Court is denied.

No. 87-1965. Marcus C. Zinermon, et al., Petitioners *v.* Darrell E. Burch. The motion of petitioners to dispense with printing the joint appendix is granted.

No. 88-309. Wyoming, Petitioner *v.* United States, et al. The motion of the Acting Solicitor General for divided argument is granted.

No. 88-412. Martin W. Hoffman, Trustee, Petitioner *v.* Connecticut Department of Income Maintenance, et al. The motion of the Acting Solicitor General for divided argument is granted.

No. 88-599. Washington, et al., Petitioners *v.* Walter Harper. The motion for appointment of counsel is granted and it is ordered that

Brian Reed Phillips, Esquire, of Everett, Washington, is appointed to serve as counsel for the respondent in this case.

No. 88-605. William L. Webster, Attorney General of Missouri, et al., Appellants *v.* Reproductive Health Services, et al. The motion of Robert Packwood, et al. for leave to participate in oral argument as *amici curiae*, for divided argument and for additional time for oral argument is denied.

No. 88-5890. In Re Jessie McDonald, Petitioner. The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

CERTIORARI GRANTED

No. 88-931. Lawrence H. Crandon, et al, Petitioners *v.* United States; and

No. 88-938. Boeing Company, Inc., Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit are granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-1182. Baltimore City Department of Social Services, Petitioner *v.* Jacqueline Bouknight; and

No. 88-6651. Maurice M., Petitioner *v.* Jacqueline Bouknight. The motion of respondent Jacqueline Bouknight for leave to proceed *in forma pauperis* is granted. The petitions for writs of certiorari to the Court of Appeals of Maryland are granted limited to the following questions:

1. Does a court order directing a parent to produce her previously abused infant son compel incriminating testimony in violation of the parent's Fifth Amendment privilege against self-incrimination?

2. Even if the Fifth Amendment privilege is implicated by a court order to produce a child, is the privilege overcome by the important societal interest in protecting children in jeopardy of serious injury?

The cases are consolidated and a total of one hour is allotted for oral argument.

CERTIORARI DENIED

No. 87-452. Federal Savings and Loan Insurance Corporation, etc., Petitioner *v.* Murdock-SC Associates, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-66. James B. Copeland, Petitioner *v.* Philadelphia Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-250. Michael Lazar, Petitioner *v.* United States; and

No. 88-278. Stanley Friedman, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-645. Ron Alverado, et al., Petitioners *v.* Washington Public Power Supply System, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 88-659. Federal Savings and Loan Insurance Corporation, as Receiver of Empire Savings and Loan Association, Petitioner *v.* Glen Ridge I Condominiums, Ltd., et al. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 88-706. Policemen's Benevolent Association of New Jersey, Local 318, et al., Petitioners *v.* Township of Washington, New Jersey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-732. Harry B. Helmsley, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-888. John M. Poindexter, Oliver L. North and Albert Hakim, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1049. Grange Insurance Association, Petitioner *v.* Washington, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 88-1055. Michael E. Yeager, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-1072. Tennessee, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1119. Messiah Baptist Church, et al., Petitioners *v.* Jefferson County, Colorado, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1144. Penthouse International, Ltd., et al., Petitioners *v.* Dominion Federal Savings & Loan Association, et al.; and

No. 88-1339. Dominion Federal Savings & Loan Association, Petitioner *v.* Penthouse International, Ltd., et al. Petitions for writs of cer-

tiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1160. C.F. Cornelius, Personal Representative, Estate of John McDonald, Deceased, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1161. James John Dornhofer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1166. Darrell I. Lowe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1170. Boise-Kuna Irrigation District, et al., Petitioners *v.* United States, et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 88-1173. William Perry Pendley, Administrator of the Estate of Leon H. Cassutt, deceased, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1187. Ernest Winkler, et al., Petitioners *v.* Joseph E. Spinnato, etc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-1253. Salvatore T. "Sam" Busacca, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1310. Calvin Brent, Petitioner *v.* National Railroad Passenger Corporation, dba Amtrak, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1311. Allstate Insurance Company, Petitioner *v.* Ken Bourland, Individually and as Administrator of the Estate of Jodi Bourland. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 88-1313. Pradip Ghosh, Petitioner *v.* Ohio University, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1315. Kathleen Johnson Wu, Petitioner *v.* Board of Trustees of the University of Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1316. Compressed Gas Corporation, Petitioner *v.* United States Steel Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1320. Alan Gregory M.L.V. Wonderwheel, et al., Petitioners *v.* Velda G. Brady, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-1322. City of Whittier, California, Petitioner *v.* Walnut Properties, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1325. Paxson Electric Company, et al., Petitioners *v.* United States; and

No. 88-1328. Dynalectric Company and G.W. Walther Ewalt, Petitioners *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1330. Getty Petroleum Corp., Petitioner *v.* Salem Heat and Petroleum Corp., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1332. Constantine John Gekas, Trustee of Met-L-Wood Corporation, Petitioner *v.* Frederick L. Pipin, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1333. Nancy Robinson, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Harrisburg Office, denied.

No. 88-1335. Getty Petroleum Corp., Petitioner *v.* Bartco Petroleum Corp., Nicholas J. Bartolomeo and Anthony Golio. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1337. Herman Soifer, Petitioner *v.* Bankers Trust Company, et al.; and

No. 88-1351. Daniel Rhoades and Milton Braten, Petitioners *v.* Bankers Trust Company, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1341. San Fernando Valley Neighborhood Legal Services, Inc., as Counsel for Vernice Dubose, et al., Petitioners *v.* Jack Kemp, Secretary of Housing and Urban Development, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1356. James N. Constant, Petitioner *v.* Advanced Micro-Devices, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1390. Samuel R. Lowery, Petitioner *v.* Catherine June Lowery. Petition for writ of certiorari to the Court of Appeals of Ohio, Sandusky County, denied.

No. 88-1405. Billy Gunn Brown, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 88-1410. Robert J. Kondrat, Petitioner *v.* Thomas J. Moyer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1413. William A. Fitzgerald, Petitioner *v.* Louis W. Sullivan, Secretary, United States Department of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1422. Louis E. Wolfson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1429. Clayton E. DeVoe, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1442. Walter J. Nally, et ux., Petitioners *v.* Grace Community Church of the Valley, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-1443. Edwin S. Billhimer, Petitioner *v.* Maryland Administrative Board of Election Laws. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 88-1487. Glen Rogers, Petitioner *v.* First National Bank of Peoria, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1489. Joseph T. Wolpert, III, et ux, individually and Guardians of Joseph T. Wolpert, IV, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6204. John M. Branion, Jr., Petitioner *v.* Richard B. Gramly, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6211. Frederick Eugene Streater, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6401. James L. Martin, Petitioner *v.* Commonwealth National Bank, et al. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-6457. Gregory Smith, Petitioner *v.* James W. Fairman, Jr., Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6511. Calvin Orin Wright, Petitioner *v.* Joseph B. Bogan, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6520. Michael W. Poling, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 88-6527. Marvin Ray Erickson, Petitioner *v.* Robert A. Erickson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6532. Paul Allan Larson, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-6539. Arthur Brennan Malloy, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-6540. Ray Donald Pratt, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-6541. James Howell Hensley, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 88-6543. Merlyn Yagow, Petitioner *v.* Edward H. Melroe, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6547. William L. Leonard, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 88-6548. Clarence Wilson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-6549. Mohammed Tajudeen Kuku, Petitioner *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6550. James Francis Shuster, Petitioner *v.* Bob Martinez, Governor of Florida, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-6553. Donald Nolls, Petitioner *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 88-6557. Cynthia Mae Marshall, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Western District, denied.

No. 88-6560. Curtis Henderson, Petitioner *v.* James Greer, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6564. George Holguin, Petitioner *v.* Donald Dorsey, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6571. Leeann V. Hillman, Petitioner *v.* City of Spokane. Petition for writ of certiorari to the Superior Court of Washington, Spokane County, denied.

No. 88-6575. Burton R. Landes, Petitioner *v.* Paul Yost, Commandant, United States Coast Guard. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6590. Sherman S. Weber, Petitioner *v.* State Bar of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-6591. Kenneth Wayne Woodfin, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-6592. Frank E. Pennock, Petitioner *v.* Arthur F. Schultz Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6593. Irene Petrarca, Petitioner *v.* Romeo S. Picerene, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6594. Donald R. Maghe, Petitioner *v.* Ted Wallman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6596. Joseph C. Wood, Petitioner *v.* Veterans Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6599. Robert L. Mason, Petitioner *v.* Al Parke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6601. William Clem, Petitioner *v.* County of San Diego, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6606. Elton Floyd Mizell, Petitioner *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-6607. Larry Donnell McShan, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6637. Edwin Christman Dawn, et ux., Petitioners *v.* Danny Richmond, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6643. Patrick M. Johns, Petitioner *v.* Department of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6648. John Richard David Mazak, Petitioner *v.* Richard H. Rison, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6661. Steven Thornberg, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6663. John Lester Harris, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6672. Wayne S. Donald, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-6679. Tracy Fuller, Petitioner *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6681. Brendan Manning, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6703. Hashim A. Batin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6705. Kakio Sugiyama, Petitioner *v.* Territory of Guam. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6707. John P. Bogden, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6708. Henry Velasco, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6710. Anthony M. Laurenco, Petitioner *v.* Louis W. Sullivan, Secretary, Department of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6712. Charles E. Yarborough, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-6715. Richard Johnson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6724. Harold Amyx, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Hamilton County, denied.

No. 88-6727. Richard Clarence Cooksley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6739. Carl Sutton, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6741. Wayne Bert Haile, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6757. Rowland Lovingood, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6775. Alice E. Braxton, Administratrix ad Prosequendum of the Estate of Carl Braxton, and on behalf of herself, Petitioner *v.* Bernard Blanks, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6780. Herman Govan, Jr., Petitioner *v.* Workers' Compensation Appeals Board, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-833. Dominic Mariani, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice White would grant certiorari.

No. 88-1336. Francisco S. Jiminez, et al., Petitioners *v.* BP Oil, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice White would grant certiorari.

No. 88-1151. Mitsue Takahashi, Petitioner *v.* Livingston Union School District, et al. The motion of Asian Pacific American Coalition for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 88-1157. Martin Marietta Corporation, Petitioner *v.* William C. Pollard; and

No. 88-1338. William C. Pollard, Petitioner *v.* Martin Marietta Corporation. The motion of American Corporate Counsel Association for leave to file a brief as *amicus curiae* in No. 88-1157 is granted. The motion of American Bar Association for leave to file a brief as *amicus curiae* in No. 88-1157 is granted. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1324. Jack R. Duckworth, Superintendent, Indiana State Prison, et al., Petitioners *v.* McKinley Dudley. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1345. James D. Ricketts, et al., Petitioners *v.* Tracy Ray Vaughan, et al. The motion of respondents William John Cunningham and Bruce Foy Lowry for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6438. Maurice J. Keenan, Petitioner *v.* California. The petition for a writ of certiorari to the Supreme Court of California is denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 88-6093. Danny Hooks, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6318. Gregory Esparza, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6562. William H. Hance, Petitioner *v.* Walter Zant, Superintendent, Georgia Diagnostic and Classification Center at Jackson. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6577. Ernest Ulysses Morrison, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6626. James Leslie Karis, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-6855. In Re Charles Rodman Campbell, Petitioner. The application for stay of execution of sentence of death presented to Justice O'Connor and by her referred to the Court is denied. The petition for a writ of mandamus and/or prohibition is denied. Dissenting statement by Justice Brennan and Justice Marshall.

REHEARINGS DENIED

No. 87-764. Florida, Petitioner *v.* Michael A. Riley;

No. 87-6031. Michael Roman, Petitioner *v.* Robert Abrams, Attorney General of New York;

No. 88-894. John J. Reardon, et al., Petitioners *v.* John L. Miller, Judge, Superior Court of New Jersey, Chancery Division, Camden County, et al.;

No. 88-925. Alonzia Harris, et al., Petitioners *v.* Israelite Bible Class, Inc.;

No. 88-936. Reiner Schwarz, Petitioner *v.* City of Warwick, Rhode Island, et al.; and

No. 88-6167. Michael Henry Ferdik, Petitioner *v.* Samuel A. Lewis, Director, Arizona Department of Corrections, et al. The petitions for rehearing are denied.

No. 88-1050. Karen Applegate, et vir, Petitioners *v.* California, et al. The petition for rehearing and other relief is denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|----------------------------|
| Jonathan Mitcalfe Apgar | Roanoke, VA | Henry Lavinder Woodward |
| Sherly L. Auerbach | Philadelphia, PA | Bruce W. Kauffman |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-----------------------------|
| Norman Benjamin Berger | Chicago, IL | Paul Thaddeus Fox |
| Steven John Bosser | Fort Worth, TX | Marvin L. Collins |
| David Joseph Brosky | Pittsburgh, PA | Judge John G. Brosky |
| Robert V. Clark Jr. | Silver Spring, MD | Christopher Kent Mangold |
| Martha C. Dabney | Santa Fe, NM | Peter Thomas White |
| David L. Edmunds Jr. | Buffalo, NY | Judge John T. Curtin |
| James D. Eggleston Jr. | Dallas, TX | Robert D. Scoggins |
| David P. Flannigan | Bisbee, AZ | Wallace Reeve Hoggatt |
| Reginald D. Gaston | Norman, OK | Benjamin Thomas Benedum |
| Michael A. Gollin | New York, NY | Lawrence R. Sandak |
| Saul B. Goodman | Washington, DC | Brice McAddo Clagett |
| Curt Lansing Hamakawa | Hilo, HI | Arthur Douglas Wolf |
| Robert M. Hirsch | San Francisco, CA | Michael B. Roger |
| Stewart Michael Jay | Seattle, WA | Louis E. Wolcher |
| Cynthia Johnson | Miami, FL | Robert Anthony Ginsburg |
| Kevin Thomas Keena | Los Angeles, CA | James L. Michalak |
| Brian Stuart Koukoutchos | Cambridge, MA | Laurence Henry Tribe |
| Arthur G. Lash | Princeton, NJ | Richard M. Altman |
| Nicholas James Lynn | Chicago, IL | Paul Thaddeus Fox |
| Michael Gerard McCarty | Milwaukee, WI | Michael Fischer |
| Louis H. Miron | West Orange, NJ | William F. Maderer |
| Joseph Dee Morrissey | Richmond, VA | Michael Morchower |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|------------------------|---------------------------------|
| David Michael Owen | Fort Myers, FL | James G. Yaeger |
| John Christopher Person | New Orleans, LA | Wood Brown III |
| Priscilla Karen Pope | Fayetteville, AR | E. J. Ball |
| Andrew Rainer | Washington, DC | Charles R. Richey |
| Paul Robert Regensdorf | Fort Lauderdale, FL | Robert DeWitt McIntosh |
| Joseph Scott Rubin | St. Louis, MO | Edwin Bronislaw Brzezinski . |
| William Arthur Simms | Knoxville, TN | F. Michael Fitzpatrick |
| Thomas Joseph Stilling | Baltimore, MD | Hartman J. Miller |
| Gail S. Strassfeld | Boston, MA | Jeanne Baker |
| Bill L. Thompson | Ashland, MO | John M. Morris III |
| Timothy J. Touhy | Chicago, IL | Michael J. Hayes |
| Lawrence R. Trotter | Anchorage, AK | Kenneth P. Eggers |
| David F. Vedder | Daytona Beach, FL | Berrie H. Becks |
| Erich Vieth | St. Louis, MO | Gerre S. Langton |
| Frederic Marshal Wilf | Media, PA | Gerry J. Elman |
| F. Eugene Wirwahn | Vienna, VA | John Stephan Nolan |

OPINIONS

No. 87-453. Amerada Hess Corporation, et al., Appellants v. Director, Division of Taxation, New Jersey Department of the Treasury; and

No. 87-464. Texaco, Inc. and Tenneco Oil Company, Appellants v. Director, Division of Taxation, New Jersey Department of the Treasury. Appeals from the Supreme Court of New Jersey. Judgment affirmed. Opinion by Justice Blackmun. Opinion by Justice Scalia concurring in the judgment. Justice O'Connor took no part in the consideration or decision of these cases.

No. 87-980. Mississippi Band of Choctaw Indians, Appellant v. Orrey Curtiss Holyfield, et ux., J. B., Natural Mother and W. J., Natural Father. Appeal from the Supreme Court of Mississippi. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice

Brennan. Dissenting opinion by Justice Stevens with whom the Chief Justice and Justice Kennedy join.

No. 87-1865. Federal Savings and Loan Insurance Corporation, as Receiver for Manning Savings and Loan Association, Petitioner *v.* Harold J. Tickin, et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens announced by the Chief Justice.

No. 87-1295. United States, Petitioner *v.* Andrew Sokolow. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by the Chief Justice. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 87-1848. City of Dallas, et al., Petitioners *v.* Charles M. Stanglin, Individually, and dba Twilight Skating Rink. On writ of certiorari to the Court of Appeals of Texas, Fifth District. Judgment reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by the Chief Justice. Opinion by Justice Stevens concurring in the judgment with whom Justice Blackmun joins.

Adjourned until Monday, April 17, 1989 at 10 o'clock.

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ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|-----------------------------|
| Paul Martin Shimoff | San Bernardino, CA | Carlos John Moorhead |
| A. Burch Waldron III | Fort Worth, TX | Arthur Burch Waldron Jr. |
| Allen I. Young | New York, NY | G. Duane Vieth |
| Michael S. Ferguson | Worcester, MA | Edward D. Simsarian |
| Steven I. Greenwald | Boca Raton, FL | Kurt Frank Korf |
| John L. Araujo | New York, NY | Andrew S. Fisher |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|----------------------------|
| Kenneth Lawrence Aron | New York, NY | Andrew S. Fisher |
| Robert Edward Beloten | New York, NY | Andrew S. Fisher |
| Alan Jay Binger | Brooklyn, NY | Andrew S. Fisher |
| Gerardette Chionchio | New York, NY | Andrew S. Fisher |
| James Ciccone | New York, NY | Andrew S. Fisher |
| Richard P. Crossin | New York, NY | Andrew S. Fisher |
| A. H. Meaghan Crump | New York, NY | Andrew S. Fisher |
| Miriam Cyrulnik | Brooklyn, NY | Andrew S. Fisher |
| Paul Fink | Brooklyn, NY | Andrew S. Fisher |
| Steven R. Finkelstein | Jericho, NY | Andrew S. Fisher |
| Karen A. Friedman | New York, NY | Andrew S. Fisher |
| Michael P. Goldberg | New York, NY | Andrew S. Fisher |
| Israel Goldberg | Brooklyn, NY | Andrew S. Fisher |
| Ferne Judith Goldstein | Brooklyn, NY | Andrew S. Fisher |
| Dennis Peter Hamernick | New York, NY | Andrew S. Fisher |
| Val Arturo Henry | Brooklyn, NY | Andrew S. Fisher |
| Richard J. Howard | Brooklyn, NY | Andrew S. Fisher |
| Harvey S. Jacobs | Brooklyn, NY | Andrew S. Fisher |
| Joseph Gerard Kenny | Brooklyn, NY | Andrew S. Fisher |
| Michael Francis King | Brooklyn, NY | Andrew S. Fisher |
| Thomas Salvatore Lauro | Brooklyn, NY | Andrew S. Fisher |
| Paul Thomas Layton | New York, NY | Andrew S. Fisher |
| Rebecca S. Levine | New York, NY | Andrew S. Fisher |
| Esther M. Morgenstern | New York, NY | Andrew S. Fisher |
| Carol A. Pisano | New York, NY | Andrew S. Fisher |
| Charles Arthur Posner | Brooklyn, NY | Andrew S. Fisher |
| Eric G. Poulos | New York, NY | Andrew S. Fisher |
| Edward Michael Rosensteel | Brooklyn, NY | Andrew S. Fisher |
| Philip Dale Russell | Greenwich, CT | Andrew S. Fisher |
| Patrick C. Sealy | New York, NY | Andrew S. Fisher |
| Scott Elliot Shostak | New York, NY | Andrew S. Fisher |
| Vincent James Stancato | New York, NY | Andrew S. Fisher |
| Jeffrey Sander Sunshine | Brooklyn, NY | Andrew S. Fisher |
| Nancy Tegtmeier-Sunshine | Brooklyn, NY | Andrew S. Fisher |
| Thomas Urgo | New York, NY | Andrew S. Fisher |
| William F. McDonald | Riverside, CT | Constantine N. Katsoris |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------------|
| James D'Alton Murphy | Weston, CT | Constantine N. Katsoris |
| John Joseph Lyons | Sarasota, FL | Constantine N.Katsoris |
| Michael J. Breslin Jr. | Hackensack, NJ | Constantine N. Katsoris |
| Dennis Eugene Clancey | Teaneck, NJ | Constantine N. Katsoris |
| W. Stephen Leary | Madison, NJ | Constantine N. Katsoris |
| Paul Joseph Callahan | New York, NY | Constantine N. Katsoris |
| Edward J. FitzPatrick | New York, NY | Constantine N. Katsoris |
| Michael Francis Hughes | Pelham, NY | Constantine N. Katsoris |
| John W. Keegan | White Plains, NY | Constantine N. Katsoris |
| Regina F. Kelly | Pound Ridge, NY | Constantine N. Katsoris |
| Elizabeth T. Marren | New York, NY | Constantine N. Katsoris |
| Eugene J. McCabe | Rumson, NJ | Constantine N. Katsoris |
| John Peter McCahey | New York, NY | Constantine N. Katsoris |
| Brigid Kathleen McGinley | New York, NY | Constantine N. Katsoris |
| Patrick J. Mulhern | New York, NY | Constantine N. Katsoris |
| John Joseph Mulry | New York, NY | Constantine N. Katsoris |
| Paul A. Soden | New York, NY | Constantine N. Katsoris |
| John Frederic Van Gorder | Tabernacle, NJ | Constantine N. Katsoris |
| Victor F. Villacara | Patchogue, NY | Constantine N. Katsoris |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-------------------------|
| Anthony L. Zanazzi | Harrison, NY | Constantine N. Katsoris |
| Louis Paul Aloise | Worcester, MA | James M. Shannon |
| Laurie B. Bernstein | Worcester, MA | James M. Shannon |
| Steven Anthony Brewster | Grafton, MA | James M. Shannon |
| Stephen D. Burwick | Worcester, MA | James M. Shannon |
| Kevin T. Byrne | Worcester, MA | James M. Shannon |
| Catherine Z. Collins | Worcester, MA | James M. Shannon |
| J. Christopher Collins | Worcester, MA | James M. Shannon |
| William W. Cotting Jr. | Northborough, MA | James M. Shannon |
| Marcia E.G. Doyle | Worcester, MA | James M. Shannon |
| Shirley A. Doyle | Worcester, MA | James M. Shannon |
| Francis P. Driscoll | Worcester, MA | James M. Shannon |
| Patrice Dudula-Salkowski | Webster, MA | James M. Shannon |
| Alan I. Falk | Boston, MA | James M. Shannon |
| Patricia M. Finnegan | Worcester, MA | James M. Shannon |
| Francis Anthony Ford | Worcester, MA | James M. Shannon |
| Paul J. Franco | Worcester, MA | James M. Shannon |
| Geoffrey R. German | Worcester, MA | James M. Shannon |
| June A. Harris | Worcester, MA | James M. Shannon |
| Joce A. Johnson | Worcester, MA | James M. Shannon |
| John D. Keeton Jr. | Westborough, MA | James M. Shannon |
| Patricia A. Leonard | Northboro, MA | James M. Shannon |
| Janet L. Lombardi | Worcester, MA | James M. Shannon |
| Pamela Anne Massad | Worcester, MA | James M. Shannon |
| Michael J. Michaelis | Worcester, MA | James M. Shannon |
| Jacqueline E. Murphy | Worcester, MA | James M. Shannon |
| Jan L. Najemy | Worcester, MA | James M. Shannon |
| Winifred Ann Pierce | Worcester, MA | James M. Shannon |
| James Gavin Reardon Jr. | Worcester, MA | James M. Shannon |
| Walter A. Rojcewicz Jr. | Worcester, MA | James M. Shannon |
| Mark A. Salmonsén | Worcester, MA | James M. Shannon |
| Anthony Joseph Scola | Worcester, MA | James M. Shannon |
| Phillip E. Shea | Worcester, MA | James M. Shannon |
| Craig David Smith | Worcester, MA | James M. Shannon |
| James E. Tashjian | Westboro, MA | James M. Shannon |
| Josephine Lesley Veglia | Oxford, MA | James M. Shannon |

MONDAY, APRIL 3, 1989

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|------------------|
| John A. Wickstrom | Worcester, MA | James M. Shannon |
| Timothy P. Wickstrom | Worcester, MA | James M. Shannon |
| Bette A. Winik | Boston, MA | James M. Shannon |

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 88-493. University of Pennsylvania, Petitioner *v.* Equal Employment Opportunity Commission. The order entered December 12, 1988, granting the petition for a writ of certiorari is amended to read: "The petition for a writ of certiorari is granted limited to Question 1 presented by the petition." This case is removed from the calendar for argument on April 18, 1989. The case will be argued during the October Term 1989.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

OPINION PER CURIAM

No. 88-6494. Curtis L. Wrenn, Petitioner *v.* Lawrence P. Benson, et al.; and

No. 88-6497. Curtis L. Wrenn, Petitioner *v.* Department of Mental Health of Ohio. On motions for leave to proceed *in forma pauperis*. The Clerk of the Court is directed not to accept any further filings from petitioner in which he seeks leave to proceed *in forma pauperis* under this Court's Rule 46, unless the affidavit submitted with the filing indicates that petitioner's financial condition has substantially changed from that reflected in the affidavits submitted by him in the cases, 489 U.S. — (1989). Opinion *per curiam*. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Dissenting opinion by Justice Stevens.

APPEALS—SUMMARY DISPOSITION

No. 88-1491. Keith M. Rhinehart, et al., Appellants *v.* The Seattle Times, et al. Appeal from the Court of Appeals of Washington, Division 1. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-6255. Linda K. Shaffer, Appellant *v.* Department of Social Services. Appeal from the Court of Appeals of Michigan. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 88-6630. Bonnie Marie H., a Minor, Appellant *v.* Richard Hannan, et al. Appeal from the Court of Appeal of California, Sixth Appellate District. The appeal is dismissed for want of a properly presented federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 88-1366. Wayne A. Simmons, et al., Petitioners *v.* Irma Jean Perez. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *City of Canton, Ohio v. Harris*, 489 U.S. — (1989).

No. 88-1395. Municipal Court of the Southeast Judicial District, County of Los Angeles, et al., Petitioners *v.* Alva Gutierrez. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The motion of U. S. English Foundation, Inc., et al. for leave to file a brief as *amici curiae* is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit with instructions to dismiss the appeal as moot. *United States v. Munsingwear, Inc.*, 340 U.S. 36 (1950).

ORDERS IN PENDING CASES

No. —. Alexander Stewart, Petitioner *v.* Robert Corbin, Gary Hilton and James Ricketts. The motion to direct the Clerk to file a petition for writ of certiorari, out-of-time, is denied.

No. D-755. In the Matter of Disbarment of Ronald J. McKay. Disbarment order entered.

No. D-757. In the Matter of Disbarment of Anthony Joseph Sacco. Disbarment order entered.

No. D-763. In the Matter of Disbarment of John N. Gridley, III. Disbarment order entered.

No. D-765. In the Matter of Disbarment of Randall R. Douglas. Disbarment order entered.

No. D-776. In the Matter of Disbarment of Mark Eugene Werner, II. It is ordered that Mark Eugene Werner, II, of Baltimore, Maryland, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-777. In the Matter of Disbarment of Michael Cooper. It is ordered that Michael Cooper, of Arlington Heights, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-778. In the Matter of Disbarment of H. Barry Shultz. It is ordered that H. Barry Shultz, of Old Bridge, New Jersey, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-779. In the Matter of Disbarment of Irving B. Lampert. It is ordered that Irving B. Lampert, of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-780. In the Matter of Disbarment of Thomas Michael Hayes, Jr. It is ordered that Thomas Michael Hayes, Jr., of St. Louis, Missouri, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-781. In the Matter of Disbarment of Larry Thomas Black. It is ordered that Larry Thomas Black, of Telluride, Colorado, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-6997. Eugene John Carella, Appellant *v.* California. The motion of American Rental Association for leave to file a brief as *amicus curiae* is granted.

No. 88-124. Lynn L. Breininger, Petitioner *v.* Sheet Metal Workers International Association Local Union No. 6. The motion of Association for Union Democracy, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-309. Wyoming, Petitioner *v.* United States, et al. The motion of respondents Bradford Bath, et al. for divided argument and for additional time for oral argument is denied.

No. 88-429. Public Citizen, Appellant *v.* United States Department of Justice, et al.; and

No. 88-494. Washington Legal Foundation, Appellant *v.* United States Department of Justice, et al. The motion of People for the American Way Action Fund, et al. for leave to participate in oral argument as *amici curiae*, for divided argument and for additional time for oral argument is denied. Justice Scalia took no part in the consideration or decision of this motion.

No. 88-605. William L. Webster, Attorney General of Missouri, et al., Appellants *v.* Reproductive Health Services, et al. The motion of

Elizabeth Holtzman, District Attorney of Kings County, New York, for leave to join *amici curiae* brief of Massachusetts, et al. is granted.

No. 88-1031. Citibank, N.A., Petitioner *v.* Ngoc Quang Trinh. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-1042. Antonio Deinde Fernandez, Petitioner *v.* Barbara J. Fernandez. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-1260. Citibank, N.A., Petitioner *v.* Wells Fargo Asia Limited. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-6376. Rita Montero, Petitioner *v.* Natalie Meyer, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-6352. Richard R. Burkart, Petitioner *v.* Post-Browning, Inc. The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* or for leave to proceed as a veteran is denied.

No. 88-6904. Jessie D. McDonald, Petitioner *v.* Yellow Cab Metro, Inc. The application for stay addressed to Justice Stevens and referred to the Court is denied.

APPEAL—JURISDICTION NOTED

No. 88-1374. Jimmy Swaggart Ministries, Appellant *v.* Board of Equalization of California. Appeal from the Court of Appeal of California, Fourth Appellate District. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-1000. New York, Petitioner *v.* Bernard Harris. Petition for writ of certiorari to the Court of Appeals of New York granted.

No. 88-1353. United States, Petitioner *v.* Rene Martin Verdugo-Urquidez. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 88-1198. Federal Trade Commission, Petitioner *v.* Superior Court Trial Lawyers Association; and

No. 88-1393. Superior Court Trial Lawyers Association, et al., Petitioners *v.* Federal Trade Commission. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit

granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-1400. Franchise Tax Board of California, et al., Petitioners *v.* Alcan Aluminium Limited, et al. The motion of Multistate Tax Commission for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

CERTIORARI DENIED

No. 87-1794. William Kuang Tsao, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1927. Dorothy Ann Knox and Kimberly Lawanda Ware, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-291. Anton Gregory Zukas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-868. James A. Bringle, et ux., Petitioners *v.* Washington Department of Social and Health Services, et al. Petition for writ of certiorari to the Court of Appeals of Washington, Division 2, denied.

No. 88-1069. Alfredo Luna Regalado, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1094. Lois W. Poinier, Transferee of Helen W. Halbach, et al., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1177. Mustang Fuel Corporation, fka Mustang Energy Corp., Petitioner *v.* Federal Energy Regulatory Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1191. Roberto Vergara-Velez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1210. Humberto Rivera, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1217. City of Fort Lauderdale, et al., Petitioners *v.* A. A. Profiles, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1223. Massachusetts, et al., Petitioners *v.* United States Department of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1239. Tony J. Viola, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-1358. Eldon Fuchs, et al., Petitioners *v.* Rural Electric Convenience Cooperative Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1360. United States Fire Insurance Company, Petitioner *v.* Federal Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1361. Tina Darlene Walls, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-1362. Frank Andrew McCall, Petitioner *v.* Michael Dutton, Warden, and W. J. Michael Cody. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1363. Richard A. Neyhard, Individually and as Administrator of the Estate of Christopher K. Neyhard, Deceased, Petitioner *v.* State Farm Insurance Company. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-1364. Pierre A. Averette, et ux., Petitioners *v.* Triple Creek Corporation. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-1365. William H. Fauver, Commissioner, New Jersey Department of Corrections, et al., Petitioners *v.* Timothy Ryan. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1371. Keith E. Ellis, et ux., Dennis Hodnett, et ux. and Thomas L. Curry, Petitioners *v.* Consolidated Diesel Electric Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1376. Robert L. Musto, et al., Petitioners *v.* American General Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1384. Telum, Inc., et al., Petitioners *v.* E.F. Hutton Credit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1392. Raphael Sosa Ugalde, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-1394. Florence M. Stansel and William A. Burleson, Petitioners *v.* American Security Bank, N.A. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-1401. Thomas R. Angel, et ux., Petitioners *v.* Louis H. Renn. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-1402. Bernard J. Flayac, Petitioner *v.* Craig Humrichouse, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1406. Intra Corporation and Eagle Technologies, Inc., Petitioners *v.* Hamar Laser Instruments, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1407. Bernard J. Dolenz, Petitioner *v.* Stuart Yacht Builders, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1409. David C. Walentas, Petitioner *v.* Kenneth Lipper, John Doe #1, John Doe #2, John Doe #3, John Doe #4 and John Doe #5. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1411. Joseph P. Boyle, Jr., Petitioner *v.* United States District Court for the Middle District of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1416. William Barnthouse, Petitioner *v.* Teresa Barnthouse. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-1419. Richard Lafferty, Petitioner *v.* Alyeska Pipeline Service Company, et al. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 88-1420. Federico Erebia, Petitioner *v.* Chrysler Plastic Products Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1421. Pete Mondozi, Petitioner *v.* Akron Board of Education. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1425. Township of Plymouth, Pennsylvania, Petitioner *v.* County of Montgomery, Pennsylvania. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. 88-1430. Union Asphalts and Roadoids, Inc., et al., Petitioners *v.* Mo-Kan Teamsters Pension Fund, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1436. Richard L. Fincher, Petitioner *v.* Jane D. Finkbohner. Petition for writ of certiorari to the District Court of Appeal of Florida, Fifth District, denied.

No. 88-1440. Ronald Gajkowski, et al., Petitioners *v.* Highway Truck Drivers and Helpers Local Union No. 107. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 88-1448. Shaheed Salim, Petitioner *v.* District of Columbia. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-1452. Rodney F. Stich, Petitioner *v.* United States Bankruptcy Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1453. John E. Graham & Sons, et al., Petitioners *v.* Jerry A. Landry, et ux. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 88-1459. Ambrose Daigle, Petitioner *v.* Gulf States Utility Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1473. Bowline Construction Company, et al., Petitioners *v.* Capco Pipe Company, Inc. Petition for writ of certiorari to the Court of Appeals of Oklahoma, Second Division, denied.

No. 88-1499. John Elmer Johnson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1502. Marvin B. Enochs, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1509. Ralph G. Patton, Petitioner *v.* United States Railroad Retirement Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1511. Isaac Runnels, aka Bill Davis and Gregory Marshall, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1516. Dominic Montemarano, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1538. William C. Brennan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1540. Raymond B. Rhone, Jr., Petitioner *v.* Anthony M. Frank, Postmaster General. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1556. Jesus Antonio Calvo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6100. Barbara Dee Villarrubia, Petitioner *v.* United States Postal Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6177. Richard A. Gardner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6265. James Carlson, et ux., Petitioners *v.* County of Hennepin, Minnesota, et al. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 88-6294. William Oliver, et ux., Petitioners *v.* Merchants and Farmers Bank, Macon, Mississippi. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6305. DeWayne Warthen, Petitioner *v.* J. Baker, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6306. DeWayne Warthen, Petitioner *v.* John W. Dunsmore, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6333. John Brenton Preston, Petitioner *v.* Michael Odea, Warden. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 88-6368. Vu Doc Guong, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6385. Walter Evans, Jr., Petitioner *v.* Don Hathaway, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6387. Richard O. Gooden, Petitioner *v.* Russell L. Roberts. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6394. Jorge E. Rengifo, aka Jorge Castro, Petitioner *v.* United States;

No. 88-6443. Sigifredo L. Gonzalez, aka Roderigo Gonzalez, Petitioner *v.* United States; and

No. 88-6447. Miller Gonzales, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6418. Sharon Myrl Van Leeuwen, et vir, Petitioners *v.* Robert McCorkindale, II, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6435. Clyde E. Dickerson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6477. Norberto Escobales, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-6481. Cecilia Nuttelman, Petitioner *v.* Stromsburg Bank, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6567. Edward A. Ganey, Petitioner *v.* Talmadge Barnett, Superintendent, Eastern Correctional Institution at Maury, North Carolina, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6568. Edward A. Ganey, Petitioner *v.* Sam P. Garrison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6570. Louis J. Cruz, Petitioner *v.* Hilton Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6572. Eddie Abner, Jr., Petitioner *v.* Escambia County School District, Pensacola, Florida. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6578. Allan C. Merkle, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 88-6584. Evan R. Jackson, II, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 88-6586. Lester Hicks, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 88-6600. Herbert Darrell Hay, Petitioner *v.* O. L. McCotter, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6603. Steven D. Scott, Petitioner *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 88-6604. Paul Dwayne Humphrey, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6605. Kathleen Campbell, Petitioner *v.* Wisconsin Labor and Industry Review Commission. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District I, denied.

No. 88-6610. Gary William Holt, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied.

No. 88-6614. Loren Glen Huss, Jr., Petitioner *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 88-6617. Nathaniel Burley, Petitioner *v.* John Paul Ford, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6619. James D. Righter, Petitioner *v.* United States Stove Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6620. Jerry Young, Petitioner *v.* John R. Patterson. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6621. Ray Wesley Robinson, Jr., Petitioner *v.* Board of Bar Overseers, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6622. Moses Muhammad, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-6628. Jay Hanford Clark, Petitioner *v.* Jim Wharton, Superintendent, Men's Correctional Institution at Hardwick, Georgia. Peti-

tion for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6629. Roy L. Warren, Petitioner *v.* John Nagle, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6653. Lawrence Eugene Todd, Petitioner *v.* John Dempsey, Acting Executive Director, Colorado Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6657. David D. DuVall, Petitioner *v.* Texas Water Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6659. Walter A. Read, Petitioner *v.* Clarence W. Taylor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6662. Thomas B. Armstrong, III, Petitioner *v.* Lawrence Kincheloe, Superintendent, Washington State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6664. Ronald W. Jarvi, Petitioner *v.* Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6668. Jesse R. Lance, Petitioner *v.* South Carolina Highway Patrolmen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6669. John Eugene Sellner, Petitioner *v.* George Albert Allen Hudnall, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6670. Charles E. Siers, Petitioner *v.* Robert M. Freeman, Superintendent, State Correction Institution (and Diagnostic and Classification Center) at Camp Hill, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6671. Richard L. Bonds, Petitioner *v.* Duane Shillinger, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6673. Pasquale J. Coleman, Petitioner *v.* Department of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6674. Ramel Allah, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 88-6680. Andrew Lee Funkhouser, Sr., Petitioner *v.* Don Mullins. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6685. John L. Ives, Petitioner *v.* Walter Kelley, Superintendent, Attica Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6686. Willie Carver Scott, Petitioner *v.* Department of Health and Rehabilitative Services of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6687. James Steeley, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-6688. Joseph C. Brown, Petitioner *v.* Robert Hoke, Superintendent, Eastern Correctional Facility at Napanoch, New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6689. Johnny Lee Barker, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6690. Erma JoAnn York, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6691. David Gene Morris, Petitioner *v.* Paul J. Chitwood. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 88-6692. Tommie W. Overstreet, Petitioner *v.* Myrna Trickey, Superintendent, Missouri Eastern Correctional Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6695. Daries Sherrills, Petitioner *v.* Frank H. Gray, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6696. Melvin Leroy Tyler, et al., Petitioners *v.* Leroy Black, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6697. Luis Thomas Leal, Petitioner *v.* Vickie Coronado. Petition for writ of certiorari to the Court of Appeals of Ohio, Lucas County, denied.

No. 88-6698. Dwight Brown, Petitioner *v.* Missouri Department of Corrections and Human Resources, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6701. Jimmie Lynn Lucas, Petitioner *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 88-6702. James Cunningham, et ux., Petitioners *v.* Cuyahoga Department of Human Services. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 88-6706. Andrew J. Johnson, Petitioner *v.* District Court of Wyoming, First Judicial District. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 88-6722. Kevin Eugene Everhart, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6731. Henry Morgan, Jr., Petitioner *v.* John Sullivan, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6745. Thomas Brawner-El, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Correctional Institution at Graterford, Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6746. Edward Lawrence, Petitioner *v.* U. S. Railroad Retirement Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6753. Neil Olan, Petitioner *v.* Ramon J. Rodriguez, Chairman, New York Board of Parole. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6766. Vincent Anthony Daley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6767. Seymour Pollack, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6768. Youssef Jorge, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6774. Ervin James Horton, Petitioner *v.* Eugene T. Whitworth, Sr., State Attorney. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6790. Gordon Franklin, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6795. Rodrigo Suarez, Jorge Vargas and Farley Rios, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6797. Severiano Manga, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6800. Nancilee Adams, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6805. Kenneth Mac Clayton, Petitioner *v.* Roger Crist, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6814. Hugh McIntosh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6835. Angeline Roan Eagle, aka Angeline Blindman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6836. Herman Chambers, Jr., Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6908. Richard Miles Chaney, Petitioner *v.* James N. Rollins, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 87-6338. William Neal Moore, Petitioner *v.* Walter Zant, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7052. Son H. Fleming, Petitioner *v.* Walter Zant, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6038. Richard W. Simon, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6349. Ronald Bernard Bennett, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6496. Anthony B. Bryan, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6624. David Lee Fisher, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6656. Billy Joe Sowell, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6665. Jimmy Wayne Davis, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6667. Paul W. Greer, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6675. Paul Everette Woodward, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-415. Pueblo of Acoma, Petitioner *v.* Frank Padilla. Petition for writ of certiorari to the Supreme Court of New Mexico denied. Dissenting opinion by Justice White. Justice Kennedy took no part in the consideration or decision of this petition.

No. 88-535. Local Freight Drivers, Local 208, International Brotherhood of Teamsters, Chauffeurs, Warehousemen, etc., Petitioner *v.* Rozay's Transfer. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White would grant certiorari.

No. 88-992. Dallas County Commission, et al., Petitioners *v.* United States; and United States, Petitioner *v.* Dallas County Commission, Dallas County, Alabama, et al. The motion of Samson Crum, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice White would grant certiorari.

No. 88-1053. Association of the Bar of the City of New York, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit de-

nied. Justice O'Connor took no part in the consideration or decision of this petition.

No. 88-1056. Pennsylvania, Petitioner *v.* Richard Waggoner. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied. Justice White and Justice O'Connor would grant certiorari.

No. 88-1147. Oklahoma, Petitioner *v.* Chester Lee Brooks, aka Achisson Amenshi and Larry Joe Brooks. The motion of Muscogee (Creek) Nation for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-1347. Gary Green, Petitioner *v.* Maurice P. Foley. The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1378. Frank McNeil, et al., Petitioners *v.* Springfield Park District. The motion of Mexican American Legal Defense and Educational Fund, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1414. California, Petitioner *v.* Khalid Parwez. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-6189. Marjorie Ricks, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan, Justice White and Justice Marshall would grant certiorari.

MANDAMUS DENIED

No. 88-1542. In Re Jerald Lee Barksdale, Petitioner;

No. 88-6718. In Re Clovis Carl Green, Jr., Petitioner; and

No. 88-6763. In Re Andrew Walker, Petitioner. The petitions for writs of mandamus are denied.

REHEARINGS DENIED

No. 87-121. Richard L. Dugger, Secretary, Florida Department of Corrections, and Robert A. Butterworth, Attorney General of Florida, Petitioners *v.* Aubrey Dennis Adams, Jr.;

No. 87-889. Joseph Compoy, Warden, Petitioner *v.* Nathan Kevin Turner;

No. 87-5259. Frank Dean Teague, Petitioner *v.* Michael Lane, Director, Illinois Department of Corrections, et al.;

No. 87-5617. Michael Lindsey, Petitioner *v.* Fred Smith, Commissioner, Alabama Department of Corrections, et al.;

No. 88-875. Carole L. Taylor, Petitioner *v.* Robert R. Taylor;

No. 88-895. John J. Stanton, Appellant *v.* District of Columbia Court of Appeals;

No. 88-947. Thomas C. Harrison, et ux., Petitioners *v.* Commissioner of Internal Revenue;

No. 88-1115. Debra Jo Wilmoth, Petitioner *v.* Virginia;

No. 88-1127. Mahinder S. Uberoi, Petitioner *v.* University of Colorado, et al.;

No. 88-1134. Lester W. Smith, Petitioner *v.* Combustion Engineering, Inc., et al.;

No. 88-5687. Leo E. Edwards, Jr., Petitioner *v.* Lee Roy Black, Commissioner, Mississippi Department of Corrections, et al.;

No. 88-5802. Robert A. and Audrey J. Hawley, Petitioners *v.* United States;

No. 88-5944. Joseph Sun, Petitioner *v.* United States;

No. 88-6040. Faye Ann (Flores) McCabe, Appellant *v.* Frances Dias;

No. 88-6054. Edrick Teagler, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections;

No. 88-6059. Rhett G. Depew, Petitioner *v.* Ohio;

No. 88-6067. James Green, Petitioner *v.* United States;

No. 88-6079. William T. Jones, Petitioner *v.* Illinois;

No. 88-6116. Nathanael Schultz, et ux., Petitioners *v.* Jeff Swanhorst, et al.;

No. 88-6227. *In Re* Athanasios Theodoropoulos, Petitioner;

No. 88-6235. Oliver Carlson Giles, Petitioner *v.* Thomas Garwood, et al.;

No. 88-6249. Richard L. Lowe, Petitioner *v.* Linda King, et al.;

No. 88-6266. Calvin W. Olive, Petitioner *v.* Sears, Roebuck and Company; and

No. 88-6325. Debra Denise Brown, Petitioner *v.* Ohio. The petitions for rehearing are denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------------|------------------------|----------------------------------|
| Richard P. Abraham | Philadelphia, PA | Craig R. Tractenberg |
| Amelia Ann Albano | Oxnard, CA | Maria Carmen Ramirez |
| Andrew Wayne Baldwin | Fort Washakie, WY | Dale Thomas White |
| Benjamin H. Ballard III | San Francisco, CA | Arthur Robert Peter Albrecht |
| Mary Ellen Barbera | Baltimore, MD | J. Joseph Curran, Jr. |
| William Le Fevre Barr Jr. | Chicago, IL | Frank K. Heap |
| Judy Y. Barrasso | New Orleans, LA | Phillip A. Wittmann |
| Paula C. Bartlett | Beverly Farms, MA | Susan C. Hubbard |
| Louis Joseph Beltrami Jr. | Tampa, FL | Douglas Jules Titus Jr. |
| H. Kennard Bennett | Indianapolis, IN | Thomas R. Ruge |
| H. Nicholas Berberian | Chicago, IL | Phil Caldwell Neal |
| John Eric Bergh | Salem, NJ | William J. Hughes |
| Ana Rosa Biascochea- Rodriquez | San Juan, PR | Carlos Antonio Del Valle Cruz |
| Mary Ellen Kiley Bishop | Indianapolis, IN | Michael P. Bishop |
| William M. Blackstone | Bethesda, MD | John W. Schneller |
| James Donald Blume | Dallas, TX | Ennis E. Walden |
| Amelia H. Boss | Haddonfield, NJ | Milton B. Conford |
| Ann Norman Bosse | Baltimore, MD | J. Joseph Curran Jr. |
| Walter Russell Bowie III | Omaha, NE | Dana C. Bradford III |
| Delores R. Boyd | Montgomery, AL | John L. Carroll |
| G. Steven Brannock | West Palm Beach, FL | Timothy P. McCarthy |
| Kevin Clement Brazile | Los Angeles, CA | Frederick R. Bennett |
| Scott Philip Brown | Boston, MA | F. Lee Bailey |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-------------------------|
| James H. Brown Jr. | Baton Rouge, LA | Michael George Prestia |
| Henry M. Bugay | Miami, FL | Patricia Jean Kyle |
| Pamela M. Bugge | Carson City, NV | Donald F. Klasic |
| Richard C. Busse | Portland, OR | David B. Markowitz |
| Paul L. Cames | Warner Robins, GA | Randall Avon Buice |
| Patricia M. Carroll | North Merrick, NY | William S. Norden |
| Paul Kevin Carwile | Charlotte, NC | Edward T. Hinson Jr. |
| Nicholas Celso III | Green Brook, NJ | Nathanya Guritzky Simon |
| Edward J. Clinton Jr. | Drexel Hill, PA | Donald Anthony Wich Jr. |
| Stanley Douglas Copeland | Surfside Beach, SC | Olin Fayrell Furr Jr. |
| James J. Corbelli | San Francisco, CA | Richard D. Hoffman |
| Jesse Cordova | Lodi, CA | Abraham Kramer |
| Cathy A. Costantino | Washington, DC | John E. Nolan Jr. |
| Barring Coughlin | Cleveland, OH | Stephen L. Buescher |
| Michael B. Cracraft | Indianapolis, IN | Sidney L. Steele |
| Charles H. Crain | Tulsa, OK | Richard W. Riddle |
| Joseph W. Cunningham | Doylestown, PA | Francis E. Marshall |
| Maxine P. Cutler | San Diego, CA | Rudolf Corona Jr. |
| Warren J. Daheim | Tacoma, WA | Dennis Sanford Harlowe |
| Mathias William Delort | Chicago, IL | Ralph Ruebner |
| Brian David DiGiacomo | Arnold, MD | John Thomas Edwards |
| Colin S. Diver | Boston, MA | Larry W. Yackle |
| Sue Marie Douglas | Akron, OH | Mark John Skakun III |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|------------------------|---------------------------|
| George Eulace Dowlen | Amarillo, TX | Larry Ray Brandon |
| Linda J. Dreeben | Washington, DC | Michael R. Dreeben |
| Juliana Drous | San Francisco, CA | Tony Tamburello |
| Damon E. Dunn | Chicago, IL | Lawrence Robert Levin |
| Stuart Russell Dunwoody | Seattle, WA | P. Cameron DeVore |
| Gregg William Emch | Toledo, OH | Richard Donovan Emch |
| Frank Leo Faust Jr. | Bartlesville, OK | Stephen David Gardner |
| Daniel Felczer | Orange, CA | Gerald Sokoloff |
| Samuel Leon Finklea III | Columbia, SC | Walton J. McLeod, III |
| Joan Fowler | West Palm Beach, FL | John Whyte Tiedemann |
| Douglas Howard Frazer | Phoenix, AZ | David R. Frazer |
| William Dean Freeman | Camarillo, CA | Adrian K. Panton |
| Mitchel D. Garfinkel | Fort Lauderdale, FL | William H. Benson |
| Rex Rohland Gary | Philadelphia, PA | Kathleen A. Kane |
| Gary Stephen Germann | Portage, IN | Stephen H. Meyer |
| John N. Gevertz | New York, NY | Laurence H. Tribe |
| L. Edward Glass | Johnstown, PA | Stanton D. Levenson |
| Stanley E. Goldstein | St. Louis, MO | James Francis Nangle |
| Scott K. Goodell | Seattle, WA | Sebastian J. Fortunato |
| Jack B. Gordon | Washington, DC | John Theodore Boese |
| William D. Goren | Chicago, IL | Melvin Robert Shaw |
| Randall L. Goyette | Lincoln, NE | Robert T. Gritmit |
| Mark S. Graham | Knoxville, TN | Edwin M. Luedeka |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|------------------------|--------------------------------|
| Richard L. Greco | Tampa, FL | Emeline C. Acton |
| Tracy Green | San Francisco, CA | Terrance Lloyd Stinnett |
| Beth Katherine Greene | Bloomington, IN | Kenneth L. Nunn |
| Seth D. Greenstein | Washington, DC | Michael Edwin Friedlander |
| Samuel Starr Griffin III | Houston, TX | Michael D. Matthews |
| Richard Alan Grimes | Oklahoma City, OK | Gayle Counto Freeman |
| Nancy Jane Griswold | Shreveport, LA | Walter Douglas White |
| Joseph Francis Grove | Richmond, VA | Edward W. Taylor |
| Deborah Guller | West Palm Beach, FL | Richard Gordon Bartmon |
| Mark A. Gwin | Minneapolis, MN | John H. Faricy Jr. |
| Harry F. Hambrick Jr. | Roanoke, VA | Henry Lavinder Woodward |
| William L. Hanbery | Florence, AL | Robert Wells Walker |
| Sean Michael Hanifin | Washington, DC | Stuart Philip Ross |
| William Francis Harmeyer | Houston, TX | Bradley M. Bingham |
| Clyde James Hart Jr. | Jersey City, NJ | Henri F. Rush |
| Wayne R. Hartke | Falls Church, VA | Vance Hartke |
| Brian Stuart Harvey | Washington, DC | Betty Southard Murphy |
| James William Harvey | Pittsburgh, PA | James F. Israel |
| Stephen B. Hatcher | Orlando, FL | Robert William Peacock, Jr. |
| Robert Dean Hawthorne | Limon, CO | S. Morris Lubow |
| David M. Haynes | Boulder, CO | Joseph C. French |
| Honor Southard Heath | Milford, CT | Robert Charles Power |
| Deborah G. Heilizer | Chicago, IL | Thomas Harvey Morsch |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|-------------------------------|
| Gary R. Hershner | Richmond, VA | Michael Morchower |
| Michael Terry Hertz | Fresno, CA | Frank Herbert Lang Jr. |
| James Rouse Hicks | Tulsa, OK | Barry Glenn West |
| Margaret R. Hinkle | Boston, MA | Joseph L. Cotter |
| Frederick G. Hoffman | Peoria, IL | Nathan T. Elliff |
| Bernard C. Huger | St. Louis, MO | J. Roger Edgar |
| Jeffrey W. Jacobsen | Dorchester, MA | Stuart M. Israel |
| John Paton James | New York, NY | John R. Geraghty |
| Brian G. Janis | Brownsville, TX | Thomas Sullivan |
| Philip Staton Johnson | Philadelphia, PA | John J. Mackiewicz |
| Kenneth C. Jones | Olathe, KS | Phillip A. Miller |
| Michele Hewitt Jones | Old Greenwich, CT | Edwin Michael Jones |
| Stanley Robert Kaplan | New York, NY | Peter Draper Coddington |
| William Glyn Kaseberg | Edwardsville, IL | Burton C. Bernard |
| Daniel Saul Katz | Baltimore, MD | Michael David Berman |
| William Colin Kennedy | Oxnard, CA | Maria Carmen Ramirez |
| Dennis Michael Kennedy | Alexandria, VA | Bernard James Apperson III |
| Joseph E. Killory Jr. | Washington, DC | John H. Pickering |
| Gary Clifford Korn | Tucson, AZ | John Stephen Leonardo |
| Gregory M. Kostelac | Columbus, OH | Howard M. Metzenbaum |
| Mark David Kramer | Los Angeles, CA | Donald Alan Garrard |
| LeRoy Lambert | New York, NY | Raymond A. Connell |
| Gregory D. Larson | Park Rapids, MN | Paul A. Kief |
| Fran M. Layton | San Francisco, CA | Ezra Hendon |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|------------------------|--|
| Dennis L. Leahy | Rockford, IL | Vern L. Davitt |
| Richard K. Leefe | Metairie, LA | Patrick R. Hugg |
| Thomas A. Leghorn | New York, NY | Thomas Walter Hyland |
| David Leightty | Louisville, KY | Paul V. Guagliardo |
| Michael T. Lempres | San Francisco, CA | Honorable Richard L. Thornburgh Attorney General of the United States |
| Terrence Francis Lenick | Fort Myers, FL | George Swartz |
| Gary Harris Levin | Philadelphia, PA | John J. Mackiewicz |
| Vance L. Liebman | Chicago, IL | Lawrence Robert Levin |
| Elwood Tilton Lippincott Jr. | Miami, FL | Miles Ambrose McGrane III |
| Hugh A. Lipton | North Hollywood, CA | Paula Gavin |
| Susan Michelson Liss | Washington, DC | Jeffrey F. Liss |
| Marc M. Livanos | New York, NY | John E. Cone, Jr. |
| Robert Christy Longstreth | San Diego, CA | Lawrence E. Walsh |
| Thomas Alan Louthan | Winchester, VA | Dickey Plowden Rabun |
| David A. Lowin | Palo Alto, CA | James W. Gould |
| I. Harry Lyon | Pelham, AL | Daniel M. Spitler, Jr. |
| Daniel Anthony Lyons Jr. | New Haven, CT | Louis Smith Votto |
| Sam A. Mackie | Orlando, FL | Robert Lowery Hamilton |
| Morris Mainstain | Los Angeles, CA | Frank Joshua Revere |
| Kevin Michael Maloney | Willits, CA | John R. Maloney |
| Lawrence A. Mann | New Orleans, LA | Robert Edward Leake Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|-----------------------------|
| Louis N. Marks | Philadelphia, PA | H. Francis DeLone |
| Kathleen R. Marr | Albuquerque, NM | Paul D. Bardacke |
| Edwin P. Martin | Columbia, SC | James Carlisle Harrison Jr. |
| Daniel F. Martinez II | Tampa, FL | Anthony Frank Gonzalez |
| William D. Marvin | Philadelphia, PA | Morris M. Shuster |
| Wm. Stewart Mathews II | Cincinnati, OH | William S. Mathews |
| William Taylor McBroom III | Griffin, GA | Hugh Jeffery Lanier |
| Thaddeus C. McCanse | Carthage, MO | Patrick McLarney |
| Ronald William McCarthy | Santa Clara, CA | Sylvia Lee Rainey |
| J. Tully McCoy | Purcell, OK | Benjamin Thomas Benedum |
| Lana Rolf McDaniel | Dallas, TX | Henry Wade |
| Edward Murray Medvene | Los Angeles, CA | Arthur Groman |
| Merle C. Meyers | San Francisco, CA | Lawrence Goldberg |
| Robert L. Meyers III | Dallas, TX | Kevin David McDonald |
| Michael Albert Miller | Phoenix, AZ | Rufus Caldwell Coulter Jr. |
| Elliott S. Milstein | Washington, DC | Barbara M. Milstein |
| Mark David Mittleman | St. Louis, MO | Francis John Kaveney |
| Joanne M. Mongon | New Brunswick, NJ | Yolanda Ciccone |
| Jerry A. Montag | New York, NY | Yorka Condeles |
| Kevin J. Moody | Lansing, MI | William J. Danhof |
| David Muñoz-Ocasio | Caguas, PR | Robert M. Sweeting |
| Jeffrey W. Napier | Barrington, IL | Thomas Morgan Russell |
| Bonnie Lynn Nathan | New York, NY | Barry S. Jacobson |
| Patrick T. Nesbitt | Cincinnati, OH | Theodore K. High |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-------------------------------------|
| John W. Neumann | Silver Spring, MD | James J. Cromwell |
| Douglas Eugene Noll | Fresno, CA | William Thomas Richert |
| William P. O'Donnell | Norwood, MA | Charles J. Hely |
| Michael Allen O'Quinn | Atlanta, GA | Judge Wilbur Dawson Owens Jr. |
| Steven Clark Oaks | Houston, TX | Arthur Val Perkins |
| Stewart Leigh Orden | New York, NY | Barry S. Jacobson |
| Vallerie Lynn Oxner | New Orleans, LA | Noel E. Vargas II |
| Henrik Davidson Parker | Philadelphia, PA | John J. Mackiewicz |
| Robert Joseph Pattee Jr. | Oelwein, IA | James Richard Martin |
| Anne Elizabeth Peek | Minneapolis, MN | Beverly Jean Wolfe |
| Daniel M. Petrocelli | Los Angeles, CA | Russell J. Frackman |
| Gerald R. Podlesak | New Hyde Park, NY | William S. Norden |
| John Christopher Polster | Chicago, IL | Kenneth Francis Ripple |
| Donald Brian Potter | Portland, OR | David B. Markowitz |
| William Jay Powell | Columbia, MO | Robert C. Smith |
| Albert W. Preston Jr. | Philadelphia, PA | John J. Mackiewicz |
| Patrick W. Priest | Kalamazoo, MI | Frederick Albert Sauer, Jr. |
| Peter A. Quilici | Chicago, IL | Theodore Arthur Shapero |
| David Howard Raaflaub | Ann Arbor, MI | L. Brooks Patterson |
| Paul A. Rauth | Omaha, NE | Richard S. McMillin |
| Deborah Zider Read | Shaker Heights, OH | John Winship Read |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|----------------------------|
| Horace Gibson Rhodes | Oklahoma City, OK | Jo Angela Ables |
| Robert H. Rice | Belleville, IL | William Boyd Starnes |
| Frederick A. Richman | Los Angeles, CA | Alan Rader |
| J. Robert Riley | Missoula, MT | Harold John Pinsoneault |
| Joe T. Roberts | London, KY | Warren N. Scoville |
| Roy J. Rodney Jr. | New Orleans, LA | Dermot S. McGlinchey |
| Steven Edward Rogers | Dallas, TX | Lucius Desha Bunton |
| Mark Rollinson | Alexandria, VA | Roger Allan Klein |
| William E. Roper | Middlebury, VT | Wayne J. Roper |
| Lisa Allison Rosenthal | Miami, FL | Theodore J. Sakowitz |
| Keith D. Ross | Dallas, TX | Eric W. Buether |
| Fenella Rouse | New York, NY | Michael Marks Cohen |
| Peter M. Renoir Rozano | Hoboken, NJ | Isaac Henkoff |
| Val William Saldana | Fresno, CA | William Thomas Richert |
| Barry Glenn Saretsky | New York, NY | John Gardner |
| Mark Alan Schaum | Boca Raton, FL | Bruce Edmund Winter |
| John Arthur Schuh | Cincinnati, OH | Arthur Joseph Schuh |
| Danny G. Schulman | Marietta, GA | Adrienne Black |
| Eric R. Schwab | Woodbridge, NJ | Carl J. Palmisano |
| Anne Louise Schwartz | Austin, TX | Robert W. Hamilton |
| Bradley Allen Silva | Fresno, CA | William Thomas Richert |
| Mitchell Jay Singer | Alexandria, VA | Phon E. Hudkins |
| Barton Lloyd Slavin | New York, NY | Barry S. Jacobson |
| Daniel J. Smith | Peoria, IL | Charles E. Rice |
| Winifred Younge Smith | San Francisco, CA | John J. Klee Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---|---|--|
| Charles Gerard Smith Raymond Gray Smith Richard Paul Sorenson | Los Angeles, CA Louisville, KY Las Vegas, NV | David T. Stowell Joseph E. Stopher William Emerson Freedman |
| Barbara Arne Sousa Aaron M. Spiezer | Natick, MA Philadelphia, PA | Jeanne S. Conroy Bernard L. Kubert |
| Stephen James Stanford Michael J. Stapp James A. Stearman John Russell Stedman | Toledo, OH Kansas City, KS Fullerton, CA Los Angeles, CA | Ray Alan Farris Michael T. Manley Richard J. Curran Kent Russel Keller |
| Lawrence F. Stengel | Lancaster, PA | David B. Fawcett Jr. |
| Joel Stewart | Fort Lauderdale, FL | David Samuel Berger |
| Thomas C. Stover Jr. Bryan P. Streelman | Marblehead, MA Denver, CO | John J. Jennings Jack D. Henderson |
| Stewart R. Suchman | Newport Beach, CA | Leon M. cooper |
| Carolyn Clay Swiggart | Darien, CT | Marshall Dean Montgomery |
| Harry Frank Todd | Indianapolis, IN | Lee Bowes McTurnan |
| Jess W. Ullom | St. Louis, MO | Kevin Matthew O'Keefe |
| Alan Borden Vickery | New York, NY | John Roscoe Hupper |
| Andrea R. Waintroob | Chicago, IL | Edward Charles Jepson Jr. |
| Barbara W. Wallace | St. Louis, MO | Lisa S. VanAmburg |
| Jeffrey Wm. Ward Dean Ernest Westman Bruce G. Whittaker | White Plains, NY Akron, OH New Orleans, LA | Jerome B. Libin John T. Billick Samuel Sevier Dalton |
| William S. Wigoda | Chicago, IL | Theodore Arthur Shapero |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------|-----------------------|-----------------------------|
| John B. Wimbish | Tulsa, OK | Steven M. Harris |
| James R. Winnie | Oklahoma City, OK | L. Susan Work |
| J. Blake Withrow | Dallas, TX | J. Thomas Sullivan |
| Gary S. Wolfe | Beverly Hills, CA | Gil N. Schwartzberg |
| Evan Wolfson | Brooklyn, NY | Lawrence E. Walsh |
| Lee A. Wood | Costa Mesa, CA | Michael W. Garnett |
| Ronald Dawson Wood | Tulsa, OK | William L. Neary |
| Charles Scott Woods | Scooba, MS | James Clyde Mingee III |
| Noah Eliezer Yanich | Lansing, MI | Lawrence D. Owen |
| Nancy Kelley Yendes | Springfield, MO | William L. Webster |
| John Paul Zanelotti | Ellicott City, MD | Christopher Kent Mangold |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------------|-----------------------|--------------------------|
| John-David Sullivan | Fort Collins, CO | Charles Byron White |
| Mark D. Rasch | New York, NY | William Curtis Bryson |
| Ann Elizabeth Bushmiller | Washington, DC | Rex E. Lee |
| Deborah Bezold Leahy | Washington, DC | Rex E. Lee |
| Bradley P. Grant | Columbus, MT | Joe Reeves Lamport |
| Valerie L. Hughes | Seattle, WA | Michael W. Hoge |
| Noel Douglas Martin Jr. | San Francisco, CA | Larry Lee Simms |
| Beverly Ann Petersen Jennison | Washington, DC | Thomas H. Brock |
| Seth E. Bloom | Washington, DC | Thomas H. Brock |

ORAL ARGUMENTS

No. 88-616. Louis W. Sullivan, Secretary of Health and Human Services, Petitioner *v.* Elmer Hudson. Argued by Mr. Edwin S. Kneeder for the petitioner and by Mr. James E. Coleman, Jr., for the respondent.

No. 88-23. Lauro Lines s.r.l., Petitioner *v.* Sophie Chasser, et al. Argued by Mr. Raymond A. Connell for the petitioner and by Mr. Arnold I. Burns for the respondents.

No. 88-429. Public Citizen, Appellant *v.* United States Department of Justice, et al.; and

No. 88-494. Washington Legal Foundation, Appellant *v.* United States Department of Justice, et al. Argued by Mr. Paul D. Kamenar for the appellant in No. 88-494, by Mr. Eric R. Glitzenstein for the appellant in No. 88-429, and by Mr. David L. Shapiro for the appellees in both cases.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-1055. Elisa Chan, et al., Petitioners *v.* Korean Air Lines, Ltd. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Justice Scalia. Opinion by Justice Brennan concurring in the judgment with whom Justice Marshall, Justice Blackmun, and Justice Stevens join.

No. 88-32. Massachusetts, Petitioner *v.* Richard N. Morash. On writ of certiorari to the Supreme Judicial Court of Massachusetts. Judgment reversed and case remanded to the Supreme Judicial Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Stevens.

No. 87-1862. California, et al., Appellants *v.* ARC America Corporation, et al. Appeal from the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice White. Justice Stevens and Justice O'Connor took no part in the consideration or decision of this case.

No. 87-2127. American Foreign Service Association, et al., Appellants *v.* Steven Garfinkel, Director, Information Security Oversight Office, et al. Appeal from the United States District Court for the District of Columbia. Judgment vacated and case remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by the Chief Justice.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|------------------------|--------------------------|
| Peter Tali Coleman | Pago Pago, American | Judge Paul J. Abbate |
| Margaret L. Tobey | Washington, DC | Rex E. Lee |
| Robert Alexander Davidson | Ventura, CA | John Westerman Hunter |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------|-----------------------|---------------------------|
| Daniel F. Lundy | New York, NY | Margaret M. Richardson |

ORAL ARGUMENTS

No. 88-556. Browning-Ferris Industries of Vermont, Inc., et al., Petitioners *v.* Kelco Disposal, Inc., et al. Argued by Mr. Andrew L. Frey for the petitioners and by Mr. H. Bartow Farr, III, for the respondents.

No. 88-396. Colonial American Life Insurance Company, Petitioner *v.* Commissioner of Internal Revenue. Argued by Ms. Carolyn P. Chiechi for the petitioner and by Mr. Michael R. Dreeben for the respondent.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------|-----------------------|---------------------------|
| Earl Nicholas Selby | Palo Alto, CA | William Bennett Turner |
| Carol Juliet Weil | Los Angeles, CA | David Medine |

ORAL ARGUMENTS

No. 88-515. Sable Communications of California, Inc., Appellant v. Federal Communications Commission, et al.; and

No. 88-525. Federal Communications Commission, et al., Appellants v. Sable Communications of California, Inc. Argued by Mr. Richard G. Taranto for the Federal Communications Commission, et al. and by Mr. Laurence H. Tribe for Sable Communications of California, Inc.

No. 88-681. California State Board of Equalization, Petitioner v. Sierra Summit, Inc. Argued by Mr. Robert F. Tyler, Jr., for the petitioner and by Mr. David Ray Jenkins for the respondent.

No. 88-412. Martin W. Hoffman, Trustee, Petitioner v. Connecticut Department of Income Maintenance, et al. Argued by Mr. Martin W. Hoffman for the petitioner, by Mr. Thomas W. Merrill for the federal respondent, and by Mrs. Clarine Nardi Riddle for the state respondent.

Adjourned until Monday, April 24, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEAL—SUMMARY DISPOSITION

No. 88-980. Frank R. Eckles, dba Riverview Marina, Appellant *v.* Oregon, et al. Appeal from the Supreme Court of Oregon. The appeal is dismissed for want of a substantial federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 87-750. Pan American World Airways, Inc., Petitioner *v.* Ernesto Serio Pampin Lopez, Individually and as Administrator of the Estate of Sara E. Lopez, Deceased, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Chan v. Korean Air Lines, Ltd.*, 490 U.S. — (1989).

No. 88-6056. Neftali Perez, Petitioner *v.* Everett Jones, Superintendent, Great Meadow Correctional Facility. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *Harris v. Reed*, 489 U.S. — (1989).

ORDERS IN PENDING CASES

No. 74, **Original**. State of Georgia, Plaintiff *v.* State of South Carolina. The second and final report of the Special Master is received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed by the parties within 45 days. Reply briefs to such Exceptions may be filed within 30 days.

No. 88-309. Wyoming, Petitioner *v.* United States, et al. The motion of respondents Shoshone Tribe and Northern Arapaho Tribe to strike brief of respondents Bradford Bath, et al. is denied.

No. 88-1480. Bob Reves, et al., Petitioners *v.* Arthur Young & Co. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-6732. Thomas H. Lashley, et ux., Petitioners *v.* First National Bank of Live Oak. The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until May 15, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

CERTIORARI GRANTED

No. 88-1319. Commissioner of Internal Revenue, Petitioner *v.* Indianapolis Power & Light Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 88-1076. J. Paul Preseault, et ux., Petitioners *v.* Interstate Commerce Commission, et al. The motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of National Association of Reversionary Property Owners for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 88-1150. Missouri, et al., Petitioners *v.* Kalima Jenkins, et al. The motion of National Taxpayers Union, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted limited to Question 2 presented by the petition. The parties are directed to brief also whether the petition for a writ of certiorari is timely filed.

No. 88-1264. James Saffle, Warden, et al., Petitioners *v.* Robyn Leroy Parks. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 88-6546. Albert Duro, Petitioner *v.* Edward Reina, Chief of Police, Salt River Department of Public Safety, Salt River Pima-Maricopa Indian Community, et al. Motion of petitioner for leave to proceed *in*

forma pauperis and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

CERTIORARI DENIED

No. 88-240. GAF Corporation, Petitioner *v.* Rosemarie Erich, et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 88-963. Eva J. Culberson, Petitioner *v.* Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1088. Wallace Rogers, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1146. Ralph Nader, et al., Petitioners *v.* Environmental Protection Agency, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1194. Icelean Clark, et al., Petitioners *v.* Kalima Jenkins, by her friend Kamau Agyei, et al.; and

No. 88-1228. Jackson County, Missouri, et al., Petitioners *v.* Kalima Jenkins, by her friend, Kamau Agyei, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1200. Ernest P. Lampert, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1252. Schnejer Z. Gurary, Nochum Sternberg and Esther Sternberg, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1255. American Federation of Labor and Congress of Industrial Organizations, et al., Petitioners *v.* James M. Love, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1284. Carpenters Local 608, United Brotherhood of Carpenters and Joiners of America, AFL-CIO, Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1295. Texas Employers' Insurance Association, Petitioner *v.* Leroy Jackson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1304. Union Carbide Corporation, Petitioner *v.* Superior Court of California, City and County of San Francisco (Villmar Dental Labs, Inc., et al., Real Parties in Interest). Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-1305. Ashley Transfer & Storage Co., Inc., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1354. Eaton Corporation, Petitioner *v.* PKL Companies, Inc. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-1431. Ferdinand Marcos, Imelda Marcos, and Ramon Azurin, Petitioners *v.* Republic of the Philippines, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1435. Chandler's Cove Inn, Ltd., Petitioner *v.* Cedar Tide Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1437. Henrietta K. Thomas, Petitioner *v.* Board of Examiners, Chicago Public Schools, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1438. Charlsa Schwartz, Individually and Administratrix of the Estate of Harold Joe Schwartz, Jr., deceased, et al., Petitioners *v.* John Deere Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1441. Edward J. Fleming, Petitioner *v.* Shuki Y. Levy, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-1444. Michaela Beresteanu Golin, Petitioner *v.* FMC Corporation and George E. Moehringer. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1460. Dennis Grohs, Petitioner *v.* Gold Bond Building Products. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1485. H. C. Elliott, Inc., Petitioner *v.* Carpenters Pension Trust Fund for Northern California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1492. Isaiah Crawford, Petitioner, *v.* City of Macon, Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1498. Box Office, Inc., et al., Petitioners *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-1508. Ishmael Ross, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1519. Ralph Roger Bergman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1537. Lance H. Mortensen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1561. Geoffrey A. Di Bella, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1563. Jerry Ronald Quarles, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1585. Norman B. Smith and Robert A. Bailey, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6080. Christopher Anderson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 88-6117. Leonel Ramirez-Sausedo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6155. Charles Edward Curry, Petitioner *v.* Charles M. Blankinship. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6356. Gerald Nuccio, Petitioner *v.* Hilton Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6405. Raymond Joseph Mello, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6482. William T. Smith, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6574. Kenneth Crandall, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-6579. Jesus Scull, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-6678. Salvatore Vincent Bonanno, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-6700. Charles Nance Curry, Petitioner *v.* F. Paul Blannock. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6713. Burnice Joe Birdo, Petitioner *v.* O. L. McCotter, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6714. Donald F. Hicks, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-6717. Michael McNeill, Petitioner *v.* Arizona Public Service Company. Petition for writ of certiorari to the Court of Appeals of Arizona, Division Two, denied.

No. 88-6720. Nathaniel Sills, Petitioner *v.* Mary Sue Terry, Attorney General of Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6726. Billy G. Asberry, Petitioner *v.* United States Postal Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6730. Jim R. Hunter, Petitioner *v.* Beth Savage, Records Manager, Southern New Mexico Correctional Facility. Petition for writ of certiorari to the District Court of New Mexico, Third Judicial District, denied.

No. 88-6733. Ralph Aman, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6734. David Adamo, Petitioner *v.* Hotel, Motel, Bartenders, Cooks and Restaurant Workers Union Local 24, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6735. Bernard Casey, Petitioner *v.* Ronald Miles, Superintendent, Elmira Correctional Facility at Elmira, New York. Petition

for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6738. Elijah Karriem, Petitioner *v.* District of Columbia. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-6743. John Lynch, Petitioner *v.* Albertson Food Centers, Inc., et. al. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 88-6744. Terry Allan Clark, et al., Petitioners *v.* Robert Borg, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6747. Eugene Diggs, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 88-6748. Glenn Davis, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-6750. Justo Richards, Petitioner *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6752. James Schuler, Petitioner *v.* Duane Shillinger, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6754. John Joseph Simmons, Petitioner *v.* Laurie F. Bessinger, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6759. Darrell Ray Copas, et ux., Petitioners *v.* Cabinet for Human Resources, et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 88-6786. Javier Castillo-Sicairos, Petitioner *v.* United States Parole Commission. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6793. John S. Wojtowicz, Petitioner *v.* Warner Brothers, Inc. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 88-6817. Leonard Tabachnik, Petitioner *v.* Joseph S. Murphy, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6819. Amos Brown, aka Nabb Ali, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6832. Edwin P. Serrano, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6840. Chauncey Gomez Baldwin, Petitioner *v.* Bill Seabold, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6853. Mohammad Alasad, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, First District, denied.

No. 88-6858. Tommy L. Jones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6866. Robert William Milnes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1159. Arizona, Petitioner *v.* Alessandro Vincente Bravo. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 88-1249. Southern Bell Telephone and Telegraph Company, et al., Petitioners *v.* Federal Communications Commission, et al.; and

No. 88-1250. New England Telephone and Telegraph Company, et al., Petitioners *v.* Federal Communications Commission, et al. The motion of Communications Satellite Corporation for leave to file a reply as *amicus curiae* is granted. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice O'Connor took no part in the consideration or decision of this motion and these petitions.

No. 88-1302. Patricia Bohatch, et vir, Petitioners *v.* Charlotte V. Delhaes, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Lake County, denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 88-1321. Navistar International Transportation Corporation, Petitioner *v.* United States Environmental Protection Agency. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice White took no part in the consideration or decision of this petition.

No. 88-1427. International Association of Machinists and Aerospace Workers Pension Plan, et al., Petitioners *v.* Frank Meagher. The motion of American Society of Pension Actuaries for leave to file a brief as

amicus curiae is granted. The motion of American Society for Personnel Administration for leave to file a brief as *amicus curiae* is granted. The motion of Chamber of Commerce of the United States of America for leave to file a brief as *amicus curiae* is granted. The motion of American Academy of Actuaries of the United States for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1447. Ward Petroleum Corporation, et al., Petitioners *v.* Louisiana Land and Exploration Company, successor by merger and acquisition to Inxco Oil Company, et al. The motion of National Association of Royalty Owners, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 88-1450. Dura-Corp., Petitioner *v.* Risi Stone Ltd. and Rothbury Investments, Ltd. The motion of respondents for attorneys' fees and expenses is denied. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6448. Deborah Ann Sonido Baron, aka Debbie A. Sonido, aka Debra Ann Sonido, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Brennan and Justice White would grant certiorari.

No. 88-6728. Fernando Eros Caro, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6848. Leonard Marvin Laws, Petitioner *v.* William Armontrout, Warden. Petition for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is denied. Dissenting opinion by Justice Marshall, with whom Justice Brennan joins.

REHEARINGS DENIED

No. 88-1101. Eunice C. Madison, Petitioner *v.* District of Columbia Rental Housing Commission;

No. 88-5169. Frank G. Spisak, Jr., Petitioner *v.* Ohio;

No. 88-5750. Joseph L. Clark, Petitioner *v.* Ohio;

No. 88-5990. Elaine Robinson, Appellant *v.* United States Department of Education; and

No. 88-6242. Elaine L. Robinson, Appellant *v.* English Department of the University of Pennsylvania, et al.;

No. 88-6005. Walter Stewart, Petitioner *v.* Illinois;

No. 88-6009. Eddie Albert Crawford, Petitioner *v.* Georgia;
 No. 88-6078. DeWayne C. Britz, Petitioner *v.* Illinois;
 No. 88-6224. Jerome Henderson, Petitioner *v.* Ohio;
 No. 88-6292. Clyde M. Davis-El, Jr., Petitioner *v.* John Robinson;
 No. 88-6320. John Wayne Brown, Petitioner *v.* Virginia; and
 No. 88-6321. John Wayne Brown, Petitioner *v.* Virginia;
 No. 88-6392. Guy T. Martin, Petitioner *v.* Pennsylvania; and
 No. 88-6451. John C. Entelisano, Petitioner *v.* E. Porter Felt. The petitions for rehearing are denied.

No. 88-489. Dwight A. McKabney, et ux., Petitioners *v.* United States. The petition for rehearing is denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 88-5700. Paul A. Rosberg, Petitioner *v.* Arnold Jacob, et al.; and
 No. 88-6178. Jesus John Hernandez, Petitioner *v.* United States. The motions for leave to file petitions for rehearing are denied.

ORDER

It is ordered that the call of the calendar, except for special assignments, be suspended for the Term upon the conclusion of the arguments in the cases listed for hearing this week.

RECESS ORDER

The Court will take a recess from Monday, May 1, 1989 until Monday, May 15, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| Applicant | City and State | Movant |
|---------------------|----------------|----------------------------|
| Anthony P. Alessi | Boston, MA | David Edward Cherny |
| Stephen L. Andrew | Tulsa, OK | Joseph A. McCormick |
| Robert D. Barbee | Dallas, TX | Mike McKool, Jr. |
| Karl Reed Beckmeyer | Tavernier, FL | Charles S. Fax |
| A. Gary Bell Jr. | Littleton, CO | Judge John Albert Criswell |
| Ellis Boal | Detroit, MI | Ronald Reosti |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|------------------------------|
| Michael Hiram Carpenter | Columbus, OH | Patrick F. McCartan, Jr. |
| Peter J. Carre | Washington, DC | William Adam Duerk III |
| Paul Casteleiro | Hoboken, NJ | Morton Stavis |
| David Neilson Crawford | Baton Rouge, LA | Athena B. Piedrahita |
| Blake S. Davis | Seacaucus, NJ | Daniel Edward Horgan |
| Anthony D. De Toro | San Francisco, CA | Thomas M. Peterson |
| S. Allen Early III | Detroit, MI | Gregory L. Curtner |
| M.F. Rick Fayard Jr. | Shreveport, LA | Jack M. Bailey, Jr. |
| Sherle Rubin Flaggman | Southfield, MI | Steven J. Matz |
| Jeffrey H. Garland | Port St. Lucie, FL | Lawrence Steven Schack |
| Mark William Gehan Jr. | St. Paul, MN | James Owen Redman |
| Joseph R. Giaramita Jr. | Brooklyn, NY | Albert James Brackley III |
| Stephen Andrew Grimmer | Dallas, TX | Barry Frank McNeil |
| Gregory Russell Hanthorn | Atlanta, GA | Gordon Lee Garrett, Jr. |
| J. Glen Harper | Anchorage, AK | Dan Elvin Dennis |
| Richard H. Honaker | Rock Springs, WY | James Edward Fitzgerald |
| Brian M. Hurley | Boston, MA | William B. Tyler |
| D. Kevin Ikenberry | Tulsa, OK | Joseph A. McCormick |
| Kathleen Jacobs | Riverside, CA | Elliott Stewart Luchs |
| Okla Jones II | New Orleans, LA | Clinton Andrew Vince |
| Fred E. Joslyn Jr. | Cranston, RI | Thomas Joseph McAndrew |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-------------------------|------------------------------|
| David Anthony Kolb | Chicago, IL | Edward C. Purcell |
| Mark D. Lawton | Portage, WI | Judge Earl Joseph McMahon |
| Jan G. Levine | Washington, DC | Meldon Edises Levine |
| Charles Arthur Maglieri | Bloomfield, CT | Stanley M. Barall |
| Mark H. Mahon | Jacksonville, FL | William Lacy Mahon, Jr. |
| Susan D. Reece Martyn | Toledo, OH | Henry J. Bourguignon |
| Timothy John Patrick McGinty | Cleveland, OH | John T. Corrigan |
| Linda Thoren Neal | Chicago, IL | Phil Caldwell Neal |
| Richard Benjamin Ness | Bamberg, SC | G. Ross Anderson, Jr. |
| Pamela I. Perry | Miami, FL | Donald I. Bieman |
| Peter J. Pullen | Sacramento, CA | Thomas G. Redmon |
| Julia Marie Quinn | Norristown, PA | Desmond J. McTighe |
| Thaddeus C. Raczkowski | East Brunswick, NJ | Carl J. Palmisano |
| Randall O. Reder | Tampa, FL | Stevan Travis Northcutt |
| John P. Relman | Washington, DC | Barry L. Goldstein |
| Stephanie Ridder | Amissville, VA | Donna Ruthe Lenhoff |
| William Kevin Rork | Topeka, KS | John C. Humpage |
| Mark Stuart Rosen | Santa Ana, CA | Edmund G. Brown, Jr. |
| Scott A. Rosenberg | New York, NY | David Goldfarb |
| Walter Samuel Rouse | Colorado Springs, CO | Mervin Allen Ziegler, Jr. |
| Daniel Ray Rubin | Columbus, OH | Lawrence Gary Reinhold |
| Douglas Staley Sandage | Houston, TX | Tom Lorance |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|--------------------------|
| Karen Mala Schapiro | Milwaukee, WI | David R. Frazer |
| Frank Howard Sherman | Philadelphia, PA | Judge Louis C. Bechtle |
| Rowe Winston Snider | Chicago, IL | R.R. McMahan |
| Charles E. Spevacek | Minneapolis, MN | William D. Flaskamp |
| Ted Alan Stokes | Milton, FL | Laura N. Melvin |
| John Nicholas Suhr | White Plains, NY | James W. Shea |
| James Oliver Swaney Jr. | Independence, MO | John S. Newhouse |
| David Taubenfeld | Dallas, TX | George W. Bramblett, Jr. |
| Mary Ray White | Denver, CO | Michael Douglas White |
| Walter E. Williams | Joplin, MO | Dee Wampler |
| Jennifer N. Willis | New Orleans, LA | William Patrick Quigley |
| Dorothy Barron Zimbrakos | Chicago, IL | Colleen K. Connell |

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|---------------------------|
| Henry Empeno Jr. | San Bernardino, CA | Lawrence Gerald Wallace |
| William R. Sawyer | Washington, DC | Lawrence Gerald Wallace |
| Alfred C. Lutz | Livingston, TX | Carol Richards Lutz |
| Thomas Allen Glessner | Falls Church, VA | Samuel Eric Hans Ericsson |
| Charles H. Olsen | Pacific Palisades, CA | Martha Gamble Kavanaugh |
| Wayne Douglas Lambert | Kansas City, MO | John Thomas Edwards |

ORAL ARGUMENTS

No. 88-782. United States Department of Justice, Petitioner *v.* Tax Analysts. Argued by Mr. Lawrence G. Wallace for the petitioner and by Mr. William A. Dobrovir for the respondent.

No. 88-774. Newman-Green, Inc., Petitioner *v.* Alejandro Alfonzo-Larrain, et al. Argued by Mr. Phil Caldwell Neal for the petitioner and by Mr. Frank K. Heap for the respondents.

No. 88-333. Alabama, Petitioner *v.* James Lewis Smith. Argued by Mr. P. David Bjurberg for the petitioner, by Mr. Paul J. Larkin, Jr., for the United States as *amicus curiae*, supporting petitioner, by special leave of Court, and by Ms. Delores R. Boyd for the respondent.

No. 88-5014. Jose Gomez, Petitioner *v.* United States; and

No. 88-5158. Diego Chavez-Tesina, Petitioner *v.* United States. Argued by Mr. Joel B. Rudin for the petitioners and by Mr. Michael K. Kellogg for the respondent.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-2098. Samuel K. Skinner, Secretary of Transportation, Appellant *v.* Mid-America Pipeline Company. Appeal from the United States District Court for the Northern District of Oklahoma. Judgment reversed and case remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Justice O'Connor.

No. 87-1327. Cotton Petroleum Corporation, et al., Appellants *v.* New Mexico, et al. Appeal from the Court of Appeals of New Mexico. Judgment affirmed. Opinion by Justice Stevens. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

No. 87-1956. Anthony M. Frank, Postmaster General of the United States, et al., Appellants *v.* Minnesota Newspaper Association, Inc. Appeal from the United States District Court for the District of Minnesota. Judgment vacated and case remanded to the District Court to dismiss the portions of the complaint remaining at issue on this appeal. *United States v. Munsingwear, Inc.*, 340 U.S. 36, 39-40 (1950). Opinion *per curiam* announced by the Chief Justice. Dissenting opinion by Justice Stevens. Justice White and Justice Marshall dissent.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-----------------------|
| Kathleen Gayle Kempæ | Inman, SC | J. Strom Thurmond |
| Simon Bolivar Buckner IV | Kansas City, MO | William L. Webster |
| Craig Stephen King | Washington, DC | Rex E. Lee |
| Lester G. Fant III | Washington, DC | Rex E. Lee |
| David Matthew Levy | Washington, DC | Rex E. Lee |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|------------------------------|
| James F. Bendernagel Jr. | Washington, DC | Rex E. Lee |
| L. Reid Ivins | Provo, UT | Rex E. Lee |
| Mira Nan Marshall | Washington, DC | Maureen T. Thornton |
| R. Lewis McHenry | New Orleans, LA | Herschel Lee Abbott Jr. |
| Howard Clarke Anawalt | Monte Sereno, CA | Russell Wood Galloway Jr. |
| Leta Lorraine Homco | Washington, DC | Boyd W. Allen Jr. |

ORAL ARGUMENTS

No. 88-348. New Orleans Public Service, Inc., Petitioner *v.* Council of City of New Orleans, et al. Argued by Mr. Rex E. Lee for the petitioner, by Mr. Richard J. Lazarus for the United States and Federal Energy Regulatory Commission, as amici curiae, in support of the petitioner, by special leave of Court, and by Mr. Clinton A. Vince for the respondent.

No. 88-608. Independent Federation of Flight Attendants, Petitioner *v.* Anne B. Zipes, et al. Argued by Mr. Steven A. Fehr for the petitioner and by Mr. Aram A. Hartunian for the respondents.

No. 88-309. Wyoming, Petitioner *v.* United States, et al. Argued by Mr. Michael Douglas White for the petitioner, by Mr. Jeffrey P. Minear for the United States, and by Ms. Susan M. Williams for the private respondents.

No. 88-1048. Robert J. Quinn, Jr., and Patricia J. Kampsen, etc., Appellants *v.* Wayne L. Millsap, et al. Argued by Mr. Kevin M. O'Keefe for the appellants and by Mr. Simon Bolivar Buckner, IV, for the appellees.

ORDERS

Ordered:

1. That the Bankruptcy Rules be, and they are hereby, amended by including therein an amendment to Bankruptcy Rule 9006(a).

2. That the foregoing change in the Bankruptcy Rules shall take effect on August 1, 1989 and shall govern all proceedings in bankruptcy cases thereafter commenced and, insofar as just and practicable, all proceedings in bankruptcy cases then pending.

3. That the Chief Justice be, and he hereby is, authorized to transmit to the Congress the foregoing amendment to the Bankruptcy Rules in

accordance with the provisions of Section 2075 of Title 28, United States Code.

Ordered:

1. That the Federal Rules of Appellate Procedure be, and they are hereby, amended by including therein amendments to Appellate Rules 1(a), 3(a), 26(a), 27(a), 28(g) and new Rules 6 and 26.1, and a new Form 5.

2. That the foregoing additions to and changes in the Federal Rules of Appellate Procedure, shall take effect on December 1, 1989 and shall govern all proceedings in appellate actions thereafter commenced and, insofar as just and practicable, all proceedings in appellate actions then pending.

3. That the Chief Justice be, and he hereby is, authorized to transmit to the Congress the foregoing additions to and changes in the rules of appellate procedure in accordance with the provisions of Section 2072 of Title 28, United States Code.

Ordered:

1. That the Federal Rules of Criminal Procedure for the United States District Courts be, and they are hereby, amended by including therein amendments to Criminal Rules 11(c), 32(a) and (c), 32.1(a) and (b), 40(d) and 41(e).

2. That the foregoing amendments to the Federal Rules of Criminal Procedure shall take effect on December 1, 1989 and shall govern all proceedings in criminal cases thereafter commenced and, insofar as just and practicable, all proceedings in criminal cases then pending.

3. That the Chief Justice be, and he hereby is, authorized to transmit to the Congress the foregoing amendments to the Federal Rules of Criminal Procedure in accordance with the provisions of Section 2072 of Title 28, United States Code.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORAL ARGUMENTS

No. 88-605. William L. Webster, Attorney General of Missouri, et al., Appellants *v.* Reproductive Health Services, et al. Argued by Mr. William L. Webster for the appellants, by Mr. Charles Fried for the United States, as amicus curiae, supporting appellants, by special leave of Court, and by Mr. Frank Susman for the appellees.

No. 87-6997. Eugene John Carella, Appellant *v.* California. Argued by Mr. Christopher D. Cerf for the appellant, pro hac vice, by special leave of Court, and by Mr. Arnold T. Guminski for the appellee.

No. 88-420. Jimmy Jones, Superintendent, Missouri Training Center for Men at Moberly, Petitioner *v.* Larry P. Thomas. Argued by Mr. Stephen D. Hawke for the petitioner and by Mr. Springfield Baldwin for the respondent.

Adjourned until Monday, May 1, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice O'Connor, and Justice Scalia.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEAL—SUMMARY DISPOSITION

No. 88-773. Rodey, Dickason, Sloan, Akin & Robb, P. A., Appellant v. Revenue Division of the Department of Taxation of New Mexico. Appeal from the Supreme Court of New Mexico. The appeal is dismissed for want of a substantial federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 88-1290. David R. Benjamin, et al., Petitioners v. United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Midland Asphalt Corporation v. United States*, 489 U.S. — (1989).

ORDERS IN PENDING CASES

No. —. Rolf Kaestel, Petitioner v. A. L. Lockhart, Director, Arkansas Department of Correction, et al. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied. Justice Blackmun dissents.

No. —. Eddie Thompson, Jr., Petitioner v. Ed F. Schroeder, et al. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. D-742. In the Matter of Disbarment of Helen Rice Frederick. Disbarment order entered.

No. D-769. In the Matter of Disbarment of William Trickett Smith. Disbarment order entered.

No. D-770. In the Matter of Disbarment of Michael Joseph Matthews. Disbarment order entered.

No. D-771. In the Matter of Disbarment of Mario Biaggi. Disbarment order entered.

No. D-782. In the Matter of Disbarment of Everett Emmett Ricks, Jr. It is ordered that Everett Emmett Ricks, Jr., of Long Beach, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-783. In the Matter of Disbarment of Richard R. Paige. It is ordered that Richard R. Paige, of Miami, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-784. In the Matter of Disbarment of Larry G. Lillback. It is ordered that Larry G. Lillback, of Mentor, Ohio, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 65, **Original**. State of Texas, Plaintiff *v.* State of New Mexico. The motion of the River Master for approval of fees and expenses is granted and the River Master is awarded \$7,168.53 for the period January 1-March 31, 1989, to be paid equally by the parties.

No. 87-1979. Chesapeake and Ohio Railway Company, Petitioner *v.* Nancy J. Schwalb and William McGlone; and

No. 88-127. Norfolk & Western Railway Company, Petitioner *v.* Robert T. Goode, Jr. The motion of Association of American Railroads, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-124. Lynn L. Breininger, Petitioner *v.* Sheet Metal Workers International Association Local Union No. 6. The motion of National Right to Work Legal Defense Foundation for leave to file a brief as *amicus curiae* is granted.

No. 88-449. John F. Healy, et al., Appellants *v.* The Beer Institute, et al.; and

No. 88-513. Wine and Spirits Wholesalers of Connecticut, Inc., Appellants *v.* The Beer Institute, et al. The motion of appellants John F. Healy, et al. for leave to file a supplemental brief after argument is granted.

No. 88-764. Samuel Jones, Jr., Petitioner *v.* Preuit & Mauldin, etc., et al. The motion of respondents to vacate taxing of costs is denied. Justice Blackmun would grant this motion.

No. 88-1213. Employment Division, Department of Human Resources of Oregon, et al., Petitioners *v.* Alfred L. Smith, et al. The motion of petitioners to dispense with printing the joint appendix is granted.

No. 88-7008. Charles James, Petitioner *v.* Peter M. Carlson, Warden. The application for release addressed to Justice Marshall and referred to the Court is denied.

APPEAL—JURISDICTION NOTED

No. 88-1569. Richard H. Austin, Michigan Secretary of State and Frank J. Kelley, Michigan Attorney General, Appellants *v.* Michigan Chamber of Commerce. Appeal from the United States Court of Appeals for the Sixth Circuit. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-1474. United States, Petitioner *v.* Goodyear Tire and Rubber Company and Affiliates. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit granted.

No. 88-1476. C. T. Carden, et al., Petitioners *v.* Arkoma Associates. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 88-1640. Michigan Citizens for an Independent Press, et al., Petitioners *v.* Dick Thornburgh, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Justice White took no part in the consideration or decision of this petition.

No. 88-6677. Horace Butler, Petitioner *v.* Kenneth D. McKellar, Warden, et al. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

CERTIORARI DENIED

No. 88-234. Florida Power & Light Company, et al., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States District Court for the District of Columbia denied.

No. 88-1142. James Helba, Jr., Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1285. Intermountain Rural Electric Association, Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1308. Roberto Valera, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1317. Churchill's Super Markets, Inc., Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1318. Pennsylvania, Petitioner *v.* Kenneth A. Stein. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 88-1346. Albert Morella, et al., Petitioners *v.* Cooper/T. Smith, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1396. United Steelworkers of America, Local Union 7533, Petitioner *v.* Dixie Electrical Manufacturing Co. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-1397. Telectronics, Inc. and BGS Medical, Inc., Petitioners *v.* United States and Zimmer, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1457. Bobby N. Owens, Petitioner *v.* Texaco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1468. Donald V. Johnstone, Petitioner *v.* Amoco Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1472. Deborah Hanson Fuller, etc., Petitioner *v.* United States Aircraft Insurance Group. Petition for writ of certiorari to the Court of Appeal of Louisiana, Second Circuit, denied.

No. 88-1475. Paul A. Johnson, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-1477. Absentee Shawnee Tribe of Indians of Oklahoma, Petitioner *v.* Kansas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1484. Hawaii, Petitioner *v.* Proko Industries, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1488. City of Dallas, Petitioner *v.* Video International Productions, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1490. Local Lodge D111 of the Cement, Lime, Gypsum and Allied Workers, etc., et al., Petitioners *v.* International Brotherhood of Boilermakers, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1494. Michael J. Badalamenti, Petitioner *v.* Dunham's, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1495. Missouri State Employees' Retirement System, Petitioner *v.* Michele A. Higgins. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied.

No. 88-1501. Eastman Kodak Company, Petitioner *v.* Polaroid Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1505. Herbert G. Brookens, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District IV, denied.

No. 88-1517. Robert Scott Dunning, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1521. Richard Booth, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Court of Appeals of Arkansas denied.

No. 88-1525. Charles Frank Loftice, Petitioner *v.* Colorado. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-1539. Homer Baker, et ux., Petitioners *v.* Zelma Pierce, Executrix of the Estate of Albert Baker, Deceased, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1544. Dale Adams, Petitioner *v.* Provident Mutual Life Insurance Company of Philadelphia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1606. Ralph Scopo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1607. Clark County, Nevada, Petitioner *v.* Frank Briscoe Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1615. Helmut Gaensel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1625. William Thomas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1641. Donald Bodine, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6074. Moses Muhammad, aka Wadress Hubert Metoyer, Jr., Petitioner *v.* Thomas White, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6458. Gabb Lee Mitchell and Clarence Washington, Petitioners *v.* Michael Dutton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6470. Juvenile Male, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6505. Thomas C. Colt, III, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6513. Peter James Atherton, Petitioner *v.* Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6515. Edgar Brathwaite, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6660. Frederick Price, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6693. Robert J. Parker, Petitioner *v.* United States Postal Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6755. James R. Lemons, Petitioner *v.* Kenneth G. Cox, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6758. Lloyd Cook, Petitioner *v.* Hilton Butler, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6761. Jeffrey York, Petitioner *v.* Arthur Tate, Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6762. Ronald L. Mason, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 88-6764. Shannon Russell, Petitioner *v.* Malden State Bank. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6765. Luis Tang-Forteleche, Petitioner *v.* United States;

No. 88-6779. Bernardo Segundo Calleja, aka Beni, Petitioner *v.* United States; and

No. 88-6893. Carlos Rafael Calleja, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6770. Ervin Hohensee, Petitioner *v.* Joan Smith, et al. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-6772. John P. Lyons, III, Petitioner *v.* Eastern Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6773. William Paul Barron, Jr., Petitioner *v.* Salt Lake City, Utah. Petition for writ of certiorari to the Court of Appeals of Utah denied.

No. 88-6776. Leodis Dortch, Petitioner *v.* Edward L. Cohn, Superintendent, Indiana State Reformatory, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6778. Juan Andrades-Salinas, Ruben Oviedo, Francisco Antonio Pacheco-Lacayo and Luciano Amaya-Ruiz, Petitioners *v.* United States; and

No. 88-6781. Rafael Segundo Crespo-Herrera, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6782. Donald A. Tangwall, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 88-6784. Robert E. Mahlerwein, Petitioner *v.* Federal Land Bank of Louisville, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6787. Gwendolyn White, et al., Petitioners *v.* Cleveland Board of Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6796. Richard J. Quigley, Petitioner *v.* California. Petition for writ of certiorari to the Superior Court of California, Santa Cruz County, denied.

No. 88-6802. Norbert E. Stelten, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6803. Ralph Wayne Fowler, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 88-6806. Lawrence Brooks, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-6807. Milton Reed, Petitioner *v.* Hilton Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6818. Rodger Roose, Petitioner *v.* John Cox, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6824. Luis Ortega, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6829. Faye T. Hall, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6842. Cedric Mark Runderson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6849. Wilburt J. Richter, Petitioner *v.* New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6854. Jerry Gloster, Petitioner *v.* Walter Kelly, Superintendent, Attica Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6859. Luis Gonzalez, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6868. Jose Gilberto Drummond, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6871. Imam'Shahid Muhammad, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6878. Osvaldo Cuevas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6880. Lawrence M. Cooper, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6887. Theotis Dread, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6889. William Frometa, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6894. Rommel A. Daroti-Lagos aka Alejandro Lagos-Daroti, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6900. William Hoffman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6902. Jeffrey Lee Hunt, aka Jim Hunt, aka Bubby, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6905. Edwin Colon-Ortiz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6921. Barney Lee Curlee, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6923. James Clayton Garrett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6926. John Wesley Finn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6933. Alphonse Thomas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6939. Gabriel Alvarez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1381. Joanne Robles, Petitioner *v.* Exxon Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Brennan and Justice White would grant certiorari.

No. 88-1399. Peabody Coal Company, Petitioner *v.* Arizona, et al. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied. Justice O'Connor took no part in the consideration or decision of this petition.

No. 88-1482. Oklahoma Corporation Commission, Petitioner *v.* ANR Pipeline Company, et al. The motion of Public Service Company of Oklahoma, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-5804. Francisco Paulino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Justice White with whom Justice Brennan joins.

No. 88-6120. Anthony R. Hamsch, III, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Opinion by Justice Stevens respecting the denial of certiorari. Dissenting opinion by Justice O'Connor with whom Justice Scalia and Justice Kennedy join.

No. 88-6588. Charles E. McDowell, Jr., Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6650. Robert Michael Purtell, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6716. Thomas Nevius, Petitioner *v.* George Sumner, Director, Nevada Department of Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-6589. In Re Kevin James Madden, Petitioner; and

No. 88-6827. In Re Andrew Walker, Jr., Petitioner. The petitions for writs of mandamus are denied.

REHEARINGS DENIED

No. 88-987. David Hesse, Petitioner *v.* Board of Education of Township High School District No. 211, Cook County, Illinois, et al.;

No. 88-1240. Jonathan B. Ainsworth, Petitioner *v.* State Bar of California;

No. 88-1279. Walton Sutherland, Petitioner *v.* United States Postal Service, et al.;

No. 88-6317. Donald Lee Maurer, Petitioner *v.* Ohio; and

No. 88-6597. In Re Ernest W. McKnight, Petitioner. The petitions for rehearing are denied.

No. 88-232. Israel G. Grossman, Petitioner *v.* United States. The motion of petitioner for leave to proceed further herein *in forma pauperis* is granted. The petition for rehearing is denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|----------------------------|
| Jake Arbes | Atlanta, GA | Jay Lester Strongwater |
| John Calhoun Bales | Tampa, FL | Rodney W. Morgan |
| Robert Gordon Barker | Indianapolis, IN | Henry J. Price |
| Richard A. Barnett | Hollywood, FL | Jon E. Krupnick |
| Patrick Timmons Boulden | Tulsa, OK | Neal E. McNeill Jr. |
| Daniel Colin Campbell | Laurel Hill, FL | Fleming Lee |
| Earl James Cantos Jr. | San Diego, CA | Timothy Harold Flanigan |
| Vincent Roger Cappucci | New York, NY | James Louis Fischer |
| R. Glenn Cater | New Orleans, LA | William Patrick Quigley |
| Pamela Rogers Chepiga | New York, NY | George D. Reycraft |
| Robert R. Cloar | Fort Smith, AR | Willard Crane Smith Jr. |
| Kevin T. Corcoran | Bloomfield, NJ | Timothy J. Dunn II |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-------------------------|-----------------------------|
| Raymond L. Eichenberger | Reynoldsburg, OH | Brian Arnold Freeman |
| Mark A. Eisenberg | Madison, WI | William Haus |
| Sanford Wesley Faulkner | Birmingham, AL | Steven Mosby Porter |
| Randall Dixon Fife | Dallas, TX | Carroll Ross Graham |
| John L. Franco Jr. | Burlington, VT | John Wallace Malley Jr. |
| Ilan Mordechai Funke-Bilu | San Luis Obispo, CA | C. Randall Cook |
| Michael William Galligan | New York, NY | Robert Brandt von Mehren |
| Henry Mills Gallivan | Greenville, SC | Frank Huger Gibbes III |
| Marc Norman Garber | Dallas, TX | Thomas Wofford Craddock |
| Narciso Garcia Jr. | Albuquerque, NM | James R. Toulouse |
| Gary L. Gellhaus | Aberdeen, SD | Drew C. Johnson |
| Nathan Greenberg | Boston, MA | Blair L. Perry |
| Ford Greene | San Anselmo, CA | John Robert Bobay |
| Russell R. Grosse | Atlanta, GA | James L. Paul |
| Patrick M. Hanlon | Washington, DC | Wendy Solomon White |
| Stephen Keith Hook | Colorado Springs, CO | Jackson L. Smith |
| Dean S. Hoover | Dallas, TX | Robert DerWayne Scoggins |
| Richard J. Kagan | Morristown, NJ | Alfred Israel Bernstein |
| J. Patrick Kelly | Colorado Springs, CO | Jackson L. Smith |
| Paul Richard Kleven | San Francisco, CA | Charles O. Morgan Jr. |
| Barry Steven Kopit | Chevy Chase, MD | Jacob Sheeskin |
| William S. Lee | Dallas, TX | Claude R. Wilson Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------------|-----------------------|------------------------------|
| George E. Loomis | Pensacola, FL | David L. Selby |
| Pamela Lynn Lutton-Shields | Tallahassee, FL | Philip John Padovano |
| Alberto Antonio Macia | Miam, FL | H. Jack Klingensmith |
| Spencer Granville Markle | Houston, TX | Robert G. Taylor II |
| Joseph F. Martin | Grand Rapids, MI | Wallson George Knack |
| Reid E. Meyers | Bellevue, OH | Glen D. Nager |
| James J. Mittermiller | Los Angeles, CA | Gordon F. Hampton |
| Mitchell L. Mullen | Marlton, NJ | Robert D. Garber |
| David J. Ouimette | Phoenix, AZ | Newman Rush Porter |
| Barry Alan Ragsdale | Birmingham, AL | F. Timothy McAbee |
| James Robert Scalco | Birmingham, AL | Jesse P. Evans III |
| G. Gregory Schivley | Birmingham, MI | Don K. Harness |
| Eric W. Schulze | Austin, TX | Leon Kelly Frels |
| G. Michael Schuyler | Littleton, CO | Judge John Albert Criswell |
| Roberto Segarra-Olivencia | San Juan, PR | Victor M. Pons Jr. |
| Charles R. Sheppard | Augusta, GA | Sam B. Sibley Jr. |
| Loramel Patricia WagnerShurtleff | Columbia, MO | Burton H. Shostak |
| Richard D. Sievers | Lincoln, NE | Roberta Susan Stick |
| Mark Simon | Dallas, TX | William Gray Compton |
| R. Eric Solem | Denver, CO | Daniel M. Taubman |
| James G. Speer | Phoenix, AZ | Newman Rush Porter |
| Jenny Steinen | West Chester, PA | Charles Melvin Joseph Nester |
| Timothy Blackburn Taylor | San Diego, CA | Michael James Weaver |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------------|-----------------------|-------------------------|
| Donald Alexander Thigpen Jr. | Washington, DC | Judge Reggie B. Walton |
| Patrick Thomas Tierney | St. Paul, MN | Theodore J. Collins |
| Karen L. Tokarz | St. Louis, MO | E. Thomas Sullivan |
| Dennis J. Tonsing | Walnut Creek, CA | Stephen Allen McFeely |
| Jon Patraick Tonsing | Walnut Creek, CA | Stephen Allen McFeely |
| Julie Hills Tucker | Jacksonville, FL | John A. Tucker IV |
| Miles Edmiston Twaddell III | Hackensack, NJ | Frank V. D. Lloyd |
| Judith C. Underwood | Austin, TX | Leon Kelly Frels |
| Nick Steven Verwolf | Seattle, WA | Richard S. White |
| Edward Dean Vogel | San Diego, CA | John Alexander Sturgeon |
| Mary Kay Vyskocil | New York, NY | Barry R. Ostrager |
| Jay Louis Weiner | New York, NY | Barbara Dale Underwood |
| David T. Weisbrod | Tampa, FL | Robert H. Mackenzie |
| Wendy C. Weiss | Boulder, CO | L. Duane Woodard |
| Charles William West | Los Angeles, CA | Haskell H. Grodberg |
| Cynthia K. Yott | Detroit, MI | Samuel Cortez Gardner |
| Holly McCo Zimmerman | Kansas City, MO | Joseph Allen Crites |

OPINIONS

No. 87-1882. Dean Neitzke, etc., et al., Petitioners *v.* Harry Lawrence Williams, Sr. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Justice Marshall.

No. 87-1167. Price Waterhouse, Petitioner *v.* Ann B. Hopkins. On writ of certiorari to the United States Court of Appeals for the District

of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Justice Brennan announced the judgment of the Court and delivered an opinion in which Justice Marshall, Justice Blackmun and Justice Stevens join. Opinion by Justice White concurring in the judgment. Opinion by Justice O'Connor concurring in the judgment. Dissenting opinion by Justice Kennedy with whom the Chief Justice and Justice Scalia join.

No. 87-1490. John E. Mallard, Petitioner *v.* United States District Court for the Southern District of Iowa, et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Brennan. Concurring opinion by Justice Kennedy. Dissenting opinion by Justice Stevens with whom Justice Marshall, Justice Blackmun, and Justice O'Connor join.

No. 87-1703. F. Dale Robertson, Chief of the Forest Service, et al., Petitioners *v.* Methow Valley Citizens Council, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens announced by the Chief Justice. Concurring opinion by Justice Brennan.

No. 87-1704. John O. Marsh, Jr., Secretary of the Army, et al., Petitioners *v.* Oregon Natural Resources Council, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens announced by the Chief Justice.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|-------------------------|
| Charles Alan Spitulnik | Potomac, MD | Basil Smith Cole Jr. |
| James O. Anderson Jr. | Lapel, IN | G. Douglass Owens |
| Jack L. Brinkman | Anderson, IN | G. Douglass Owens |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------|
| Thomas J. Broderick Jr. | Anderson, IN | G. Douglass Owens |
| Thomas Patrick Burke | Anderson, IN | G. Douglass Owens |
| Charles William Byer Jr. | Anderson, IN | G. Douglass Owens |
| Dennis D. Carroll | Anderson, IN | G. Douglass Owens |
| Sharon Carroll Clark | Anderson, IN | G. Douglass Owens |
| Leslie Ann Davisson | Anderson, IN | G. Douglass Owens |
| John Eugene Eisele | Anderson, IN | G. Douglass Owens |
| Brenda S. Farrell | Anderson, IN | G. Douglass Owens |
| Ted Richard Habermann | Anderson, IN | G. Douglass Owens |
| Thomas E. Hamer | Anderson, IN | G. Douglass Owens |
| David Wayne Hopper | Anderson, IN | G. Douglass Owens |
| Max Howard | Anderson, IN | G. Douglass Owens |
| Thomas L. Hulse | Anderson, IN | G. Douglass Owens |
| Richard E. Kreegar | Chesterfield, IN | G. Douglass Owens |
| William C. Kreegar | Anderson, IN | G. Douglass Owens |
| Jeffrey Allan Lockwood | Anderson, IN | G. Douglass Owens |
| Mark DeWayne Maynard | Anderson, IN | G. Douglass Owens |
| Ronald Ladd McNabney | Anderson, IN | G. Douglass Owens |
| James Bernie Melson | Anderson, IN | G. Douglass Owens |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------------|
| Thomas Newman Jr. | Anderson, IN | G. Douglass Owens |
| Bryce Douglass Owens | Pendleton, IN | G. Douglass Owens |
| John David Ritchison | Anderson, IN | G. Douglass Owens |
| Larry James Rittenhouse | Anderson, IN | G. Douglass Owens |
| Ralph Edward Sipes | Anderson, IN | G. Douglass Owens |
| Fredrick Richard Spencer | Anderson, IN | G. Douglass Owens |
| John Richard Walsh II | Anderson, IN | G. Douglass Owens |
| Scott Lewis Webb | Anderson, IN | G. Douglass Owens |
| Randall L. Woodruff | Anderson, IN | G. Douglass Owens |
| Geoffrey B. Yelton | Anderson, IN | G. Douglass Owens |
| Michael E. Benson | Woodbine, NJ | Jay H. Greenblatt |
| Robert Joseph Casella | Vineland, NJ | Jay H. Greenblatt |
| Sharon A. Ferrucci | Glassboro, NJ | Jay H. Greenblatt |
| Thomas L. Grimm | Glassboro, NJ | Jay H. Greenblatt |
| John Adam Kaspar | Vineland, NJ | Jay H. Greenblatt |
| Joseph Davis Marchand | Bridgeton, NJ | Jay H. Greenblatt |
| Kenneth Alan Pagliughi | Vineland, NJ | Jay H. Greenblatt |
| Michael A. Pirolli | Bridgeton, NJ | Jay H. Greenblatt |
| Linda Tarver Pirolli | Bridgeton, NJ | Jay H. Greenblatt |
| Nathan VanEmbden | Millville, NJ | Jay H. Greenblatt |
| Alfred Joseph Verderose | Vineland, NJ | Jay H. Greenblatt |
| Earl Marsh Bennett | Liberty Corner, NJ | Pamela Copeland Kaufelt |
| Ned M. Cohn | Somerville, NJ | Pamela Copeland Kaufelt |
| Kathleen P. Holly | Somerville, NJ | Pamela Copeland Kaufelt |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|-------------------------|
| Gregory F. Kusic | Keyport, NJ | Pamela Copeland Kaufelt |
| Thomas E. Lenahan Jr. | Somerville, NJ | Pamela Copeland Kaufelt |
| Henry J. Nix | Piscataway, NJ | Pamela Copeland Kaufelt |
| Thomas A. Pavics | Somerville, NJ | Pamela Copeland Kaufelt |
| Richard L. Tice | Flemington, NJ | Pamela Copeland Kaufelt |
| Charles Gregory Watts | Flemington, NJ | Pamela Copeland Kaufelt |
| Harry Allen Yospin | Warren, NJ | Pamela Copeland Kaufelt |
| Michael E. Benson | Woodbine, NJ | Jay H. Greenblatt |
| Robert Joseph Casella | Vineland, NJ | Jay H. Greenblatt |
| Sharon A. Ferrucci | Glassboro, NJ | Jay H. Greenblatt |
| Thomas L. Grimm | Glassboro, NJ | Jay H. Greenblatt |
| John Adam Kaspar | Vineland, NJ | Jay H. Greenblatt |
| Stephen P. Kernan | Bridgeton, NJ | Jay H. Greenblatt |
| Joseph Davis Marchand | Bridgeton, NJ | Jay H. Greenblatt |
| Kenneth Allen Pagliughi | Vineland, NJ | Jay H. Greenblatt |
| Michael A. Pirolli | Bridgeton, NJ | Jay H. Greenblatt |
| Linda Tarver Pirolli | Bridgeton, NJ | Jay H. Greenblatt |
| Terry Glen Tucker | Bridgeton, NJ | Jay H. Greenblatt |
| Nathan VanEmbden | Millville, NJ | Jay H. Greenblatt |
| Alfred Joseph Verderose | Vineland, NJ | Jay H. Greenblatt |

Adjourned until Monday, May 15, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

CERTIORARI DENIED

No. 88-7140. Aubrey Dennis Adams, Jr., Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The application for stay of execution of sentence of death presented to Justice Kennedy and by him referred to the Court is denied. The petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is denied. Dissenting opinion by Justice Brennan with whom Justice Marshall joins.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-881. Bryan S. Lankford, Applicant *v.* Idaho. The application for stay of execution of sentence of death presented to Justice O'Connor and by her referred to the Court is granted pending the timely filing and disposition by this Court of a petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the issuance of the mandate of this Court.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

APPEAL—SUMMARY DISPOSITION

No. 88–6811. Robert Lee Hesler, Appellant *v.* Cabinet for Human Resources of Kentucky. Appeal from the Court of Appeals of Kentucky. The appeal is dismissed for want of a substantial federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 88–1208. Sandia Federal Savings and Loan Association, Petitioner *v.* Federal Savings and Loan Insurance Corporation, etc. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Coit Independence Joint Venture v. Federal Savings and Loan Insurance Corporation*, 489 U.S. — (1989).

No. 88–1300. Federal Savings and Loan Insurance Corporation, as Receiver for Bohemian Savings and Loan Association, Petitioner *v.* John V. Capozzi, et al. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Federal Savings and Loan Insurance Corporation v. Ticktin*, 489 U.S. — (1989).

ORDERS IN PENDING CASES

No. —. In Re Gregg Al Cramblett. The motion for leave to file a petition for common law writ of habeas corpus and other relief is denied.

No. —. In Re Patricia A. Dean. The motion for an order to file a petition for writ of habeas corpus and other relief is denied.

No. D-750. In the Matter of Disbarment of Jonathan H. Soucek. Disbarment order entered.

No. D-785. In the Matter of Disbarment of Mitchell David Aronson. It is ordered that Mitchell David Aronson, of North Miami, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-786. In the Matter of Disbarment of John J. Ford, III. It is ordered that John J. Ford, III, of San Francisco, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-787. In the Matter of Disbarment of Frank G. Prantil. It is ordered that Frank G. Prantil, of Fair Oaks, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-788. In the Matter of Disbarment of Michael H. Cates. It is ordered that Michael H. Cates, of Key West, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 108, **Original**. State of Nebraska, Plaintiff *v.* States of Wyoming and Colorado. The second interim motion of the Special Master for compensation and reimbursement of expenses is granted and the Special Master is awarded \$94,801.10 to be paid 40% by Nebraska, 40% by Wyoming and 20% by the United States.

No. 88-124. Lynn L. Breininger, Petitioner *v.* Sheet Metal Workers International Association Local Union No. 6. The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-1264. James Saffle, Warden, et al., Petitioners *v.* Robyn Leroy Parks. The motion for appointment of counsel is granted and it is ordered that Vivian O. Berger, Esq., of New York, New York, is appointed to serve as counsel for the respondent in this case.

No. 88-1353. United States, Petitioner *v.* Rene Martin Verdugo-Urquidez. The motion of the Acting Solicitor General to dispense with printing the joint appendix is granted.

No. 88-1374. Jimmy Swaggart Ministries, Appellant *v.* Board of Equalization of California. The motion of appellee to limit questions presented for review is denied.

No. 88-6896. Charles F. Schaefer, Petitioner *v.* Transportation Media, Inc., etc. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until June 5, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 88-6966. Victor A. Rita, Jr., Petitioner *v.* United States. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until June 5, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan, Justice Marshall, Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

CERTIORARI GRANTED

No. 88-1434. Elizabeth Dole, Secretary of Labor, et al., Petitioners *v.* United Steelworkers of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 88-1512. Albert J. Ferens, et ux., Petitioners *v.* John Deere Company, aka Deere & Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 88-1377. Louis W. Sullivan, Secretary of Health and Human Services, Petitioner *v.* Brian Zebley, et al. The motion of respondents for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

CERTIORARI DENIED

No. 87-1594. Charlotte Croman, Petitioner *v.* Manhattan Community College. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-1830. Larry Blalock, Petitioner *v.* Metals Trades, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1070. Associated General Contractors of America, et al., Petitioners *v.* Occupational Safety and Health Administration, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1079. Roger King, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1238. Clemon Herrington, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1265. Anthony J. Fagiano, Director, Department of Insurance of Idaho, et al., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1298. Michigan, Petitioner *v.* Elbert Boyd. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-1348. Leona M. Helmsley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1367. A. G. Boone Company, Petitioner *v.* National Labor Relations Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1385. National Grain & Feed Association, Inc., et al., Petitioners, *v.* Occupational Safety and Health Administration, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1428. Compania de Desarrollo Cooperativo, Petitioner *v.* U.S.I. Properties Corp., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1433. Charlie Joe Vaughn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1478. Corpus Christi Taxpayers Association, et al., Petitioners *v.* City of Corpus Christi, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1507. Elaine Mott, Petitioner *v.* Gerald C. Kerns, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1510. Mary Margaret Ward, et al., Petitioners *v.* Succession of Richard W. Freeman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1514. Newspapers of New England, Inc., Petitioner *v.* Clerk-Magistrate of the Ware Division of the District Court Department. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 88-1515. United States, Acting Through the United States Department of Housing and Urban Development, Petitioner *v.* Rainier View Associates, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1522. McClatchy Newspapers, Inc., et al., Petitioners *v.* Paul Mosesian. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 88-1524. Jack R. Cremeans, Petitioner *v.* City of Roseville, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1526. Terry Rogers, et ux., Petitioners *v.* City of Cheyenne and Cheyenne Airport Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1528. Robert D. Stratmore, Petitioner *v.* Michael H. Goodbody, Shareef Dancer (U.S.A.) Syndicate, Dalham Hall Stud and Robert Acton. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1529. John M. Boehm, Tax Commissioner of Nebraska, Petitioner *v.* Trailer Train Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1531. Michael Kindness, Petitioner *v.* Donald J. Spang, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1533. Charles Russell Twist, Petitioner *v.* Dick Thornburgh, Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1535. Calvin L. Parker, et al., Petitioners *v.* Connors Steel Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1536. James Christian Bobo, Margaret Fall Harper, David Ray Marshall, Majorie Nelson, Leon Spivey and John Dalton Witte, Petitioners *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-1541. Kevin Eugene Funkhouser, et ux., Petitioners *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-1543. Kentucky State Police Department, Petitioner *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1549. Susan Diane Menke, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-1550. Missouri Pacific Railroad Company, Petitioner *v.* Betty L. Mackey, Executrix of the Estate of Cleo Franklin Mackey, Deceased. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 88-1554. Vincent E. Davis, Petitioner *v.* Henry Himmelfarb, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1555. Steelcase, Inc., Petitioner *v.* Haworth, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1557. Hillview Estates, Ltd., Petitioner *v.* Mo-Con Ventures, Inc., et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-1558. Helen Little Aragon, etc. Petitioner *v.* Jacobo Armenta. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 88-1559. Glenpool Utility Services Authority, Petitioner *v.* Creek County Rural Water District No. 2, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1560. Steven Richard Christie, Petitioner *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 88-1562. Hollister Incorporated, Petitioner *v.* Kingsdown Medical Consultants, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1565. Richard Alan Leemis, Petitioner *v.* Hospital Corporation of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1568. Dana Corporation, Petitioner *v.* IPC Limited Partnership and International Packings Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1570. Clyde O. Washington, et ux., Petitioners *v.* First Federal Savings and Loan Association of LaPorte County, Indiana, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1572. Bernard Clark, Jr., Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-1573. Rodrigo Alonso, et al., Petitioners *v.* Leo's Quality Foods, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1575. Maggie Adams, fka Maggie Jo Koza, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-1576. Cambridge Wire Cloth Company, Petitioner *v.* Laitram Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1578. Boise Independent School District #1, Petitioner *v.* Gabriel Thornock, etc., et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 88-1579. James W. Ross, Jr., Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 88-1583. Frederick P. Singer, Administrator of the Estate of Frederick P. Singer, Jr., Deceased, et al., Petitioners *v.* General Motors Corporation, et al. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-1587. Bobby Reed Magby, Petitioner *v.* Donald Wawrzaszek, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1596. Venkareddy Chennareddy, Petitioner *v.* General Accounting Office. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1617. William C. Hulett, Petitioner, *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1630. North American Philips Corporation, et al., Petitioners *v.* Windmere Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1656. 298.25 Acres of Land, more or less, situate in Wayne County, West Virginia, et al., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1663. Victor F. Himmelwright, Petitioner *v.* William H. Fauver, Commissioner, New Jersey Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1679. Bryan N. Was and Norman Was, Petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6090. Ricardo Jones, Petitioner *v.* Larry Neff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6127. Norman Redwing, Petitioner *v.* Karen A. Joseph. Petition for writ of certiorari to the Supreme Court of South Dakota denied.

No. 88-6141. William M. Lindsay and Tyrone Victor Hardin, Petitioners *v.* Gene Borgert, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6153. Dale Baker, Carnell Miller, Ervin Jackson, Virlin Jackson, Michael Petty and Vincent Beauregard, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6159. J. Q. (Natural Mother), Petitioner *v.* D. R. L. and E. M. R. (Adoptive Parents). Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 88-6216. Alonzo Bouie, Petitioner *v.* National Archives and Records Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6308. Josan Wolf Patino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6330. Jack Dempsey Phillips, Petitioner *v.* Robert Martinez, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6360. Ronald Lam, Petitioner *v.* Iowa, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6444. Johnny Lee King, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6494. Curtis L. Wrenn, Petitioner *v.* Lawrence P. Benson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6524. Curtis L. Wrenn, Petitioner *v.* Louis W. Sullivan, Secretary, Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6533. Frederick C. Fermin, Petitioner *v.* Commodity Futures Trading Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6573. Tommy Lee Ford, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6580. Lamar Portwood, aka Michael Tucker and James Jerry Black, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6581. Harold Lloyd Phillips, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6595. James O'Neal, Petitioner *v.* Gene Borgert, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6615. Nathaniel Coleman, aka Boo Tee Coleman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6618. John Fritz, Petitioner *v.* George E. Barker, Judge, Kentucky Circuit Court at Fayette, et al. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 88-6639. William Joseph Gallo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6641. Willie Herbert, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6658. Curtis L. Wrenn, Petitioner *v.* Richard L. Thornburgh, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6711. Reynaldo Diaz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6719. Donald Stumpf, Petitioner *v.* Alaska. Petition for writ of certiorari to the Court of Appeals of Alaska denied.

No. 88-6737. Gary Lee McColpin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6749. Oscar Gates, Petitioner *v.* Dan Vasquez, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6751. Jirik Parez, Petitioner *v.* United States District Court for the Southern District of California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6760. Royce Calvin Sands, Petitioner *v.* United States District Court for the District of Arizona. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6771. Jerry Wayne Campbell, Petitioner *v.* Idaho. Petition for writ of certiorari to the Court of Appeals of Idaho denied.

No. 88-6785. John Fritz, Petitioner *v.* George E. Barker, Judge, Kentucky Circuit Court at Fayette, et al. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 88-6799. Dennis Nelson Fixel, Petitioner *v.* District Court of Nevada, First Judicial District. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-6813. Justin C. S. Kim, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6815. Johnny Traylor, Petitioner *v.* City of Atlanta Bureau of Fire Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6816. Percy Ray Berry, Petitioner *v.* Jack Duckworth, Superintendent, Indiana State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6823. Derrick Allen, Petitioner *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6825. G. Donald Massey, Petitioner *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 88-6830. William Henry Bennett, Petitioner *v.* G. S. Fortner, Superintendent, Lawtey Correctional Institution at Lawtey, Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6831. Calvin Edgar Sizemore, Petitioner *v.* Wade D. Blankenship, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6837. James C. Wright, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6839. Michael August, Petitioner *v.* Superior Court of California, County of Los Angeles, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-6844. Tyrone A. Williams, Petitioner *v.* Maryland, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6846. Mack Mellow Summers, Petitioner *v.* Terrie C. Chavis, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6847. Kerry Lee Smith, Petitioner *v.* Laurie F. Bessinger, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6851. Larry Jerome McLaughlin, Petitioner *v.* Robert Melvin Rees, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6852. Anthony Holloway, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-6862. Ronald Roark, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-6864. Narciso Ubide, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fifth District, denied.

No. 88-6867. Bronislaus Lis, Petitioner *v.* Gary Wolinski, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6869. Thaddeus Michael Lockhart, Petitioner *v.* Henry Wade, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6874. Barbara Johnson, Petitioner *v.* Valerie White. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 88-6877. Donnie James Smith, Petitioner *v.* Ira Kelso, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6883. Gordan Lee Hayes, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-6886. Eleanor T. Filoon, Petitioner *v.* Workmen's Compensation Appeal Board. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. 88-6888. Henry T. Sanders, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6892. Jerry Wayne Smith, Petitioner *v.* Herb Maschner, et al. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 88-6907. William E. Baker, Petitioner *v.* Becky Marie Baker Singleton. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-6918. Clyde Nubine, Petitioner *v.* Houston City Police Department. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6919. Santiago Tapia, Petitioner *v.* Detective Segura, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6922. Lev Alkhovsky, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-6927. Avis A. Holovnia, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 88-6934. Delbert H. Reidt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6937. George W. Goodson, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6938. Michael R. Williams, Petitioner *v.* Kansas. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 88-6942. Jeffrey Robert Bell, Petitioner *v.* Freddie Smith, Former Commissioner, Alabama Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6943. Angelo Weeden aka Mukmen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6945. Fernando Espada, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6946. George Paul LaRoque, Petitioner *v.* Department of State. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6949. John Perotti, et al., Petitioners *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility at Lucasville, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6951. Phillip N. Croxton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6955. Leon Willis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6964. Leonard B. Schumpert, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6969. Darrell D. Prows, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6979. Robert Alan Ladd, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6985. Willie Albert Davis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6996. David J. Munchinski, Petitioner *v.* George Petsock, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6998. Shawn Young, Petitioner *v.* John Sullivan, Superintendent, Ossining Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7004. John Webster Flanagan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7007. Bernardo Elias Betancourt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7008. Charles James, Petitioner *v.* Peter M. Carlson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7009. Dan Slaughter, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-7017. William John Varellas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7018. Arthur Lee Harriatt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7019. Neil Abramson, Petitioner *v.* Virginia. Petition for writ of certiorari to the Court of Appeals of Virginia denied.

No. 88-7025. Ekundayo Olusegun Gbolade, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7030. Israel Ortiz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7032. Clavin Merle Muncy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7035. Benjamin Chambers, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7037. Leonard Wayne Kragness, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7040. Charles Alaimo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7042. Willie Worsley, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7047. Demetrios G. Kapantais, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7052. Michael Marine, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7053. Reginald Lewis Lee, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7056. Leonardo Monzon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1259. Booth Gardner, et al., Petitioners *v.* Lanford D. Tribble. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1380. Oglala Sioux Tribe and Rosebud Sioux Tribe, Petitioners *v.* United States and Sioux Tribe of Indians. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 88-1530. Joseph V. Juliano, Petitioner *v.* Commercial Life Insurance Company, et al. The motion of California Medical Association for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-1574. William R. Burt, Petitioner *v.* Justices of the Supreme Court of Idaho, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Kennedy took no part in the consideration or decision of this petition.

No. 88-1662. Edward E. Romp, Petitioner *v.* United States. The petition for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit before judgment is denied.

No. 88-6516. Benjamin J. Harris, III, Petitioner *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6542. Oscar Gates, Petitioner *v.* Dan Vasquez, Warden. Petition for writ of certiorari and petition for writ of habeas corpus to the United States Court of Appeals for the Ninth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6642. Charles Albanese, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6666. Jim Eric Chandler, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6789. Richard Zeitvogel, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6810. Larry Lee, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6812. Romell Broom, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6860. Richard Wayne Snell, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6891. Andrew Lee Jones, Petitioner *v.* Hilton Butler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6963. Emil Carsetti, Petitioner *v.* George Bronson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice White dissents from the denial of certiorari.

MANDAMUS DENIED

- No. 88-1599. In Re Frank J. Vondersaar, Petitioner;
 No. 88-6826. In Re Raymore Phillips, Petitioner; and
 No. 88-6971. In Re Mitchell Williams, Petitioner. The petitions for writs of mandamus are denied.
 No. 88-1609. In Re Moses W. Haynes, Petitioner. The petition for writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

- No. 87-1602. Ronald D. Castille, etc., et al., Petitioners *v.* Michael Peoples;
 No. 87-6431. Wayne T. Schmuck, Petitioner *v.* United States;
 No. 88-900. Charles A. Kerr, II, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services;
 No. 88-1192. Alvie B. Graham, Petitioner *v.* J. Warren Bettis, Judge, et al.;
 No. 88-1201. Darrel G. Harden, Petitioner *v.* C. W. Bert, et al.;
 No. 88-1272. H.K. Porter Company, Inc., Petitioner *v.* United Steelworkers of America, AFL-CIO-CLC, et al.;
 No. 88-1310. Calvin Brent, Petitioner *v.* National Railroad Passenger Corporation, dba Amtrak, et al.;
 No. 88-1334. Billy W. Williams, Petitioner *v.* United States Department of Energy, et al.;
 No. 88-5952. Rudolph Bilder, Petitioner *v.* Ohio;
 No. 88-5961. James E. Copeland, Petitioner *v.* Louisiana;
 No. 88-6096. Pamela Irene Aucoin, Petitioner *v.* Tennessee;
 No. 88-6126. Jerry Alfred Whitworth, Petitioner *v.* United States;
 No. 88-6247. Aaron J. Herman, Petitioner *v.* Tom Geer, et al.;
 No. 88-6393. Ronald Raymond Woomer, Petitioner *v.* James Aiken, Warden, et al.;
 No. 88-6401. James L. Martin, Petitioner *v.* Commonwealth National Bank, et al.;
 No. 88-6420. Willie James Price, Petitioner *v.* Maryland;
 No. 88-6464. Dennis Nelson Fixel, Petitioner *v.* Harold Whitley, Warden;
 No. 88-6503. Lawrence Minton, Petitioner *v.* Sheet Metal Workers Local Union No. 54, AFL-CIO, etc., et al.;
 No. 88-6558. Samuel M. Rittenour, Petitioner *v.* Maryland;

No. 88-6575. Burton R. Landes, Petitioner *v.* Paul Yost, Commandant, United States Coast Guard;

No. 88-6647. C. S. Growney, Petitioner *v.* J. Growney, et al.;

No. 88-6652. Robert J. Van Hook, Petitioner *v.* Ohio;

No. 88-6672. Wayne S. Donald, Petitioner *v.* Georgia;

No. 88-6710. Anthony M. Laurencio, Petitioner *v.* Louis W. Sullivan, Secretary, Department of Health and Human Services;

No. 88-6746. Edward Lawrence, Petitioner *v.* U. S. Railroad Retirement Board; and

No. 88-6780. Herman Govan, Jr., Petitioner *v.* Workers' Compensation Appeals Board, et al. The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, May 15, 1989 until Monday, May 22, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|-------------------------|
| Roger Mark Adelman | Washington, DC | Judge John Alfred Terry |
| Jayson L. Amster | Upper Marlboro, MD | James J. Lombardi |
| Dennis A. Barlow | San Bernardino, CA | Mark Davis Bradshaw |
| Gary Harris Barnes | South Burlington, VT | Robert D. Rachlin |
| Byron Ernest Barnett | San Antonio, TX | Joe Villarreal Jr. |
| Steven D. Bell | Akron, OH | Steven George Janik |
| George Stephen Bennett | Charleston, WV | Robert H.C. Kay |
| John T. Bennett | Marksville, LA | Jerold Edward Knoll |
| Mark Bernsley | Los Angeles, CA | Fred Selan |
| Charlotte April Biblow | Bayside, NY | Joseph T. Ortego |
| Edward G. Biester III | Philadelphia, PA | Henry T. Reath |
| Donald James Bisbee | Scottsdale, AZ | E. Dennis Siler |
| Leo A. Bisson Jr. | St. Johnsbury, VT | James C. Gallagher |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|-------------------------------|
| Richard N. Bland | Burlington, VT | Robert D. Rachlin |
| Jonathan G. Blattmachr | Los Angeles, CA | Carroll L. Wainwright, Jr. |
| Clark J. Bormann | Bismarck, ND | Leonard H. Bucklin |
| Karen Barris Bragman | Atlanta, GA | Allen I. Hirsch |
| Ronald Irwin Brendzel | Anaheim, CA | Darryl Snider |
| Arthur H. Bryant | Washington, DC | Alan B. Morrison |
| Alton George Burkhalter | Santa Ana, CA | Robert J. Feldhake |
| Melissa Byers-Emmerling | East Liverpool, OH | David Tobin |
| Murray A. Calhoun | New Orleans, LA | Neal Douglas Hobson |
| James William Callison | Denver, CO | John E. Moye |
| Lynda J.L. Calore | Warrington, PA | Hugh H. Welsh |
| Dennis N. Cannon Jr. | Columbia, SC | Walton J. McLeod III |
| Raoul G. Cantero III | Miami, FL | Fred A. Schwartz |
| Carol Ann Carolla | Pittsburgh, PA | Ewing Kern Newcomer |
| Kenneth Michael Carter | New Orleans, LA | Glen L. Ortman |
| Robert E. Chapin | Capser, WY | Steven Ross Helling |
| Aaron Neal Clinard | High Point, NC | Louis Joseph Fisher III |
| Susan L. Cloud | Huntsville, AL | Earl E. Cloud |
| Lawrence H. Cohen | New York, NY | Michael Bernard Andolina |
| Jane Deirdre Comerford | Hartford, CT | William Jay Prensky |
| John O. Craig III | High Point, NC | Louis Joseph Fisher III |
| Paul Joseph Cunney | Honolulu, HI | Arthur Erwin Ross |
| Ronald E. D'Anna | Boca Raton, FL | Fred W. Mattlin |
| Evelyn Suzanne Darling | Richmond, VA | Mary Yancey Spence |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|---|
| Thomas Edward Davis | Springfield, IL | Donna Lee Dagnall |
| John Patrick Deveny | Des Moines, IA | David Lee Brown |
| Ronald Alfred DiNicola | Los Angeles, CA | Arthur Groman |
| Timothy R. Dingilian | Washington, DC | Patricia D. Gurne |
| Michael H. Dodge | San Diego, CA | John Clayton Colwell |
| Gilbert Daladin Douglas | Houston, TX | Andrea Joan Ward |
| James A. Dunbar | Baltimore, MD | Jeffrey Alan Dunn |
| Pamela Elizabeth Dunn | Los Angeles, CA | Alan G. Martin |
| Gordon C. Duus | Glen Ridge, NJ | F. Martin Duus |
| Edmund Patrick Edmonds | New Orleans, LA | Matt Reres |
| Barbara Anne Edwards | Fair Lawn, NJ | Morton Hirschklau |
| Kathryn Elaine Eisenhart | Springfield, IL | Mary Lee Cullen Leahy |
| J. Mark Englehart | Longview, TX | Glenn A. Perry |
| Samuel James Ervin IV | Morganton, NC | Robert Bond Byrd |
| Glenn P. Falk | Miami, FL | George J. Shamas |
| James C. Farnsworth | Chico, CA | John Wendell Schooling |
| Kurt H. Feuer | Chicago, IL | Michael Howard King |
| James R. Fiorentino | Bethlehem, PA | JudgeFranklin Stuart Van Antwerpe |
| Philip Paul Fletcher Jr. | Sarasota, FL | Robert Liddell Clark |
| Monica Foster | Indianapolis, IN | Richard Kammen |
| Ernest J. Franceschi Jr. | Seal Beach, CA | Leonard Sacks |
| James C. Franczek Jr. | Chicago, IL | Edward Charles Jepson, Jr. |
| John Ransom Franklin | Annandale, VA | William G. Malone |
| Jonathan Eric Fruchtman | Minneapolis, MN | Paula K. Richey |
| David Stow Fry | Grand Rapids, MI | Jon Douglas Botsford |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|------------------------|----------------------------------|
| Allen D. Fuller | Miami, FL | Michael S. Olin |
| Jerold Wayne Gardner | Katy, TX | Thomas Alvie Adams III |
| Scott C. Gayle | High Point, NC | Louis Joseph Fisher III |
| Martin J. Gerra III | Boulder, CO | Robin Desmond |
| Phillip Clarke Gildan | West Palm Beach, FL | Herbert Leonard Gildan |
| Tracy Lee Gildemeister | Los Angeles, CA | John Elwood Finn |
| Gil Patrick Gonzalez | San Diego, CA | Steven H. Zeigen |
| Jefferson McClure Gray | Washington, DC | Dianne Jean Smith |
| Robert M. Greenberg | Yardley, PA | Stephen P. Ulan |
| Norris J. Greenhouse | Marksville, LA | Jerold Edward Knoll |
| Charles A. Grube | Phoenix, AZ | Dennis Ira Wilenchik |
| Ivan Duke Halley | Woodward, OK | John Wayne Norman |
| Ala Hamilton-Day | Philadelphia, PA | Clifford A. Goldstein |
| Randall W. Hanna | Tallahassee, FL | Philip John Padovano |
| Ford T. Hardy Jr. | New Orleans, LA | John J. Cummings III |
| Angela Katherine Hart | Rockville, MD | Marc Pemble Hansen |
| Glenn L. Harvey | Olympia, WA | Kenneth O. Eikenberry |
| Mark Michael Haynes | Boulder, CO | Joseph C. French |
| Donald G. Henslee | Austin, TX | Laura S. Groce |
| Donald M. Hinkle | Tallahassee, FL | Robert L. Hinkle |
| Norman Holtz | Boston, MA | David B. Goldberg |
| J. Carroll Holzer | Baltimore, MD | Benjamin Franklin Lucas II |
| Maxine D. Howard | Ardsley, NY | Daniel M. Friedman |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-------------------------|--------------------------------|
| Ronald R. Howell | Orlando, FL | Terry E. Devlin |
| Patricia M. Hynes | New York, NY | John D. Feerick |
| Robert Woods Jackson | Charlottesville, VA | Leroy Reynolds Hamlett, Jr. |
| Cheryl Redfield Jansen | Springfield, IL | Mary Lee Cullen Leahy |
| Robin Axel Jones | Washington, DC | Eileen M. Albertson |
| Johnnie A. Jones III | Albuquerque, NM | Raymond Hamilton |
| Dean Peter Karlos | Chicago, IL | James A. Regas |
| Robert W. Kehres | Bloomfield Hills, MI | Don L. Keskey |
| Ivy Karen Kessel | Los Angeles, CA | Thomas Lyle Willhite, Jr. |
| Robert Walter Kilroy | Hampstead, NC | Daniel Francis Donahue |
| John L. Kopolow | Baltimore, MD | Michael R. Malloy |
| Loren Homer Kraus | Los Angeles, CA | Ellis J. Horvitz |
| Marilyn A. Kueper | Springfield, IL | Donna Lee Dagnall |
| William Thomas Lavender Jr. | Columbia, SC | Walton J. McLeod III |
| Richard Thurman Lawrence | Jackson, MS | Robert H. Pedersen |
| Stanley F. Leal | Sunnyvale, CA | James Thomas Kelly, Jr. |
| John Earl Lenker | San Francisco, CA | Joseph A. Ball |
| Dale Laster Lessne | West Windsor, NJ | Mary Carol Jacobson |
| Allan Levin | Washington, DC | A. Leo Levin |
| Penny Ann Lieberman | New York, NY | James R. Williams |
| C. Kelly Lightfoot | Metairie, LA | Nelson William Wagar, III |
| Karen Cale Lockwood | Washington, DC | Charles H. Lockwood II |
| Edward Bennett Lowry | Charlottesville, NC | Leroy Reynolds Hamlett, Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|--------------------------|
| David Jonathan Lundgren | Alliance, OH | Charles Edwin Brown, Jr. |
| Nora L. Macey | Indianapolis, IN | Merrill Jay Whitman |
| Barry A Macey | Indianapolis, IN | Merrill Jay Whitman |
| Marilyn A. Madorsky | Southfield, MI | David Marshall Moss |
| Joan Magoolaghan | New York, NY | Eileen R. Kaufman |
| John S. Malik | Wilmington, DE | John Howard McDonald |
| Elizabeth Owen Mann | Greenville, SC | Fletcher C. Mann |
| Anthony J. Mansour | Flint, MI | Donnelly Wright Hadden |
| Annette E. Mason | Omaha, NE | August Ross |
| Bruce G. Mason | Omaha, NE | Ausust Ross |
| Edith Rae Matthai | Lso Angeles, CA | Alan G. Martin |
| Thomas M. Matthews | Orlando, FL | James Peter Panico |
| Robert Spencer McCullough | New Orleans, LA | Freeman Rudolph Matthews |
| Michael A. McInerney | Grand Rapids, MI | Gary John McInerney |
| Robert Michael McKain | Philadelphia, PA | Alan E. Boroff |
| Richard D. McLellan | Lansing, MI | Kathleen McCree Lewis |
| Michael J. McManus | Alexandria, VA | Patricia D. Gurne |
| James A. Meade | Washington, DC | John F. Pritchard |
| Virginia Shaw Medlen | San Francisco, CA | George C. Limbach |
| Kathleen Mary Molchan | Fort Lauderdale, FL | Michael Ralph Casey |
| Neil Patrick Murphy | Southfield, MI | Thomas Lazar |
| Robert Elliott Nagle | Los Angeles, CA | David M. Axelrad |
| Margery F. Nathanson | Montclair, NJ | Andrea M. Silkowitz |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|------------------------|------------------------------|
| Robert Dale Nelon | Oklahoma City, OK | John Frederick Fischer II |
| Lan Tuyet Nguyen | Houston, TX | Daniel Robert Kirshbaum |
| Richard Edward Nielsen | Los Angeles, CA | Carol Henry Rehm Jr. |
| Peter Kirby O'Keefe | Hartford, CT | Andrew Joseph O'Keefe |
| Michael John O'Neill | Los Angeles, CA | Alan G. Martin |
| Royal F. Oakes | Los Angeles, CA | Kent Russel Keller |
| Jonathan Byrl Orlick | St. Petersburg, FL | Thomas F. Smegal, Jr. |
| Raymond Zachary Ortiz | Santa Fe, NM | Carl Bryant Rogers |
| Frederick D. Paoletti Jr. | Bridgeport, CT | John R. Gulash, Jr. |
| Jerome William Paun | Willimantic, CT | Henry B. Hurvitz |
| Robert L. Pavlic | Oconomowoc, WI | Patrick Lee Snyder |
| Lindsey Ann Payne | Fort Lauderdale, FL | Donald R. Hall |
| Michael C. Pendley | Jacksonville, FL | Michael J. Davie |
| William J. Perrone | Lansing, MI | Kathleen McCree Lewis |
| Mary Savilla Petersen | Seattle, WA | Roy J. Moceri |
| Gerald J. Petros | Cranston, RI | William R. Grimm |
| Jody Ellen Porter | Los Angeles, CA | Theodore B. Olson |
| Paul E. Prather | Memphis, TN | S. Russell Headrick |
| Gail L. Price-Sheehy | Montvale, NJ | James Raymond Beattie |
| Vance Wallace Raye | Sacramento, CA | C. George Deukmejian |
| Jonathan Joseph Reiss | New Hope, PA | Robert O. Baldi |
| Alan Bernard Rich | Dallas, TX | E. Russell Nunnally |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|-------------------------------|
| Brenda Bedsole Ricks | Amite, LA | Charles V. Genco |
| George F. Rizik II | Flint, MI | Donnelly Wright Hadden |
| Michael B. Rizik Jr. | Flint, MI | Donnelly Wright Hadden |
| Albert M. Robbins | New York, NY | Floyd Abrams |
| James Raymond Robie | Los Angeles, CA | Alan G. Martin |
| George L. Romanacce | Bloomfield, NJ | Harold I. Dolgoff |
| David Israel Rothstein | Milwaukee, WI | Paul E. Cooney |
| Thomas E. Ruzicka | Olathe, KS | Phillip A. Miller |
| John J. Ryan | Olympia, WA | James Martin Johnson |
| Colleen H. Sakurai | Honolulu, HI | James Edmund Takeo Koshiba |
| Richard G. Satin | Jericho, NY | Harvey R. Blau |
| David M. Schneiderman | N. Miami Beach, FL | Eugene Roy Fidell |
| V. Lynne Schroering | Frankfort, KY | Edwin A. Schroering Jr. |
| John R. Schulz | Saint Paul, MN | Theodore Joseph Collins |
| Adina Schwartz | New York, NY | Henriette D. Hoffman |
| Jacqueline Rose Scott | New York, NY | Melvin Scott |
| Brian D. Seibel | Danville, CA | John W. Noonan |
| Benjamin Lee Sells | Chicago, IL | Jerold S. Solovy |
| Bradley M. Seltzer | Washington, DC | Mac Asbill, Jr. |
| Stephen Michael Shaw | Hanalei, HI | Leonard Sacks |
| Larry Dean Simpson | Tallahassee, FL | Ken W. Davis |
| Bruce M. Slavin | San Francisco, CA | Karl Stephen Mayer |
| Alan M. Slobodin | Washington, DC | Paul Douglas Kamenar |
| Thomas John Spulak | Miami, FL | Claude Pepper |
| Paul E. Sutton II | Norfolk, VA | Richard I. Gulick |
| Gerald R. Swirsky | Hartford, CT | James Patrick Connolly |
| Daniel Wesley Sykes | Fort Worth, TX | Robert St. Claire Newkirk |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|-----------------------------------|
| Margaret D. Tagliavia | Washington, DC | Arline Mann |
| James E. Templeman | Lovington, NM | Tommy Dean Parker |
| John David Thompson Jr. | Lafayette, LA | Thomas Fitzgerald Porter IV |
| Mitchell Cary Tilner | Los Angeles, CA | Ellis J. Horvitz |
| Stephen Benedict Toner | ew York, NY | Stanley J. Scher |
| John J. Trebon | Flagstaff, AZ | Timothy K. Ford |
| Carolyn Juliene Trevis | Minneapolis, MN | David Ernest Krause |
| John Ragan VanWinkle | Fort Smith, AR | Donald Ray Langston |
| Victor A. Vazquez-Gonzalez | San Juan, PR | Gilberto M. Charriez |
| Etta Maria Warman | Austin, TX | Virginia Marie Schramm |
| Gerald Warren | St. Louis, MO | Anthony LeClaire Anderson |
| James Edwin Weging | Elmwood Park, IL | Gordon P. MacDougall |
| Barbara Anne Weiner | Highland Park, IL | Howard C. Eglit |
| Cindy M. Wilder | Lansing, MI | Kathleen McCree Lewis |
| Norman H. Williams Jr. | Knoxville, TN | Claude K. Robertson |
| Russell James Wright | Silsbee, TX | Rupert F. Horka |
| Tommy Lee Yeates | Beaumont, TX | Jon B. Burmeister |
| John D. Zelezny | Fresno, CA | Martin David Sommerness |
| John A. Zintsmaster | Flint, MI | Donnelly Wright Hadden |
| Bruce Campbell Zivley | Houston, TX | Michael J. Hinton |

OPINIONS

No. 88-385. Ofelia Rodriguez de Quijas, et al., Petitioners *v.* Shearson/American Express, Inc., etc. On writ of certiorari to the

United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Justice Kennedy. Dissenting opinion by Justice Stevens with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

No. 87-1344. Richard L. Thornburgh, Attorney General of the United States, et al., Petitioners *v.* Jack Abbott, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Blackmun. Opinion by Justice Stevens concurring in part and dissenting in part with whom Justice Brennan and Justice Marshall join.

No. 87-1815. Kentucky, Department of Corrections, et al., Petitioners *v.* James M. Thompson, et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Blackmun. Concurring opinion by Justice Kennedy. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Stevens join.

No. 87-1383. United States, Appellant *v.* Irwin Halper. Appeal from the United States District Court for the Southern District of New York. Judgment vacated and case remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Justice Blackmun. Concurring opinion by Justice Kennedy.

No. 87-6571. Dethorne Graham, Petitioner *v.* M. S. Connor, et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by the Chief Justice. Opinion by Justice Blackmun concurring in part and concurring in the judgment with whom Justice Brennan and Justice Marshall join.

No. 88-357. Norm Maleng, etc., et al., Petitioners *v.* Mark Edwin Cook. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion *per curiam* announced by the Chief Justice.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|------------------|
| Margaret Carroll Alli | Detroit, MI | Dennis M. Hertel |
| John D. Alli | Birmingham, MI | Dennis M. Hertel |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-------------------------|------------------|
| Victor L. Bland | Portage, MI | Dennis M. Hertel |
| Robert M. Bondy | Union Lake, MI | Dennis M. Hertel |
| Thomas M. Brennan | Utica, MI | Dennis M. Hertel |
| Karen Elizabeth Bridges | Detroit, MI | Dennis M. Hertel |
| Daniel Mark Bridges | Pontiac, MI | Dennis M. Hertel |
| Wendy K. Breuninger Buskop | Houston, TX | Dennis M. Hertel |
| Richard L. Caretti | Detroit, MI | Dennis M. Hertel |
| Raymond Arthur Cassar | Farmington Hills, MI | Dennis M. Hertel |
| Mary Susan Connolly | Detroit, MI | Dennis M. Hertel |
| Thomas Ralph Eineman | Wyandotte, MI | Dennis M. Hertel |
| Floyd H. Farmer Jr. | Holland, MI | Dennis M. Hertel |
| Allen I. Glass | Farmington Hills, MI | Dennis M. Hertel |
| Mark Daniel Greenman | Hamtramck, MI | Dennis M. Hertel |
| Paula Rewald Gribbs | Grosse Pointe Park, | Dennis M. Hertel |
| Paul Vincent Groth | Walled Lake, MI | Dennis M. Hertel |
| Diane Lynn Hungerford | Kalamazoo, MI | Dennis M. Hertel |
| Cynthia L.M. Johnson | Detroit, MI | Dennis M. Hertel |
| Elliot Paul Kramer | Southfield, MI | Dennis M. Hertel |
| George Laska | Warren, MI | Dennis M. Hertel |
| Barry Michael Levine | Ann Arbor, MI | Dennis M. Hertel |
| Susan Jean Miller | Midland, MI | Dennis M. Hertel |
| Allan T. Motzny | Pontiac, MI | Dennis M. Hertel |
| Scott E. Pederson | Grand Rapids, MI | Dennis M. Hertel |
| Richard D. Persinger | Holland, MI | Dennis M. Hertel |
| Vivian A. Phillips | Detroit, MI | Dennis M. Hertel |
| Roman Rewald | Detroit, MI | Dennis M. Hertel |
| Raymond J. Salloum | Southfield, MI | Dennis M. Hertel |
| Kurt E. Schnelz | Union Lake, MI | Dennis M. Hertel |
| Christopher Moussa Seikaly | West Bloomfield, MI | Dennis M. Hertel |
| Jacqueline Herbert Sellers | Detroit, MI | Dennis M. Hertel |
| Anthony Joseph Semaan | Detroit, MI | Dennis M. Hertel |
| Patrick M. Shannon | Sault Ste. Marie, MI | Dennis M. Hertel |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|------------------------|------------------------------|
| Michael P. Simkow | Detroit, MI | Dennis M. Hertel |
| Sharon Lillith Smith | Southfield, MI | Dennis M. Hertel |
| Charles Edgar Stahl III | Trenton, MI | Dennis M. Hertel |
| Alvin M. Sterns | West Bloomfield, MI | Dennis M. Hertel |
| Pau Alan Wright | Midland, MI | Dennis M. Hertel |
| Stanley Marcel Wyre | Detroit, MI | Dennis M. Hertel |
| William Achille Conti | Torrington, CT | Daniel Robert Coquillette |
| Bradley Robert Larschan | Washington, DC | Daniel Robert Coquillette |
| Nancy M. Becker | Lexington, MA | Daniel Robert Coquillette |
| Dennis James Berry | Wayland, MA | Daniel Robert Coquillette |
| Daniel C. Crane | Cambridge, MA | Daniel Robert Coquillette |
| J. Elizabeth Cremens | Boston, MA | Daniel Robert Coquillette |
| Jan Edward Dabrowski | New Bedford, MA | Daniel Robert Coquillette |
| Ronnie Lisa DiLuna | Woburn, MA | Daniel Robert Coquillette |
| Francis Anthony DiLuna | Woburn, MA | Daniel Robert Coquillette |
| George P. Field | Boston, MA | Daniel Robert Coquillette |
| Denise Moore Fogg | Acton, MA | Daniel Robert Coquillette |
| Daniel D. Gallagher | Boston, MA | Daniel Robert Coquillette |
| Joseph M. Hinchey | Boston, MA | Daniel Robert Coquillette |
| Mary Ruth Jeka | Boston, MA | Daniel Robert Coquillette |
| Ellen Cecelia Kearns | Boston, MA | Daniel Robert Coquillette |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|--------------------------------|
| Gerald K. Kelley | Boston, MA | Daniel Robert Coquillette |
| William J. Lundregan | Salem, MA | Daniel Robert Coquillette |
| Jane T. Lundregan | Salem, MA | Daniel Robert Coquillette |
| Brian P. Lutch | Newton, MA | Daniel Robert Coquillette |
| John Joseph Lydon | Boston, MA | Daniel Robert Coquillette |
| Martha Rice Martini | Beverly, MA | Daniel Robert Coquillette |
| Paul J. McNamara | Boston, MA | Daniel Robert Coquillette |
| Walter B. Prince | Boston, MA | Daniel Robert Coquillette |
| Richard K. Scalise | Waltham, MA | Daniel Robert Coquillette |
| Neal C. Tully | Boston, MA | Daniel Robert Coquillette |
| Dianne Wilkerson | Boston, MA | Daniel Robert Coquillette |
| Richard Wright Paul | Detroit, MI | Daniel Robert Coquillette |
| Alan S. Kaplinsky | Philadelphia, PA | Daniel Robert Coquillette |
| William P. Robinson III | East Greenwich, RI | Daniel Robert Coquillette |
| Raymundo Velarde | El Paso, TX | Daniel Robert Coquillette |
| William Douglas Hyslop | Spokane, WA | Slade Gorton |
| Daniel Robert Butler | St. Paul, MN | Francis John Lorson |
| Robert James Bayer | Ventura, CA | Clarance Evans Beaver |
| William A. Ottinger | Deltona, FL | Theodore Arnold Doremus Jr. |
| Jeffrey Michael Riedl | Ridgewood, NJ | Charles John Xavier Kahwaty |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|--------------------------------|
| James William Miskowski | Ridgewood, NJ | Charles John Xavier Kahwaty |
| Trent C. Devenney | Bakersfield, CA | Kristian Dahl Whitten |
| Carol Ann Humiston | Los Angeles, CA | Kristian Dahl Whitten |
| David Michael Humiston | Los Angeles, CA | Kristian Dahl Whitten |
| John Skinner Warnlof | San Ramon, CA | Kristian Dahl Whitten |
| Edward J. Beberman | San Diego, CA | George William Sherk |
| Luann Catherine Beberman | San Diego, CA | George William Sherk |
| George J. Eigenhauser Jr. | San Diego, CA | George William Sherk |
| Philip Palmer Lindsley | San Diego, CA | George William Sherk |
| Atley C. Price | Michigan City, IN | George William Sherk |

Adjourned until Monday, May 22, 1989 at 10 o'clock.

x

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Stevens, and Justice Kennedy.

ORDERS IN PENDING CASES

No. A-903. Richard W. Boylston, etc., Applicant *v.* T.W. The motion of the American Civil Liberties Union, et al. for leave to file a brief as *amici curiae* is denied. The application for stay presented to Justice Kennedy and by him referred to the Court is denied. The order heretofore entered by Justice Kennedy on May 16, 1989, is vacated.

No. A-912. Henry Willis, III, Applicant *v.* Walter Zant, Warden. The application for stay of execution of sentence of death presented to Justice Kennedy and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice White, Justice Marshall, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

APPEAL—SUMMARY DISPOSITION

No. 88-1095. Joseph Howe, et ux., Appellants *v.* Norchek of Newport, Inc., dba Woody's Wharf, et al. Appeal from the Court of Appeal of California, Fourth Appellate District. The appeal is dismissed for want of a substantial federal question.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1994. Richard L. Dugger, Secretary, Florida Department of Corrections, et al., Petitioners *v.* Robert Lawson, etc., et al. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Thornburgh v. Abbott*, 490 U.S. — (1989).

No. 88-284. Dain Bosworth Incorporated, Petitioner *v.* David S. Johnson, et al. On petition for writ of certiorari to the Court of Appeals of Minnesota. The motion of Securities Industry Association, et al. for leave to file a brief as *amici curiae* is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeals of Minnesota for further consideration in light of *Rodriguez de Quijas v. Shearson/American Express, Inc.*, 490 U.S. — (1989). Justice Blackmun took no part in the consideration or decision of this motion and this case.

ORDERS IN PENDING CASES

No. —. In Re Sandra Kathleen Byers, Petitioner. The motion to order the Clerk to file a petition for writ of habeas corpus and other relief is denied.

No. —. Phillips Petroleum Company, Petitioner *v.* Robert L. Gray, et al. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. A-819. Gene Crescenzi, Applicant *v.* Departmental Disciplinary Committee for the First Judicial Department. The application for stay addressed to Justice White and referred to the Court is denied.

No. D-743. In the Matter of Disbarment of Joseph R. Carter, Jr. Disbarment order entered.

No. D-774. In the Matter of Disbarment of James Roger Gunderman. Disbarment order entered.

No. D-789. In the Matter of Disbarment of Michael Joseph Guinan. It is ordered that Michael Joseph Guinan, of Oxford, Wisconsin, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-1979. Chesapeake and Ohio Railway Company, Petitioner *v.* Nancy J. Schwalb and William McGlone; and

No. 88-127. Norfolk & Western Railway Company, Petitioner *v.* Robert T. Goode, Jr. The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-1319. Commissioner of Internal Revenue, Petitioner *v.* Indianapolis Power & Light Company. The motion of the Acting Solicitor General to dispense with printing the joint appendix is granted.

No. 88-6546. Albert Duro, Petitioner *v.* Edward Reina, Chief of Police, Salt River Department of Public Safety, Salt River Pima-Maricopa Indian Community, et al. The motion for appointment of counsel is granted and it is ordered that John J. Trebon, Esquire, of Flagstaff, Arizona, is appointed to serve as counsel for the petitioner in this case.

No. 88-6677. Horace Butler, Petitioner *v.* Kenneth D. McKellar, Warden, et al. The motion for appointment of counsel is granted and it is ordered that John H. Blume, Esquire, of Columbia, South Carolina, is appointed to serve as counsel for the petitioner in this case.

No. 88-6732. Thomas H. Lashley, et ux., Petitioners *v.* First National Bank of Live Oak. The motion of petitioners for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

CERTIORARI GRANTED

No. 88-1323. Louis W. Sullivan, Secretary of Health and Human Services, et al., Petitioners *v.* Sandra Everhart, et al. The motion of respondents for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

CERTIORARI DENIED

No. 88-1012. Gulshan B. Singh, et ux., etc., et al., Petitioners *v.* Drexel Burnham Lambert Incorporated, et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 88-1383. Bruce Roth, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1463. Thomas W. Wrenn, Petitioner *v.* State Industrial Insurance System. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-1464. Steven M. Greenberg, Petitioner *v.* Florida Bar. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-1496. City of Chicago, et al., Petitioners *v.* Lawrence C. Bieneman, etc.;

No. 88-1497. Lawrence C. Bieneman, etc., Petitioner *v.* City of Chicago, et al.; and

No. 88-1670. American Airlines, Inc., et al., Petitioners, *v.* City of Chicago, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1520. Medical Malpractice Insurance Association, Petitioner *v.* Superintendent of Insurance of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-1577. Robert W. Flitcraft, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1584. Charles W. Sizemore, Petitioner *v.* Texas Board of Dental Examiners. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 88-1588. Olivia Boyce, Petitioner *v.* Israelite Bible Class, Inc. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 88-1589. Philip Fitanides, Petitioner *v.* New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 88-1590. Ricky T. Russell, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Court of Common Pleas of Pennsylvania, Lancaster County, denied.

No. 88-1593. James E. Sparks, Petitioner *v.* Armstrong Rubber Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1594. Debra J. Winrod, et vir, Petitioners *v.* Ford Motor Company, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 88-1605. David G. Lupo and James Stemmler, Petitioners *v.* R. Rowland & Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1608. Cedar Crest #10, Inc., Petitioner *v.* City of Dallas. Petition for writ of certiorari to the Court of Appeals of Texas, Eleventh District, denied.

No. 88-1612. Daniel R. Hodge, Petitioner *v.* Walter R. Kelly, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1613. Brian W. Dowling, Petitioner *v.* Alabama State Bar. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-1614. Anthony Molina, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-1622. Richard L. Mitchell, Jr., Petitioner *v.* Board of Trustees of the Los Angeles Community College District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1631. Henry W. Cummings, Petitioner *v.* ACF Industries, et al. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 88-1632. Rafaat A. Rahmani, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, First District, denied.

No. 88-1645. Wilfred J. Cruz, Sr., Petitioner *v.* Director, Office of Workers' Compensation Programs, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1646. Eric Laupot, Petitioner *v.* William Berley, Executor of the Estate of Harry Berley, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1655. Regino Flores, Petitioner *v.* District of Columbia Rental Housing Commission, et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-1672. Betsy Acosta, Petitioner *v.* Louis W. Sullivan, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1673. Brian M. Bonello, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-1681. Michael Patrick Keehan, Petitioner *v.* Office of Disciplinary Counsel of the Supreme Court of Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 88-1682. Donald A. Bremner, et al., Petitioners *v.* Hawaii Housing Authority, et al. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 88-1683. Sheldon Hall Clothing, Inc., et al., Petitioners *v.* Trustees of the Amalgamated Insurance Fund. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1693. Raphael G. Kazmann, Petitioner *v.* Environmental Protection Agency, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1734. Martin Dayton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5935. John Fulford, Petitioner *v.* Hilton Butler, Warden. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 88-6359. Matthew L. Beverly, Petitioner *v.* Charlie Jones, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6404. Kevin B. Scott, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 88-6440. James Eugene Goodwin, aka York McGillicuddy McGavin, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6563. Juan Reinaldo Campillo, Petitioner *v.* John Sullivan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6649. Terry Eugene Savage, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6808. Dolores Montague, Petitioner *v.* City of Philadelphia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6865. Vladimir Zatko, Petitioner *v.* United States District Court for the Eastern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6890. Robert Breest, Petitioner *v.* Michael Cunningham, Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6901. Oliver Giles, Petitioner *v.* John H. Land, Judge, Superior Court of Georgia, Muscogee County. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6903. Chester Patterson, Petitioner *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 88-6904. Jessie D. McDonald, Petitioner *v.* Yellow Cab Metro, Inc. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 88-6906. Tony R. East, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6910. Russell Manross, et al., Petitioners *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-6912. Mitchell Williams, Petitioner *v.* Joe Frank Harris. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6915. Mack Bernard Yates, Petitioner *v.* Chester Banks. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6916. Paul Rosberg, Petitioner *v.* United States Court of Appeals for the Eighth Circuit. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6920. John Lee Layton, Petitioner *v.* Harold Whitley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6924. Robert F. Cramer, Petitioner *v.* Kansas. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 88-6925. Norman Keith Chase, Petitioner *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 88-6928. Frank Fica, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6932. Mercer D. Eubanks, et ux., Petitioners *v.* South Carolina National Bank, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6940. Garry De Young, Petitioner *v.* Jane Norman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6950. Earnest Johnson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 88-6975. Abul A. Ahmed, Petitioner *v.* Department of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6984. Michael Archuleta, Petitioner *v.* Dareld L. Kerby, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7005. Milton A. Schultz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-7027. Ronnie L. Curtis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7034. Gregory Scott Hermanski, aka Steve Lambert, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7068. Douglas A. Chizmadia, Petitioner *v.* Smiley's Point Clinic, et al. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 88-7088. Gertrude Thompson, Petitioner *v.* Massachusetts, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1178. Thomas E. Keane, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Blackmun would grant certiorari. Justice Stevens took no part in the consideration or decision of this petition.

No. 88-1600. Holy Spirit Association for the Unification of World Christianity, et al., Petitioners *v.* David Molko, et al. The motion of Na-

tional Council of Churches of Christ in the U.S.A., et al. for leave to file a brief as *amici curiae* is granted. The motion of Society for the Scientific Study of Religion, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-1603. Northern Propane Gas Company, Petitioner *v.* H. Floyd McGahee. The motion of Business Roundtable for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan and Justice White would grant certiorari.

No. 88-1618. Ernest V. Parisien, dba Parisien Excavation, Petitioner *v.* Twin City Construction Company of Fargo, et al. The motion of Turtle Mountain Band of Chippewa Indians, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1643. William E. Stephenson, Petitioner *v.* McLean Contracting Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice White would grant certiorari.

No. 88-6804. Timothy Tyrone Foster, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6828. John Wayne Gacy, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6931. David Scott Poe, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7045. Ricky Lee Grubbs, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6948. Thomas F. Sever, Petitioner *v.* John F. Akers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

MANDAMUS DENIED

No. 88-7002. In Re Henry V. Geurin, Petitioner. The petition for writ of mandamus is denied.

No. 88-1598. In Re Twylah Sue Hooker, Petitioner. The petition for writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

No. 88-1049. Grange Insurance Association, Petitioner *v.* Washington, et al.;

No. 88-1257. Jean Kertesz, Petitioner *v.* University of Southern California;

No. 88-6532. Paul Allan Larson, Petitioner *v.* Texas;

No. 88-6571. Leeann V. Hillman, Petitioner *v.* City of Spokane;

No. 88-6592. Frank E. Pennock, Petitioner *v.* Arthur F. Schultz Company, et al.;

No. 88-6593. Irene Petrarca, Petitioner *v.* Romeo S. Picerene, Jr., et al.;

No. 88-6637. Edwin Christman Dawn, et ux., Petitioners *v.* Danny Richmond, et al.;

No. 88-6648. John Richard David Mazak, Petitioner *v.* Richard H. Rison, Warden; and

No. 88-6697. Luis Thomas Leal, Petitioner *v.* Vickie Coronado. The petitions for rehearing are denied.

No. 88-6608. Wenancjusz F. Kunek, Petitioner *v.* Stanley K. Coffman, et al. The motion for leave to file a petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from Monday, May 22, 1989 until Tuesday, May 30, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|--|
| Howard H. Bell | Washington, DC | Justice Lewis Franklin Powell, Jr. |
| Gregory Ho-da-Gwa-ha Bigler | Sapulpa, OK | Reid Peyton Chambers |
| William N. Brissette | Lakeville, MA | David J. Sargent |
| Julie Joy Giordano | Versailles, KY | F. Tayton Dencer |
| Frank Jefferson Hammond | Jackson, MS | John G. Corlew |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|-----------------------------|
| Merrilee Lafferty Harmon | Waco, TX | Charles Milton McDonald |
| William Haden Haworth III | Muskogee, OK | Michael T. Rooney |
| James F. Johnson | San Francisco, CA | Jean R. Sternberg |
| M. Azhar Kahn | Washington, DC | Joseph Roll Conte |
| Joseph Thomas Kissane | Miami, FL | Jos. W. Womack |
| Donna Nussinow Lampert | Washington, DC | Henry Geller |
| John R. McCambridge | Chicago, IL | Gary M. Elden |
| Brian Meyers | Willistown, PA | Henry Hardy Perritt, Jr. |
| James Whitelaw Middleton | Miami, FL | J. Lane Middleton III |
| Robert Louis Mitchell | Oklahoma City, OK | Patrick J. Morgan |
| Willard James Moody Jr. | Portsmouth, VA | Willard James Moody |
| Michael Leddy O'Neill | De Land, FL | James R. Wulchak |
| Bobby Allen Potters | Indianapolis, IN | Gerald L. Bepko |
| Bertram W. Schulz | Battle Creek, MI | J.M. Sullivan |
| Michael H. Stein | Shady Side, MD | Eileen McGinley Stein |
| Jacquelyn Thompson | Indianapolis, IN | Gary Craig Lamey |
| Edward H. Tilinghast III | New York, NY | Edith C. Rysdyk |
| Leon R. Timmons | Louisville, KY | Russell William Shannon |
| Mark Edward Warren | Rochester, MN | John Jerome Swenson |
| Jonathan T. Weinberg | Ann Arbor, MI | Stephen John Pollak |
| John Robert Weiss | Chicago, IL | Richard A. Makarski |
| William Edward Windham | Hemet, CA | Daniel Lloyd Camp |

OPINIONS

No. 87-1973. Barbara Finley, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Scalia. Dissenting opinion by

Justice Blackmun. Dissenting opinion by Justice Stevens with whom Justice Brennan and Justice Marshall join.

No. 87-1816. Paul Green, Petitioner *v.* Bock Laundry Machine Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Justice Stevens. Opinion by Justice Scalia concurring in the judgment. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

No. 87-7023. Tyrone Victor Hardin, Petitioner *v.* Dennis Straub. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens.

No. 88-23. Lauro Lines, s.r.l., Petitioner *v.* Sophie Chasser, et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Justice Brennan announced by the Chief Justice. Concurring opinion by Justice Scalia.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------|-----------------------|--------------------------|
| Jeffrey P. Bialos | Washington, DC | Judge Daniel M. Friedman |
| James Robert Layton | Washington, DC | Judge Daniel M. Friedman |
| Robert Carl Moy | Minneapolis, MN | Judge Daniel M. Friedman |
| Roger L. Anderson | New York, NY | Judge Daniel M. Friedman |
| Cherie Artz | Washington, DC | Judge Daniel M. Friedman |
| Mark D. Schuman | Minneapolis, MN | Judge Daniel M. Friedman |
| Michelle Peters | Washington, DC | William E. O'Brien |
| William Rodney Stern | Irvine, CA | Wolf Harry Stern |
| Maria DelRio Low | Pasadena, CA | A. Raymond Randolph |
| Elmer Carlton Low | Pasadena, CA | A. Raymond Randolph |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|----------------------|
| Elizabeth A. Justice | Logansport, IN | Robert S. Justice |
| Samuel C. Justice | Portland, OR | Robert S. Justice |
| Gene E. Arnold | Pittsburgh, PA | Thomas W. Merrill |
| Belinda Dunmire Attwood | Pittsburgh, PA | Thomas W. Merrill |
| Richard K. Brandt | Pittsburgh, PA | Thomas W. Merrill |
| James R. Cooney | Pittsburgh, PA | Thomas W. Merrill |
| H. Bruce Curry | Conway, PA | Thomas W. Merrill |
| Guido Anthony DeAngelis | Pittsburgh, PA | Thomas W. Merrill |
| Patricia L. Dodge | Pittsburgh, PA | Thomas W. Merrill |
| Nancy Parker Doty | Pittsburgh, PA | Thomas W. Merrill |
| Linda Susan Drago | Pittsburgh, PA | Thomas W. Merrill |
| Peggy Lynn Ferber | Pittsburgh, PA | Thomas W. Merrill |
| D. Stephen Ferito | McMurray, PA | Thomas W. Merrill |
| Michael F. Fives | Pittsburgh, PA | Thomas W. Merrill |
| Daniel Richard Gigler | Pittsburgh, PA | Thomas W. Merrill |
| Paul Tomlinson Grater | Pittsburgh, PA | Thomas W. Merrill |
| Michael Hahalyak | Pittsburgh, PA | Thomas W. Merrill |
| James R. Hartline | Pittsburgh, PA | Thomas W. Merrill |
| Edward T. Harvey | Pittsburgh, PA | Thomas W. Merrill |
| Kathryn Lynn Johnston | Monaca, PA | Thomas W. Merrill |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|----------------------|
| Chester Charles Kent | Pittsburgh, PA | Thomas W. Merrill |
| Gary D. Ludin | Pittsburgh, PA | Thomas W. Merrill |
| Linton L. Moyer | Pittsburgh, PA | Thomas W. Merrill |
| Mary Hahalyak Mulock | Pittsburgh, PA | Thomas W. Merrill |
| Charles Kurt Mulzet | Pittsburgh, PA | Thomas W. Merrill |
| Debra M. Nicholson | Latrobe, PA | Thomas W. Merrill |
| Lisa Ondich | Pittsburgh, PA | Thomas W. Merrill |
| Gilbert Polonsky | Pittsburgh, PA | Thomas W. Merrill |
| Charles John Porter | Pittsburgh, PA | Thomas W. Merrill |
| Melaine Shannon Rothey | Pittsburgh, PA | Thomas W. Merrill |
| George Monroe Schumann | Pittsburgh, PA | Thomas W. Merrill |
| Linda Marie Sekely | Pittsburgh, PA | Thomas W. Merrill |
| John William Smart | Pittsburgh, PA | Thomas W. Merrill |
| Robert Eugene Stewart | Pittsburgh, PA | Thomas W. Merrill |
| Regis Charles Welsh Jr. | Pittsburgh, PA | Thomas W. Merrill |
| Carolyn L. Wepfer | Pittsburgh, PA | Thomas W. Merrill |
| Evan Michael Zanic | Pittsburgh, PA | Thomas W. Merrill |
| Carol Ann Cimkowski | New York, NY | O. Peter Sherwood |
| Mary Sabatini DiStephan | New York, NY | O. Peter Sherwood |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|--------------------------|
| Nancy Kramer | New York, N | O. Peter Sherwood |
| Barry Ezra Lichtenberg | New York, NY | O. Peter Sherwood |
| Morty Manford | New York, NY | O. Peter Sherwood |
| Susan Joan Pogoda | New York, NY | O. Peter Sherwood |
| Karen S. Smith | New York, NY | O. Peter Sherwood |
| Steven R. Wegman | Washington, DC | Judge James R. Lawton |
| Francis Michael Bielawski | Needham, MA | Judge James R. Lawton |
| Charles Leo Buckley | Boston, MA | Judge James R. Lawton |
| Diane M. Bunk | Fall River, MA | Judge James R. Lawton |
| Robert T. Cannon | Barnstable, MA | Judge James R. Lawton |
| Mark Daniel Carchidi | Sandwich, MA | Judge James R. Lawton |
| Michael Cerulli | Lynn, MA | Judge James R. Lawton |
| Gloria Cole | Malden, MA | Judge James R. Lawton |
| Cheryl A. Fiandaca | Boston, MA | Judge James R. Lawton |
| David C. Hagen | Framingham, MA | Judge James R. Lawton |
| Richard Carl Johnson | Boston, MA | Judge James R. Lawton |
| Michael Peter Krone | Boston, MA | Judge James R. Lawton |
| Chantal vanLede Lyon | Shrewsbury, MA | Judge James R. Lawton |
| Martin Joseph McNulty | Lynn, MA | Judge James R. Lawton |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------------|-----------------------|-----------------------|
| Janis S. Munnis | Malden, MA | Judge James R. Lawton |
| Theresa S. Nisby | Waltham, MA | Judge James R. Lawton |
| Marianne Emanuel Pantelakis | Lynnfield, MA | Judge James R. Lawton |
| Marie K. Roche | Boston, MA | Judge James R. Lawton |
| Daniel Kelso Sherwood | Malden, MA | Judge James R. Lawton |
| Lois O'Neil Simpson | Boston, MA | Judge James R. Lawton |
| Debra Lynn Smith | Watertown, MA | Judge James R. Lawton |
| Raymond Daniel Toomey | Weymouth, MA | Judge James R. Lawton |
| Jason G. Yarvitz | Wakefield, MA | Judge James R. Lawton |
| Tristine Grimes Smith | Saco, ME | Judge James R. Lawton |
| George D. Schonwald | Parsippany, NJ | Judge James R. Lawton |
| Donald J. Lally Jr. | Narragansett, RI | Judge James R. Lawton |
| Kerry Ignatius Raymond Rafanelli | Warwick, RI | Judge James R. Lawton |
| Brian VanCouyghen | Providence, RI | Judge James R. Lawton |

Adjourned until Tuesday, May 30, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-923. Stephen Albert McCoy, Applicant *v.* James L. Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of sentence of death presented to Justice White and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Blackmun and Justice Stevens would grant the application for stay.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-937. Michael Lindsey, Applicant *v.* Morris Thigpen, Commissioner, Alabama Department of Corrections. The application for stay of execution of sentence of death presented to Justice Kennedy and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

OPINION PER CURIAM

No. 88-6066. Paul C. Hildwin, Petitioner *v.* Florida. On petition for writ of certiorari to the Supreme Court of Florida. The motion for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. Judgment affirmed. Opinion *per curiam*. Dissenting opinion by Justice Brennan. Dissenting opinion by Justice Marshall.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1422. Gary W. Justice, Petitioner *v.* John W. Dennis, etc. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Graham v. Connor*, 490 U. S. — (1989).

No. 87-6899. James Callwood, Petitioner *v.* John Questel, et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Hardin v. Straub*, 490 U. S. — (1989).

No. 88-1581. County of Los Angeles and Ronald Black, Commander, Los Angeles County Men's Central Jail, Petitioners *v.* Josefina Cabrales. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *City of Canton, Ohio v. Harris*, 489 U. S. — (1989). Justice Marshall and Justice Stevens dissent and would deny certiorari.

No. 88-5152. John Perotti, Petitioner *v.* Robert Carty, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Hardin v. Straub*, 490 U. S. — (1989).

No. 88-5213. Sylvester Gavin, Petitioner *v.* H. Gary Wells, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Maleng v. Cook*, 490 U. S. — (1989).

No. 88-5783. Ricky Christian, Petitioner *v.* Jim Larkin, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Hardin v. Straub*, 490 U. S. — (1989).

No. 88-6316. Gary L. Blankenship, Petitioner *v.* Robert Parratt, et al. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Hardin v. Straub*, 490 U. S. — (1989).

No. 88-6434. Derek A. Farmer, Petitioner *v.* Richard P. Seiter, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Hardin v. Straub*, 490 U. S. — (1989). Justice O'Connor, Justice Scalia and Justice Kennedy would deny certiorari.

ORDERS IN PENDING CASES

No. —. Alcolac, Inc., Petitioner *v.* Betty Elam, et al. The motion to dispense with printing the appendix to the petition for a writ of certiorari is granted.

No. —. William N. Paskulka, et ux., Petitioners *v.* Frank N. Koob, et al. The motion to direct the Clerk to docket an appeal, out-of-time, is denied.

No. D-762. In the Matter of Disbarment of Michael Steven Kotzker. Disbarment order entered.

No. D-773. In the Matter of Disbarment of William Lee Gagen. Disbarment order entered.

No. D-790. In the Matter of Disbarment of John P. Fitzgerald. It is ordered that John P. Fitzgerald, of Jupiter, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 88-1784. Great Republic Insurance Company, et al., Petitioners *v.* LaVerne Cheval, by and through her Conservator, Martin Miller. The application for stay presented to Justice O'Connor and by her referred to the Court is granted and it is ordered that the judgment of the Court of Appeal of California, First Appellate District, case No. A040344, entered January 5, 1989, is stayed pending disposition of the petition for writ of certiorari. In the event the petition for a writ of certiorari is denied, this order terminates automatically. Should the petition for a writ of certiorari be granted, this order is to remain in effect pending the issuance of the mandate of this Court. This order is further conditioned upon the certificates of deposit presently in the custody of the California Superior Court remaining in effect.

No. 88-7146. Jonas H. Whitmore, individually and as next friend of Ronald Gene Simmons *v.* Arkansas, et al. The motion of respondent Simmons for expedited review is denied. The motion of respondent Simmons for oral argument is denied. The motion of respondent Simmons to be present at oral argument is denied. The motion of respondent Simmons to require petitioner to post bond is denied.

CERTIORARI GRANTED

No. 88-1650. Francine Taffin, et al., Petitioners, *v.* Jeffrey A. Levitt, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted limited to Question 2 presented by the petition.

CERTIORARI DENIED

No. 88-589. Michael Sullivan, Petitioner *v.* Hartford Accident and Indemnity Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-761. Lester Yoder, Petitioner *v.* Anthony Celebrezze, Jr., Attorney General of Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1039. William French Smith, et al., Petitioners *v.* Anthony J. Prisco, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1271. Henry Klepak, Petitioner *v.* Elizabeth Dole, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1344. Julie Miron, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1349. Daniel Paul Richmann, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1388. LO Shippers Action Committee, Petitioner *v.* Interstate Commerce Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1426. Omaha Indian Tribe, et al., Petitioners *v.* Harold Jackson, et al.;

No. 88-1592. John R. Wilson, et al., Petitioners *v.* Omaha Indian Tribe, et al.; and

No. 88-1636. Iowa, et al., Petitioners *v.* United States, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1445. National Association of Casualty and Surety Agents, et al., Petitioners *v.* Board of Governors of the Federal Reserve System, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1451. Howard M. Levy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1458. J. Alfred Rider, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1504. Michelle M. Etlin, Petitioner *v.* Vladimir N. Etlin. Petition for writ of certiorari to the Court of Appeals of Virginia denied.

No. 88-1527. Yun Kil Moon, Petitioner *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1580. Del Percio, Inc., et al., Petitioners *v.* City of Daytona Beach. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1610. Douglas County School District and Douglas County Board of Education, Petitioners *v.* Doug Jager and William Jager. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1624. Olga Safranek, Petitioner *v.* Town of Limon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1627. Mother and Unborn Baby Care of North Texas, Inc., and Charles J. Pelletier, II, Petitioners *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Second District, denied.

No. 88-1629. Georgia Association for Retarded Citizens, et al., Petitioners, *v.* Charles McDaniel, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1633. Jackson Warren, Petitioner *v.* City of Lincoln, Nebraska, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1634. Luegine Wiggins, Petitioner *v.* Colorado. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-1644. LDB Corporation, Petitioner *v.* Gibraltar Savings. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1652. Roger Emerick, Petitioner *v.* Walter Borden, et ux. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-1661. Richard Rist, Acting Warden, Petitioner *v.* Steven Satter. Petition for writ of certiorari to the Supreme Court of South Dakota denied.

No. 88-1667. Arthur O. Klein, Petitioner *v.* Donald W. Peterson, Deputy Commissioner of Patents and Trademarks, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1676. Express Courier, Inc., Petitioner *v.* New York State Department of Labor, et al. Petition for writ of certiorari to the Appel-

late Division, Supreme Court of New York, First Judicial Department, denied.

No. 88-1695. Ellis C. Stevens, III, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-1722. Robert M. Schneberger, et al., Petitioners *v.* United States Trust Company of New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1728. Anita Schirmer, Petitioner *v.* Eastman Kodak Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1741. Griswold Institute, Inc., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1757. Alfred D. Covatto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1763. Geraldine S. Koven, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1774. Foon L. Woo, Petitioner *v.* United States Navy. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-5468. James Jones, Petitioner *v.* Board of Police Commissioners, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6634. Anthony G. Battle, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6638. Terry W. Evans, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-6742. Anna R. Deel, Petitioner *v.* Larry D. Jackson, Commissioner, Virginia Department of Social Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6792. Judith Volk, Petitioner *v.* Dottie Hobson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6794. Terry Lynn Skaggs, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6870. Charles Burks, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6876. Thomas E. Hope, Petitioner *v.* Edward J. Derwinski, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6956. Lionel J. Desdunes, Sr., Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 88-6958. Frederick H. Lightsey, Petitioner *v.* William Yeager, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6961. Duane Eugene Owen, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 88-6962. Lawrence Edward Thompson, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6973. John Vincent Beal, Petitioner *v.* Ken L. Setzer, Superintendent, McDowell Correctional Center at Marion, North Carolina, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6982. Gloria Wilhelm, Personal Representative of the Estate of Christopher David Wilhelm, Petitioner *v.* Dan Gray, Court Clerk of Oklahoma County. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 88-6988. Clifford Oran Craig, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6991. Mitchell Williams, Petitioner *v.* Milton Barwick. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6992. Charles A. Williams, Petitioner *v.* Ted Wallman, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6994. Pierre Williams, Petitioner *v.* Little Flower Childrens Services. Petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, First Judicial Department, denied.

No. 88-7003. Kevin L. Boot, Petitioner *v.* Kenneth P. Zarko, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7006. William P. Lindo, Jr., Petitioner *v.* City and County of San Francisco, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7023. Michelle Elliott, et vir, Petitioners *v.* Larry Fellows, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7028. Willie Gene Burden aka "50" aka "Burton", Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7031. Robert W. Powers, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-7036. Portia Kirkland, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 88-7039. Jake Watson, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 88-7043. Ivan Pettis, Petitioner *v.* Art Tate Jr., Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7059. Roberto Gonzales, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7061. David Joseph Brown, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7069. Marge Garcia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7074. Randolph R. McNeal aka Bobby McNeal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7080. Eddie Lee Mumford, Petitioner *v.* John N. Brown, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7085. Frank Garcia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7086. Larry Fred Gallegos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7087. Carlos Humberto Hernandez-Beltran, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7091. Melvin Underwood, Petitioner *v.* Wayne B. Winebrenner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7097. Darren A. Simpson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7106. Roger Lange, Petitioner *v.* Gary R. McCaughtry, Superintendent, Waupun Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-7108. Larry Brooks, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7112. Otis Cooper, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7121. Joseph Hoffer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7125. Steven Wayne Slovacek, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7127. Sherman Lewis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7144. Leslie George Moran, Petitioner *v.* H. Gary Wells, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7155. Frank Paulding Scott, Petitioner *v.* Virginia. Petition for writ of certiorari to the Court of Appeals of Virginia denied.

No. 88-1331. Randy Roy, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied. Justice White and Justice Kennedy would grant certiorari.

No. 88-1417. Somchai Jarusirinukul, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District III, denied. Justice White would grant certiorari.

No. 88-1666. California, Petitioner *v.* Stephen Edward Leichty. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-6736. Alan Frank, aka A. Roy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice White and Justice O'Connor would grant certiorari.

No. 88-6968. Kelvin Shelby Malone, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6995. Charles Edward Moore, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-6989. In Re Jeffrey Balawajder, Petitioner; and

No. 88-7012. In Re Tyrone Tilephus Reid, Petitioner. The petitions for writs of mandamus are denied.

REHEARINGS DENIED

No. 88-1263. Roger Hohl, on behalf of himself and his daughters, Cassandra & Danielle Hohl, Petitioner *v.* William W. Miller, Magistrate, Cass County Magistrate's Court, etc.;

No. 88-1336. Francisco S. Jiminez, et al., Petitioners *v.* BP Oil, Inc.;

No. 88-6562. William H. Hance, Petitioner *v.* Walter Zant, Superintendent, Georgia Diagnostic and Classification Center at Jackson;

No. 88-6567. Edward A. Ganey, Petitioner *v.* Talmadge Barnett, Superintendent, Eastern Correctional Institution at Maury, North Carolina, et al.;

No. 88-6568. Edward A. Ganey, Petitioner *v.* Sam P. Garrison, et al.;

No. 88-6577. Ernest Ulysses Morrison, Petitioner *v.* Georgia;

No. 88-6656. Billy Joe Sowell, Petitioner *v.* Ohio;

No. 88-6662. Thomas B. Armstrong, III, Petitioner *v.* Lawrence Kincheloe, Superintendent, Washington State Penitentiary, et al.;

No. 88-6738. Elijah Karriem, Petitioner *v.* District of Columbia; and

No. 88-6866. Robert William Milnes, Petitioner *v.* United States. The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Tuesday, May 30, 1989 until Monday, June 5, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|-----------------------------|
| Joel Marc Abramson | Columbia, MD | Mary Beth McNamara |
| Nels J. Ackerson | Washington, DC | Rex E. Lee |
| Robert A. Alessi | New York, NY | Denis G. McInerney |
| Sterling Artist | Philadelphia, PA | Lennox Jacinto Simon |
| Richard Mark Baker | Wilmington, CA | Ben Narvid |
| George V. Basham III | Austin, TX | Richard Lambeth Townsend |
| Ronald Bernbaum | Tulsa, OK | Allen Klein |
| Kenneth S. Blumenthal | Columbus, OH | Michael Edward Flowers |
| Richard M. Botteri | Portland, OR | Lawrence R. Derr |
| Alf R. Brandin | San Francisco, CA | R. Frederic Fisher |
| Raymond Anthony Branker | Santa Ana, CA | George Henry Babcock |
| Daan Braveman | Syracuse, NY | Thomas Joseph Maroney |
| Alexander Bunin | Houston, NY | Edward A. Mallett |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-----------------------------|
| George L. Caceres | Jersey City, NJ | Thomas Patrick Olivieri |
| Ronald Mark Caldwell | Canton, OH | Robert D. Horowitz |
| Stephen Craig Carleton | New Orleans, LA | Bruce Reginald Hoefler, Jr. |
| Gregory Alan Cerulo | Peoria, IL | Richard E. Quinn |
| Charles W. Cherry II | Fort Lauderdale, FL | Curtis Lorenzo Jones, Jr. |
| Dominic James Chieffo | Columbus, OH | George Curtis Smith |
| Michael Craig Cox | Grand Island, NE | N. Warner Lee |
| Herbert A. Cummins | Montvale, NJ | James Raymond Beattie |
| Steve J. Davis | Atlanta, GA | C. David Vaughan |
| Ronald G. Dawson | Annapolis, MD | Andrew Gwynn Bowie, Jr. |
| Joseph W. deFuria Jr. | Wallingford, PA | Joseph V. Catania |
| Shelley Marie Ditus | Anchorage, AK | Robert Stanley Ditus |
| Jane Wolf Eldridge | Santa Monica, CA | Gary Lynn Bostwick |
| Nancy Ann O'Mara Ezold | Philadelphia, PA | Gregory T. Magarity |
| Anthony Luther Farese | Ashland, MS | Peggy A. Jones |
| Stephen L. Farnell | Spokane, WA | Robert H. Whaley |
| Patrick H. Ferguson | Worcester, MA | Anthony Joseph Scola |
| Sidney L. Feuvrel, Jr. | Orlando, FL | Harmon Terrell Griffin |
| Donna Marie Fields | Memphis, TN | Larry H. Nance |
| James Lee Ford | Atlanta, GA | Jule W. Felton, Jr. |
| James Fox | Dartmouth, MA | Thomas F. Burke |
| Stanley Charles Franklin | Los Angeles, CA | Hal F. Baron |
| Joan P. Fread | Washington, DC | Robert David Dinerstein |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|-------------------------|
| Edward Brendan French Jr. | Stowe, VT | Harold B. Stevens, III |
| Betsy Ellwanger Gallagher | Miami, FL | Edward A. Perse |
| Ray A. Gallo | Morro Bay, CA | Gerald Mason |
| Steven M. Garrett | San Francisco, CA | Robert Merritt Chilvers |
| Brian J. Gepford | Kansas City, MO | Charles N. Compton |
| Lawrence F. Gepford Jr. | Kansas City, MO | James L. Lyons |
| Ralph Douglas Gibson | Monticello, KY | Dale Bryant Mitchell |
| Steven Howard Gistenson | Chicago, IL | Richard Gerald Schultz |
| Marilyn Anita Gordon | Seattle, WA | William George Schmidt |
| Neil Elliott Marshall Grad | Reno, NV | Patrick J. Joyce |
| Lawrence Greenapple | New York, NY | Bernard Rosen |
| Richard Grover | Honolulu, HI | John Harris Paer |
| Rick Harris | Montgomery, AL | Stephen R. Glassroth |
| John T. Hawley | Boise, ID | Merlyn W. Clark |
| Joe W. Hilberman | Los Angeles, CA | Donald Alan Garrard |
| Michael F. Horan | Pawtucket, RI | Michael Dennis Sullivan |
| Benjamin Jones | Monroe, LA | Jesse D. McDonald |
| Raymon Glynn Jones | New Orleans, LA | Darrell Keith Cherry |
| Michael H. Kalkstein | San Jose, CA | Andrew Leigh Faber |
| John Francis Kelley | Detroit, MI | William Barnett Schultz |
| John T. Kolinski | Miami, FL | Lee Douglas Mackson |
| Allen J. Krouse III | New Orleans, LA | Allen J. Krouse |
| Lawrence A. Laddaga | Charleston, SC | Randall Theron Bell |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|------------------------|
| William F. Lally Jr. | Albany, NY | Arlene Alice Levinson |
| Darlene Dee Lokey | San Diego, CA | Joseph Edward Preston |
| Kenneth John Mallin | St. Louis, MO | John R. McFarland |
| Patricia Trott Mandt | Birmingham, AL | Scott M. Phelps |
| James A. Martell | Fort Collins, CO | Timothy J. Dow |
| Mitzi Harris Martin | Indianapolis, IN | Michael R. Maine |
| Deborah Martin-Norcross | Morristown, NJ | Anthony J. Atlas |
| Daniel J. Matula | Kansas City, MO | Charles N. Compton |
| Timothy James McCausland | Lakeland, FL | Mark N. Miller |
| Klint James McKay | Los Angeles, CA | Roger Lee Cossack |
| Steven J. Merker | Denver, CO | John Michael Roche |
| Eric Peter Mueller | New York, NY | Barry A. Werbin |
| David P. Muller | Indianapolis, IN | Earl C. Townsend, Jr. |
| John T. Neighbours | Indianapolis, IN | Michael R. Maine |
| Richard R. Nelson II | Pittsburgh, PA | Robert S. Grigsby |
| Edward Anthony Nolfi | Akron, OH | Richard L. Aynes |
| Michael O'Brien | Laurel Hollow, NY | W. Duggan, Jr. |
| Diane Marie O'Malley | San Francisco, CA | Jonathan A. Fields |
| Michael Alan Ogline | Alliance, OH | Charles Ernest Brown |
| Scott P. Pagliughi | Vineland, NJ | Jay H. Greenblatt |
| Robin Robert Parker | Trenton, NJ | Catherine A. Foddai |
| Anthony Partridge | Washington, DC | Alice Louise O'Donnell |
| Emil H. Philibosian | Franklin Township, NJ | Gregory G. Jaeger |
| Alexander H. Plache | New Orleans, LA | Robert B. Acomb, Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-------------------------|---------------------------------|
| David R. Rivero | Washington, DC | Bennett Boskey |
| Peter M. Rubin | Rockville Centre, NY | Judge Frank E. Yannelli |
| Charles Philip Sampson | Salt Lake City, UT | Stewart M. Hanson, Jr. |
| William Omar SanFord | Washington, DC | Lennox Jacinto Simon |
| Gerald Masahiro Sato | Los Angeles, CA | Alan Philip Ribakoff |
| Jon L. Schoenhorn | West Hartford, CT | Henry B. Hurvitz |
| Kathy C. Seeley | Helena, MT | Dorothy Bickel McCarter |
| Mary Benefield Seiverling | Hershey, PA | LeRoy S. Zimmerman |
| Stephen M. Sellmer | Carmel, IN | Raymond Lee Faust |
| Clyde Moody Siebman | Sherman, TX | J. Don Gordon |
| David Silberman | Potomac, MD | Daniel McMullen Armstrong II |
| Paul M. Simmons | Salt Lake City, UT | Bruce S. Jenkins |
| David H. Solomon | Washington, DC | Sheldon M. Guttman |
| George A. Somerville | Richmond, VA | John F. Kay, Jr. |
| Jon Karl Stromsta | Chicago, IL | Michael Howard King |
| Charles Lavern Stutte | Fayetteville, AR | Charles E. Davis |
| Shaunna Lynn Sullivan | Los Osos, CA | Gerald Mason |
| Richard L. Tate | Richmond, TX | Walter P. Zivley |
| William Stuart Taylor | Washington, DC | James Marshall Goldberg |
| Kay E. Tracy | Grand Island, NE | Herbert J. Friedman |
| Jane F. Vehko | Atlanta, GA | Emmet J. Bondurant II |
| Richard Joseph Vickers | Columbus, OH | Randall L. Porter |
| Wally de la Rosa Vidal | San Juan, PR | Luis E. Dubon, Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|--|
| William A. Waddell, Jr. | Little Rock, AR | Herchel H. Friday, Jr. |
| John Anderson Waits II | Leland, MS | Raymond Edwin Mabus |
| Richard P. Weishaupt | Philadelphia, PA | Jonathan M. Stein |
| Catherine J. Wertjes | Chicago, IL | Hugh C. Griffin |
| Joe D. Whitley | Vienna, VA | Honorable Richard L. Thornburgh Attorney General of the United States |
| Mark D. Wilcox | Chicago, IL | Hugh C. Griffin |
| John Michael Wood | Peoria, IL | Michael R. Hasselberg |
| Donald Richard Worley | Ventura, CA | DeWitt Foster Blase |
| Gordon Kurt Wright | McKinney, TX | Richard A. Sayles |
| Corrine Marjorie Yu | Washington, DC | Gordon Laurence Lang |

OPINIONS

No. 87-1661. ASARCO Incorporated, et al., Petitioners *v.* Frank Kadish, et ux., et al. On writ of certiorari to the Supreme Court of Arizona. Judgment affirmed. Justice Kennedy delivered the opinion of the Court except as to Part II-B-I. Opinion by Justice Brennan concurring in part and concurring in the judgment with whom Justice White, Justice Marshall, and Justice Blackmun join. Opinion by the Chief Justice concurring in part and dissenting in part with whom Justice Scalia joins. Justice O'Connor took no part in the consideration or decision of this case.

No. 87-201. Gerald E. Mansell, Appellant *v.* Gaye M. Mansell. Appeal from the Court of Appeal of California, Fifth Appellate District. Judgment reversed and case remanded to the Court of Appeal for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Marshall. Dissenting opinion by Justice O'Connor with whom Justice Blackmun joins.

The Chief Justice says:

"The Court at this time wishes to note for the record that William C. Bryson has been serving as Acting Solicitor General since January past.

The Court recognizes the grave responsibility that has been placed upon you, Mr. Bryson, to represent the government of the United States before this Court. On behalf of my colleagues, I thank you for a job well done and you have our sincere appreciation. At this time the Court recognizes the Acting Solicitor General William C. Bryson, Jr."

Acting Solicitor General William C. Bryson presented the Honorable Kenneth W. Starr, Solicitor General of the United States, to the Court.

The Chief Justice says:

"Mr. Solicitor General, the Court welcomes you to the performance of the important office that you have assumed, to represent the government of the United States before this Court. You follow in the footsteps of other outstanding Circuit Judges who have held your new office, including a member of this bench, Justice Marshall. Your commission will be duly recorded by the Clerk."

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Sponsor</u> |
|-------------------------|-----------------------|-----------------------|
| Wendy Hilary Blank | Washington, DC | N. Richard Janis |
| Delores H. Pregliasco | Louisville, KY | Diana Marjorie Savit |
| Bernard J. Minarik II | Washington, DC | Dennis F. Hoffman |
| Miriam Pualani Loui | Honolulu, HI | Dennis F. Hoffman |
| Richard John Brescia | Columbus, OH | Dennis F. Hoffman |
| J. Eric Johnson | Johnson City, TN | Dennis f. Hoffman |
| David Walter Barkett | Washington, DC | Dennis F. Hoffman |
| Arda Barenholtz | Huntington Woods, MI | Marcia D. Greenberger |
| Janis Burgess DeGennaro | Detroit, MI | Marcia D. Greenberger |
| Joan D. Dudley | Southfield, MI | Marcia D. Greenberger |
| Martha Bedsole Goodloe | Troy, MI | Marcia D. Greenberger |
| Barbara Jeanne Hansen | Royal Oak, MI | Marcia D. Greenberger |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-------------------------|---|
| Mary Jocelyn Ironside | Troy, MI | Marcia D. Greenberger |
| Janet E. Lanyon | Birmingham, MI | Marcia D. Greenberger |
| Linda D. Mack | Dearborn, MI | Marcia D. Greenberger |
| Leslie Myles-Sanders | Clarkston, MI | Marcia D. Greenberger |
| Lambro Niforos | Detroit, MI | Marcia D. Greenberger |
| Jeffrey Myron Poe | Royal Oak, MI | Marcia D. Greenberger |
| Jane Shallal | Detroit, MI | Marcia D. Greenberger |
| Anne Gonte Silver | Birmingham, MI | Marcia D. Greenberger |
| Lyn A. Sippola | Royal Oak, MI | Marcia D. Greenberger |
| Elaine Grand Stulberg | Farmington Hills, MI | Marcia D. Greenberger |
| Edward Barry Stulberg | Farmington Hills, MI | Marcia D. Greenberger |
| Patricia Jude Sullivan | Farmington Hills, MI | Marcia D. Greenberger |
| Marsha Lynn Tuck | Birmingham, MI | Marcia D. Greenberger |
| Judith E. Wiggins | Detroit, MI | Marcia D. Greenberger |
| Alan Hugh Friedenthal | Los Angeles, CA | Solicitor General Kenneth Winston Starr |
| Stephen D. Pahl | Los Altos Hills, CA | Solicitor General Kenneth Winston Starr |
| Donnette R. Rimmer | San Francisco, CA | Solicitor General Kenneth Winston Starr |
| Anthony J. Carroll | Washington, DC | Solicitor General Kenneth Winston Starr |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|---|
| Josephene B. Marten | Washington, DC | Solicitor General Kenneth Winston Starr |
| Kerry Lee Miller | Alexandria, VA | Solicitor General Kenneth Winston Starr |
| Hayward C. Reed | Washington, DC | Solicitor General Kenneth Winston Starr |
| Mary Bennett Reed | Washington, DC | Solicitor General Kenneth Winston Starr |
| David W. Leefe | New Orleans, LA | Solicitor General Kenneth Winston Starr |
| Sean Francis O'Hagan Murphy | Alexandria, VA | Solicitor General Kenneth Winston Starr |
| Samuel C. Ursu | Birmingham, MI | Solicitor General Kenneth Winston Starr |
| Joseph Devon Carney | Cleveland, OH | Solicitor General Kenneth Winston Starr |
| David Craig Jory | Washington, DC | Solicitor General Kenneth Winston Starr |
| Wayne Russell Berry | Washington, DC | Solicitor General Kenneth Winston Starr |
| Arleas Upton Kea | Washington, DC | Solicitor General Kenneth Winston Starr |
| David Jaime Maldonado | Dallas, TX | Solicitor General Kenneth Winston Starr |
| S. Elwood York Jr. | Houston, TX | Solicitor General Kenneth Winston Starr |

Applicant

City and State

Movant

Ellen Michelle Lazarus

Fairfax Station,
VA

Solicitor General
Kenneth
Winston Starr

Adjourned until June 5, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

APPEAL—SUMMARY DISPOSITION

No. 88-1423. Theodore F. Kopfman, Appellant *v.* Margie D. Kopfman. Appeal from the Court of Appeal of California, Fifth Appellate District. The judgment is vacated and the case is remanded to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Mansell v. Mansell*, 490 U. S. — (1989).

ORDERS IN PENDING CASES

No. —. Tuan Anh Nguyen, Petitioner *v.* Oklahoma. The motion to file a petition for writ of certiorari without an affidavit of indigency executed by the petitioner is granted.

No. —. Bradley J. Follett, Petitioner *v.* George Herman. The motion for leave to file a petition for writ of habeas corpus and other relief is denied.

No. D-772. In the Matter of Disbarment of Rembert Thomas Brown. Disbarment order entered.

No. D-775. In the Matter of David Hardin Graves. David Hardin Graves, of Houston, Texas, having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court. The Rule to Show Cause, heretofore issued on March 20, 1989, is hereby discharged.

No. 88-599. Washington, et al., Petitioners *v.* Walter Harper. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-1198. Federal Trade Commission, Petitioner *v.* Superior Court Trial Lawyers Association; and

No. 88-1393. Superior Court Trial Lawyers Association, et al., Petitioners *v.* Federal Trade Commission. The motion of the parties to dispense with printing the joint appendix is granted.

No. 88-7246. Roderick Herman Frey, Petitioner *v.* Pennsylvania. The application for stay of execution of sentence of death presented to Justice Brennan and by him referred to the Court is denied. Justice Brennan, Justice Marshall, Justice Blackmun, and Justice Stevens would grant the application.

APPEAL—JURISDICTION NOTED

No. 87-1955. Gerald A. Lewis, etc., Appellant *v.* Continental Bank Corporation, et al. Appeal from the United States Court of Appeals for the Eleventh Circuit. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 88-1668. Atlantic Richfield Company, Petitioner *v.* USA Petroleum Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 88-1369. Maryland, Petitioner *v.* Jerome Edward Buie. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeals of Maryland granted.

No. 88-6613. Richard Boyde, Petitioner *v.* California. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of California granted.

CERTIORARI DENIED

No. 87-1941. Lillian Slay Russell, Petitioner *v.* Gerald L. Russell. Petition for writ of certiorari to the Court of Appeal of Louisiana, Third Circuit, denied.

No. 88-1342. Sequoia Books, Inc., Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 88-1357. Raymond L. Ugalde, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1415. Michael Facchiano, Jr., John Facchiano and Facchiano Construction Company, Inc., Petitioners *v.* United States Department of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1424. Stuart-James Company, Inc. and Marc N. Geman, Petitioners *v.* Securities and Exchange Commission. Petition for writ

of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1446. New York State Ophthalmological Society, et al., Petitioners *v.* Louis W. Sullivan, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1469. David Avalos and Sushi, Inc., Petitioners *v.* Gordon Thompson, Jr., Paul Hamilton and Philip Waggoner. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1470. Louis Theodore Frigard, et ux., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1500. Lone Star Steel Company, Petitioner *v.* Glenn Uffelman. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1513. Alfred P. Christoffersen, William J. Gibson, Richard F. Main and John R. Warn, Petitioners *v.* Robert J. Collins, Major General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1591. Santa Fe Pacific Realty Corporation, Petitioner *v.* City of Berkeley. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1658. Louisburg Grain Co., Inc., et al., Petitioners *v.* City of Arkansas City, Kansas, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 88-1665. Maria Bruehwiler Brewster, Petitioner *v.* Maryland Securities Commissioner. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-1674. William Joseph Healy, Jr., Petitioner *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1702. Steven G. Lilves, Petitioner *v.* Kimbel J. Stuart. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-1705. Montrose Chemical Corporation of California, Petitioner *v.* Parr-Richmond Terminal Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1717. Lawrence Allen Fassler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1738. Henry Malachowski, Petitioner *v.* Silverberg, Marvin & Swaim, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1743. C. Robert Satti and Lester J. Forst, Petitioners *v.* Francelle Dorman. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1744. Winchester and Western Railroad Company, Petitioner *v.* Virginia Corporation Commission, et al. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-1772. James Buckles, aka Jimmy Buckles, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1799. William D. Jackson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1801. Johnny Binder, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6473. William Haake, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 88-6531. Preston C. Burch, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6598. Bernard D. Ryan, Petitioner *v.* Thomas A. Fulcomer, Superintendent, State Correctional Institution at Huntingdon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6602. Blas Chavez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6612. Grady Boutwell, Petitioner *v.* Eddie Nagle, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6631. Enrique Fonseca-Martinez, aka Enrique Martinez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6632. Harvey James Bannister, Petitioner *v.* Superior Court of California, Los Angeles County, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-6644. Jose Partida-Parra, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6654. Roosevelt Tippitt, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6783. Carlos Alberto Salcedo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6788. Robin Stacy Smith, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 88-6809. Gordon Lee Hayes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6841. Miguel Angel Vasquez, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6882. Thomas C. Mahone, Petitioner *v.* Roy P. Sternweiler, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6899. Bridget Tesse Henry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6954. Daniel Johnson, Petitioner *v.* Joseph F. Spaniol, Jr., Clerk, United States Supreme Court. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-6974. John R. Skovran, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6987. Tony Alonzo Thompson, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fifth District, denied.

No. 88-6990. William Sylvester Holloway, Petitioner *v.* T. Pack, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6993. Terry Wayne Trainer, Petitioner *v.* Eddie Ylst, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7011. Pearly L. Wilson, Petitioner *v.* Victor Kassicieh, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7015. James L. Martin, Petitioner *v.* C. Itoh & Company, Inc., et al. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 88-7022. Andre T. Henderson, Petitioner *v.* Battle Creek Medical Education Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7024. Harold S. Alston, Petitioner *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 88-7041. Jo Whigham, Petitioner *v.* Frank McNamara, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-7046. Danny Mark Deanes, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 88-7049. John Ernest Dannenberg, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 88-7075. Herbert Louis, aka Trinidad, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7099. Thomas Lynn Surber, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7113. Edwin A. Towne, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7147. Anant Kumar Tripathi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7151. Oscar Bedoya, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7154. Angel Mayora Medrano, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7159. Darrell Gene Motes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7162. Gregory Baptiste, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7163. William Waddell Brown, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7181. Larry G. Solles, Petitioner *v.* Thomas Israel, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-7184. Rafael A. Castillo and Oscar Silot-Paumier, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7185. Soroosh Homayouni, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7188. Donald A. Townsend, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-1546. Pacific Mutual Life Insurance Company, et al. Petitioners *v.* Harriette Turnbow. The motion of UNUM Life Insurance Co. for leave to file a brief as *amicus curiae* is granted. The motion of Association of California Life Insurance Companies for leave to file a brief as *amicus curiae* is granted. The motion of Merchants and Manufacturers Association for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 88-1628. Michael R. Milken, et al., Petitioners *v.* Securities and Exchange Commission. The motion of Class Action Plaintiffs in Boesky Litigation, et al. for leave to file a brief as *amici curiae* is granted. The motion of Arden Way Associates, et al. for leave to file a brief as *amici*

curiae is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1651. Robert Redman, Petitioner *v.* Curtis Lee Clark. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6723. John B. Nixon, Sr., Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6791. Kenneth Gentry, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

MANDAMUS DENIED

No. 88-7016. In Re James L. Martin, Petitioner; and

No. 88-7038. In Re Ellis T. Waters, Petitioner. The petitions for writs of mandamus and/or prohibition are denied.

REHEARINGS DENIED

No. 88-750. Arthur D. George, Petitioner *v.* Michigan Department of Natural Resources, et al.;

No. 88-1491. Keith M. Rhinehart, et al., Appellants *v.* The Seattle Times, et al.;

No. 88-6418. Sharon Myrl Van Leeuwen, et vir, Petitioners *v.* Robert McCorkindale II, et al.;

No. 88-6572. Eddie Abner, Jr., Petitioner *v.* Escambia County School District, Pensacola, Florida;

No. 88-6619. James D. Righter, Petitioner *v.* United States Stove Company, et al.;

No. 88-6664. Ronald W. Jarvi, Petitioner *v.* Secretary of Health and Human Services;

No. 88-6669. John Eugene Sellner, Petitioner *v.* George Albert Allen Hudnall, et al.; and

No. 88-6763. In Re Andrew Walker, Petitioner. The petitions for rehearing are denied.

No. 84-5350. Frederick Maxwell, Petitioner *v.* Pennsylvania;

No. 88-6172. Shafik Ragheb, Petitioner *v.* Blue Cross and Blue Shield of Michigan; and

No. 88-6427. Wayne M. Hargrove, Petitioner *v.* United States. The motions for leave to file petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, June 5, 1989 until Monday, June 12, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|------------------------|------------------------------|
| Mark Alexander Anderson | Portland, OR | William B. Crow |
| Gary Lee Caldwell | West Palm Beach, FL | Richard L. Jorandby |
| Mark Englund Christensen | Chicago, IL | Cornelius P. Callahan |
| Thomas William Dressler | Chicago, IL | Harold C. Hirshman |
| Thomas Charles Fritzsche | Davenport, IA | Michael William Liebbe |
| Richard Edward Gaiser | Boston, MA | Paul D. Snyder |
| Carole Gordon Gerwer | Los Angeles, CA | Alan Philip Ribakoff |
| Michael Harris Gilbert | Anchorage, AK | William George Schmidt |
| David Michael Glass | Washington, DC | Felix Von Baxter |
| Joseph A. Greenwald | Washington, DC | William Silverman |
| Steven Alan Grumet | New York, NY | Joel E. Wilensky |
| Ned A. Israelsen | San Diego, CA | Drew S. Hamilton |
| Christian R. Jensen | Santa Ana, CA | John Drummond Barnett |
| Paul J. Kiernan | Washington, DC | Robert Powel Trout |
| Spencer Lawton Jr | Savannah, GA | Malcolm Roderick Maclean |
| Carl M. Lewis | San Diego, CA | Howard H. Orenstein |
| Beth Zeldes Margulies | Sandy Hook, CT | Robert Atha Whitehead Jr. |
| R. Allen McCartney | Louisville, KY | William Thomas Warner |
| Patrick K. McClellan | Orange, CA | Raymond Gerald Alvarado |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|----------------------------------|
| James D. McMichael | New Orleans, LA | Edward J. Gay III |
| Michael Timothy Milligan | El Paso, TX | William A. Thurmond |
| Lionel Mills | Houston, TX | Carl Walker Jr. |
| Nicholas P. Mitchell III | Greenville, SC | David A. Merline |
| George A. Monk | Anniston, AL | Walter J. Merrill |
| James Frederick Morgan | Chico, CA | Jean Morony |
| Clifton Drewbee Naifeh | Oklahoma City, OK | Murray F. Abowitz |
| Larry Wayne Robbins | Anderson, IN | Mark DeWayne Maynard |
| Patricia Roma | Half Moon Bay, CA | John Scott Muri |
| Laura Gore Ross | New York, NY | O. Peter Sherwood |
| Maureen Kearney Rowley | Philadelphia, PA | Jeffrey Lewis Staniels |
| Edwin Jay Schklar | Atlanta, GA | William Blakney Bathe Smith |
| Stephen Wayne Schwab | Chicago, IL | Theodore Arthur Shapero |
| John O. J. Shellenberger | Philadelphia, PA | John George Knorr III |
| William R. Sittig Jr. | Pittsburgh, PA | Joseph Sabino Mistick |
| Karol Thomas Skrypak | Pittsburgh, PA | John Amend Macleod |
| Sol V. Slotnik | New York, NY | Leon Edwad Wein |
| Gerald L. Soucie | Lincoln, NE | James R. Mowbray |
| Richard Thomas Sponzo | Cromwell, CT | Robert Atha Whitehead Jr. |
| Michael R. Tiffin | Houston, TX | William Richard Powell |
| Mark David Waldemer | St. Louis, MO | Michael Andrew Wolff |
| Alan Stone Wernick | Columbus, OH | Josiah Hillerman Blackmore II |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|--------------------------|
| K. Craig Wildfang | Minneapolis, MN | Vance Keith Opperman |
| Barry Wade Wilford | Columbus, OH | Paul David Cassidy |
| Jonathan Paul Wolfert | New York, NY | Louis A. Craco |
| Douglas Mark Wyckoff | Tampa, FL | Richard Allen Gilbert |

OPINIONS

No. 87-963. Robert L. Hernandez, Petitioner *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the First Circuit; and

No. 87-1616. Katherine Jean Graham, et al., Petitioners *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgments affirmed. Opinion by Justice Marshall. Dissenting opinion by Justice O'Connor with whom Justice Scalia joins. Justice Brennan and Justice Kennedy took no part in the consideration or decision of these cases.

No. 87-1868. Mead Corporation, Petitioner *v.* B. E. Tilley, et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Marshall. Dissenting opinion by Justice Stevens.

No. 88-293. Community for Creative Non-Violence, et al., Petitioners *v.* James Earl Reid. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Justice Marshall.

No. 87-1387. Wards Cove Packing Company, Inc., et al., Petitioners *v.* Frank Atonio, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice White. Dissenting opinion by Justice Stevens with whom Justice Brennan, Justice Marshall, and Justice Blackmun join. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

No. 87-6405. Phillip D. Tompkins, Petitioner *v.* Texas. On writ of certiorari to the Court of Criminal Appeals of Texas. Judgment

affirmed by an equally divided Court. Opinion *per curiam* announced by the Chief Justice. Justice O'Connor took no part in the consideration or decision of this case.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-----------------------|----------------------------|
| Arnold Diamond Morse | Great Neck, NY | Michael Steven Friedman |
| Harrold Edwin Detlie Jr. | Ottumwa, IA | Charlene Lou Vanlier |
| Robert A. Lembo | Washington, DC | Alan A. Parker |
| Louis Henry Liotti | Peekskill, NY | Keith Gregory Logan |
| Anthony E. Alexander | Los Angeles, CA | James Otis Cole Sr. |
| Albert DeBlanc Jr. | Los Angeles, CA | James Otis Cole Sr. |
| Brenda Maria Girton | Washington, DC | James Otis Cole Sr. |
| Judith Hannah | Washington, DC | James Otis Cole Sr. |
| Belva Deloris Newsome | Washington, DC | James Otis Cole Sr. |
| Phyllis J. Outlaw | Washington, DC | James Otis Cole Sr. |
| David Winston Wilmot | Washington, DC | James Otis Cole Sr. |
| Lester Benjamin Johnson III | Savannah, GA | James Otis Cole Sr. |
| Peggy M. Hairston Robinson | Baton Rouge, LA | James Otis Cole Sr. |
| Sandra Joyce Donnell | Silver Spring, MD | James Otis Cole Sr. |
| Shirlimarie M. McArroy- Gray | Washington, DC | James Otis Cole Sr. |
| Susan L. Frank | Cherry Hill, NJ | Allen Abram Etish |
| Theresa Diana Brown | Willingboro, NJ | Allen Abram Etish |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|--------------------------|----------------------|
| Kathleen M. Calemno | Moorestown, NJ | Allen Abram Etish |
| Michael Edward Carson | Voorhees Township, NJ | Allen Abram Etish |
| Gary C. Chiumento | Cherry Hill, NJ | Allen Abram Etish |
| Eric J. Clayman | Marlton, NJ | Allen Abram Etish |
| Kevin Michael Covert | Haddonfield, NJ | Allen Abram Etish |
| Stephen Joseph DeFoe | Westmont, NJ | Allen Abram Etish |
| Joseph A. Del Duca | Haddonfield, NJ | Allen Abram Etish |
| Mitchell T. Grayson | Moorestown, NJ | Allen Abram Etish |
| Glenn Arthur Henkel | Haddonfield, NJ | Allen Abram Etish |
| Michael Huber | Haddonfield, NJ | Allen Abram Etish |
| Mati Jarve | Cherry Hill, NJ | Allen Abram Etish |
| Ronald M. Katkocin | Voorhees, NJ | Allen Abram Etish |
| John Thaddeus Kubit | Medford, NJ | Allen Abram Etish |
| Marc Anthony Lario | Haddonfield, NJ | Allen Abram Etish |
| Donald S. Levenson | Cherry Hill, NJ | Allen Abram Etish |
| Brian V. Lucianna | Cherry Hill, NJ | Allen Abram Etish |
| Lawrence Joseph Luongo Jr. | Westmont, NJ | Allen Abram Etish |
| Donald Francis Manno | Cherry Hill, NJ | Allen Abram Etish |
| Robert H. Obringer | Cherry Hill, NJ | Allen Abram Etish |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|-----------------------------|
| Robert Anthony Petruzzelli | Vorhees, NJ | Allen Abram Etish |
| George Anthony Prutting Jr. | Sparta, NJ | Allen Abram Etish |
| Charles M. Rand | Cherry Hill, NJ | Allen Abram Etish |
| Sandford F. Schmidt | Marlton, NJ | Allen Abram Etish |
| Mark Schwartz | Cherry Hill, NJ | Allen Abram Etish |
| Cole Brian Silver | Cherry Hill, NJ | Allen Abram Etish |
| Nancy Ellen Sim | Haddonfield, NJ | Allen Abram Etish |
| Richard Thomas Smith | Haddonfield, NJ | Allen Abram Etish |
| William James Thomas | Haddon Heights, NJ | Allen Abram Etish |
| Joanne R. Thomas | Haddon Heights, NJ | Allen Abram Etish |
| Robert D. Thompson | Cherry Hill, NJ | Allen Abram Etish |
| James M. Vogdes III | Medford Lakes, NJ | Allen Abram Etish |
| Bruce A. Wallace III | Haddonfield, NJ | Allen Abram Etish |
| Bruce H. Zamost | Cherry Hill, NJ | Allen Abram Etish |
| Laura Ellen Zucker | Westmont, NJ | Allen Abram Etish |
| Peter Jay Boyer | Cherry Hill, NJ | Allen Abram Etish |
| J. Philip Kirchner | Cherry Hill, NJ | Allen Abram Etish |
| Lindsey Mussleman Davis | Florence, AL | Frederick William Wagner |
| Willa B. Perlmutter | New Haven, CT | Frederick William Wagner |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-----------------------|-----------------------------|
| Barbara M. Quinn | New London, CT | Frederick William Wagner |
| Gary Peter Sklaver | Hamden, CT | Frederick William Wagner |
| Martin F. Stallings | Washington, DC | Frederick William Wagner |
| Ted H. Bartelstone | Miami, FL | Frederick William Wagner |
| Jan McKinney | Norcross, GA | Frederick William Wagner |
| William Richard Waldrop | Marietta, GA | Frederick William Wagner |
| Guy Lee Womack | Alpharetta, GA | Frederick William Wagner |
| Earl Ichiro Anzai | Honolulu, HI | Frederick William Wagner |
| Alfredo Gonzales Evangelista | Honolulu, HI | Frederick William Wagner |
| Harriette Lucille Holt | Honolulu, HI | Frederick William Wagner |
| David Reid Clark | Monmouth, IL | Frederick William Wagner |
| Corinne Ruth Finnerty | North Vernon, IN | Frederick William Wagner |
| Earl David Walton | DeMotte, IN | Frederick William Wagner |
| Robert G. Lohman Jr. | Louisville, KY | Frederick William Wagner |
| W. Lee Overton | Clinton, LA | Frederick William Wagner |
| Sandra Picou Overton | Clinton, LA | Frederick William Wagner |
| Leonard Louis Lucchi | Upper Marlboro, MD | Frederick William Wagner |
| Roger Louis Smith | Glen Burnie, MD | Frederick William Wagner |
| Charles W. Schuyler | Missoula, MT | Frederick William Wagner |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|--------------------------|
| David R. Bossart | Fargo, ND | Frederick William Wagner |
| Genevieve K. LaRobardier | Franklin Lakes, NJ | Frederick William Wagner |
| August R. Soltis | Pompton Lakes, NJ | Frederick William Wagner |
| Jacob G. Vigil | Albuquerque, NM | Frederick William Wagner |
| Ronald Hayden Mills | Rocky River, OH | Frederick William Wagner |
| Lauren Hope Kane | Elkins Park, PA | Frederick William Wagner |
| Arnold Machles | Philadelphia, PA | Frederick William Wagner |
| Peter Nicholas Munsing | Boyertown, PA | Frederick William Wagner |
| Margaret E. Schifter | New York, NY | Frederick William Wagner |
| Beverly Jean Ullein | Hollidaysburg, PA | Frederick William Wagner |
| Lewis K. Garrison | Memphis, TN | Frederick William Wagner |
| Kevin Chamliiss Kennedy | Clarksville, TN | Frederick William Wagner |
| E. Troy Blakeney Jr. | Houston, TX | Frederick William Wagner |
| Kerry L. Russell | Tyler, TX | Frederick William Wagner |
| Randi Davis Russell | Tyler, TX | Frederick William Wagner |
| Mark A. Ticer | Dallas, TX | Frederick William Wagner |
| William H. Cleaveland | Roanoke, VA | Frederick William Wagner |
| John Thomas Costo | Seattle, WA | Frederick William Wagner |

Adjourned until Monday, June 12, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

CERTIORARI—SUMMARY DISPOSITION

No. 87-1382. Commissioner of Internal Revenue, Petitioner *v.* Maureen A. Staples, et vir. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Hernandez v. Commissioner of Internal Revenue*, 490 U.S. — (1989). Justice Brennan and Justice Kennedy took no part in the consideration or decision of this case.

No. 87-1954. Consolidated City of Jacksonville, Duval County, Florida, etc., Petitioner *v.* Winston Nash. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Wards Cove Packing Company, Inc. v. Atonio*, 490 U.S. — (1989).

No. 88-102. Commissioner of Internal Revenue, Petitioner *v.* Michael F. Foley, et ux. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *Hernandez v. Commissioner of Internal Revenue*, 490 U.S. — (1989). Justice Brennan and Justice Kennedy took no part in the consideration or decision of this case.

No. 88-141. USX Corporation, fka United States Steel Corporation, Petitioner *v.* Elbert G. Green and Robert Danley, etc. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Wards Cove Packing Company, Inc. v. Atonio*, 490 U.S. — (1989).

No. 88-1742. Paul Adams, et al., Petitioners *v.* Avco Corporation, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Firestone Tire and Rubber Company v. Bruch*, 489 U.S. — (1989).

ORDERS IN PENDING CASES

No. —. Lawrence D. Caldwell, Petitioner *v.* Norman A. Carlson, Director, Federal Bureau of Prisons. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. —. In Re Michael W. Mason, et ux. The motion for leave to file a petition for writ of mandamus and other relief is denied.

No. —. Darrell Prows, Petitioner *v.* Joseph F. Spaniol, Jr., et al. The motion to direct the Clerk to file a petition for a writ of certiorari without a notarized affidavit in support of the motion for leave to proceed *in forma pauperis* is denied.

No. —. Darrell Prows, Petitioner *v.* United States, et al. The motion to direct the Clerk to file a petition for a writ of certiorari without a notarized affidavit in support of the motion for leave to proceed *in forma pauperis* is denied.

No. —. Gregory Thompson, Petitioner *v.* Tennessee. The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by the petitioner is granted.

No. 111, **Original.** State of Delaware, Plaintiff *v.* State of New York. The motion of New York for judgment on the pleadings against Texas is referred to the Special Master. The motion of Idaho for leave to file a complaint in intervention is referred to the Special Master. The motion of Arizona for leave to file a complaint in intervention is referred to the Special Master. The motion of Alabama, et al. for leave to file a complaint in intervention is referred to the Special Master. The motion of Connecticut for leave to intervene is referred to the Special Master. The motion of New Mexico for leave to intervene is referred to the Special Master. The motion of Tennessee for leave to intervene is referred to the Special Master. The motion of Wisconsin for leave to intervene is referred to the Special Master. The motion of Virginia for leave to intervene is referred to the Special Master. The motion of the District of Columbia for leave to intervene is referred to the Special Master.

No. D-791. In the Matter of Disbarment of Jerril J. Krowen. It is ordered that Jerril J. Krowen, of Boston, Massachusetts, be suspended

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

No. 87-1979. Chesapeake and Ohio Railway Company, Petitioner *v.* Nancy J. Schwalb and William McGlone; and

No. 88-127. Norfolk & Western Railway Company, Petitioner *v.* Robert T. Goode, Jr. The motion of respondents for divided argument is denied.

No. 88-42. Olaf A. Hallstrom, et ux., Petitioners *v.* Tillamook County. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-1000. New York, Petitioner *v.* Bernard Harris. The motion of respondent for leave to proceed *in forma pauperis* is granted. The motion of respondent to dismiss writ as improvidently granted is denied.

No. 88-1178. Thomas E. Keane, Petitioner *v.* United States. The application to suspend the effect of the order denying certiorari presented to Justice O'Connor and by her referred to the Court is denied. Justice Stevens took no part in the consideration or decision of this application.

CERTIORARI GRANTED

No. 87-2048. Texaco, Inc., Petitioner *v.* Ricky Hasbrouck, dba Rick's Texaco, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 88-1480. Bob Reves, et al., Petitioners *v.* Arthur Young & Co. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

CERTIORARI DENIED

No. 87-2056. Yeshiva University, Petitioner *v.* Edna H. Sobel, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-206. Robert L. Tucker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-520. Kenneth Robinson, Petitioner *v.* Michael Adams, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-699. International Association of Bridge, Structural and Ornamental Ironworkers, AFL-CIO, Petitioner *v.* Jessie Berger, et al.; and

No. 88-820. Iron Workers Reinforced Rodmen, Local 201, Petitioner *v.* Jessie Berger, et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-797. Russell Vincent, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 88-897. R. H. Ashenbaugh, et al., Petitioners *v.* Crucible Inc., 1975 Salaried Retirement Plan. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1398. Lumar Marine, Inc., Petitioner *v.* Jules Simeon, Sr., et al.; and

No. 88-1462. T. Smith & Sons, Inc., Petitioner *v.* Jules Simeon, Sr., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1404. Monsanto Company, Allied-Signal, Inc. and EM Industires, Inc., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1454. Vernon Howard Barnes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1455. William M. Hatten, Petitioner *v.* Jack M. Rains, Secretary of State of Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1465. Gregory Timber Resources, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1479. International Mill Service, et al., Petitioners *v.* James Aibuschon. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-1481. Oen Yin-Choy, Petitioner *v.* Glen S. Robinson, United States Marshal for the Northern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1532. Hazardous Waste Treatment Council, Petitioner *v.* Environmental Protection Agency, et al. Petition for writ of certiorari

to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1548. Thomas E. Bates, Petitioner *v.* Tennessee Valley Authority and Orvis Engelstad, Director, Division of Agricultural Development. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1552. Washington International Insurance Company, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1567. Dolores Maria Camarena, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1582. Melvin O'Carroll, Petitioner *v.* Chaparral Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1586. George Jackson, Petitioner *v.* Liquid Carbonic Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1619. Alabama Department of Education, et al., Petitioners *v.* Larry L. Powers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1654. California, Petitioner *v.* Lee Perry Farmer, Jr. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-1687. Henry S. Dooley, Petitioner *v.* Fort Worth Independent School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1689. James Covington, Petitioner *v.* Harold Sappington. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 88-1690. Greater Buffalo Press, Inc., etc., et al., Petitioners *v.* Federal Reserve Bank of New York, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1691. Sterling Drug Inc., Petitioner *v.* Circuit Court for Milwaukee County, et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 88-1694. Robert E. Murphy, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-1697. Hajoca Corporation, Petitioner *v.* Warren G. Herold. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1699. Thomas P. Cullen, Petitioner *v.* Paine, Webber, Jackson & Curtis, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1703. Richard D. Shapero, Petitioner *v.* Kentucky Bar Association. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 88-1704. Leucadia, Inc., Petitioner *v.* Reliance Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1707. John Zimmermann, Petitioner *v.* Board of Professional Responsibility. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 88-1709. Rick Douglas Potter, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-1712. John J. Reardon, Judith A. Reardon and John E. Reardon, Petitioners *v.* Virginia Reardon, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1714. Karen Miller, Petitioner *v.* Publishers Paper Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1716. Sanford J. Berger, Petitioner *v.* Supreme Court of Ohio, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1726. Steven Doe and Margaret Doe, etc., et al., Petitioners *v.* Hennepin County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1729. George Rodriguez, Petitioner *v.* Dant of Arizona, Rudy Lopez and Judy Lopez. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied.

No. 88-1732. William Crist, Jr., Petitioner *v.* Patricia B. Adduci, Commissioner, New York State Department of Motor Vehicles, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1739. Stanley Carl Orn, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Third District, denied.

No. 88-1755. Dwight's Discount Vacuum Cleaner City, Inc., Petitioner *v.* Scott Fetzer Company, Kirby Company Division. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1766. Charles S. Foltz, et al., Petitioners *v.* U.S. News & World Report, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1768. Arthur Heim, Petitioner *v.* High Plains Agricultural Credit Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1776. Gala Adkins, Individually and as Administratrix of the Estate of Timothy J. Adkins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1779. S.E. Nichols, Inc., Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1795. Imad Aldean Ahmad, et al., Petitioners *v.* Gene M. Raynor, Administrator, Maryland State Administrative Board of Election Laws. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1809. Douglas B. Vaden, Petitioner *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 88-1811. Michael J. Major, Petitioner *v.* Pennwell Publishing Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1812. Fred R. Dennard, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1822. Diane W. Oates, et al., Petitioners *v.* Beverly W. Oates, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1827. Robert A. Bonser and Cedar Waters Village, Inc., Petitioners *v.* Town of Nottingham, New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 88-1831. Angelo Howard, aka Bey Bey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1834. Pennzoil Company, et al. Petitioners *v.* Louis Kestenbaum. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 88-1836. Charles A. Henry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1838. Polly Method Kellerman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1839. Martin Roman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1843. Vincent Victor Roggio, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1846. Frank P. DelGeorge, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1856. Louisiana Department of Transportation and Development, Petitioner *v.* Nick Martinolich, Inc., et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 88-5159. James Wallace Jackson, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 88-5373. Derrick Capers, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 88-5381. Roosevelt Washington, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 88-5874. Jon K. Smith, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied.

No. 88-6416. Charles B. Splunge, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 88-6484. Juan Febres Torres, Petitioner *v.* Louis W. Sullivan, Secretary, Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-6519. Richard B. Sanders, Petitioner *v.* John Robinson. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6740. Jesse B. Davis, et al., Petitioners *v.* Monsanto Chemical Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-6769. William D. Risk, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6798. Donald Gordon Sager, Petitioner *v.* Manfred Maass, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6822. Gloria Jean Mercer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6843. Mildred L. Palmer and Richard O. Morrison, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6879. Sherman Clemmons, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6885. Barbara Lynn Burton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-6959. Kathy Menard, Petitioner *v.* County of Henrico, Virginia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6977. Keith T. Johnson, Petitioner *v.* Department of Justice. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-7014. Marc Griffith, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7051. Ruth Pogue, Petitioner *v.* Columbia County. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District IV, denied.

No. 88-7054. Curtis Lee Brown, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 88-7057. Stella E. Ruscitti, Petitioner *v.* Estate of Frank A. Ruscitti, etc. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-7058. Jon Theophile, Petitioner *v.* O. J. Phillips, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7060. Vernon E. Rodman, Petitioner *v.* George W. Wilson, Director, Department of Rehabilitation and Correction. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7063. Randall Boyd, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 88-7065. Robert Ralph Barnes, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7066. Arlester E. Scott, Petitioner *v.* Mike Kemna, Superintendent, Western Missouri Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7067. Paul Baisden, Petitioner *v.* Art Tate, Jr., Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7071. Joyce Lisa Cummings, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7072. Robert Walker Black, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-7077. Raine Selin, Petitioner *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 88-7078. Russell Earl Nichols, Petitioner *v.* Robert Tansy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7093. Caroline T. Corbit, Petitioner *v.* Robert Mercer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7096. William Toste, Petitioner *v.* Larry R. Meachum, Commissioner, Connecticut Department of Correction. Petition for writ of

certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7122. Daniel M. Flynn, Petitioner *v.* County of Nassau, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7130. James Henry Kessler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7166. Ronald J. Dupard, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7167. Moses Clarence Jack, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7168. Alonzo Gibson-Bey, aka Alonzo Gibson, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-7171. Morris May, Petitioner *v.* Lawrence J. Hackett. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7173. Fred Bennett Welch, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7183. Michael Blanton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7189. Ruben D. Rondon-Molina, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7191. Columbus Peterson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7196. Suzie White, aka Jessica Woods, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7198. Robert M. Weichert, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7200. Jacob Amelius Irving, aka Jacob Owens, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7205. Arthur Lee Campbell, Petitioner *v.* Ronnie Strong, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7209. Welton Zolicoffer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7210. Fabio Hector Cardona, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7211. Jesus Gonzalez-Quesada, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7213. Barrington Ellis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-7215. Kenneth Allen Townsend, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7216. Joseph N. Brock, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7219. Judith Friedman Schmidt, Petitioner *v.* Hillcrest Hospital, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 88-7223. Maurice Robert Carter, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 87-1449. Ethel B. Miller, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Brennan took no part in the consideration or decision of this petition.

No. 87-2023. Thomas Lee Christiansen, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Brennan and Justice Kennedy took no part in the consideration or decision of this petition.

No. 87-7107. James Earl Slaughter, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5241. Ronnie Howard, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5863. Milton Griffin, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6756. Johnnie Lee Evans, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7124. Herbert Lee Richardson, Petitioner *v.* Willie Johnson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7235. George C. Gilmore, Petitioner *v.* William Armontrout, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-7298. Raymond Scott, Jr., Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Justice Marshall would grant certiorari.

No. 88-36. Beneficial Corporation, et al., Petitioners *v.* Robert M. Deutschman. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice White would grant certiorari.

No. 88-1379. Issac James Tindle, Petitioner *v.* United States. The motion of petitioner to strike brief of the Solicitor General is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1461. Richard P. Christy, et al., Petitioners *v.* Manuel Lujan, Jr., Secretary of the Interior and United States Department of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting opinion by Justice White.

No. 88-1686. Colorado Department of Social Services, Petitioner *v.* Kimberly A. Obert. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 88-1692. Associated Builders, Inc., et al., Petitioners *v.* Clarence Meiggs, et al. The motion of National Association of Minority Contractors for leave to file a brief as *amicus curiae* is granted. The motion of Washington Metropolitan Area Transit Authority for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-1711. Donald Pruessman, Petitioner *v.* Gordon Lewis, et al. The motion of petitioner to strike the brief in opposition of respondents City of Coral Gables, et al. is denied. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1733. Southern Bell Telephone and Telegraph Company, Petitioner *v.* Doris Stamey. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice O'Connor took no part in the consideration or decision of this petition.

REHEARINGS DENIED

No. 87-7052. Son H. Fleming, Petitioner *v.* Walter Zant, Warden;

No. 88-1235. Robert T. Boineau, Petitioner *v.* United States, et al.;

No. 88-1407. Bernard J. Dolenz, Petitioner *v.* Stuart Yacht Builders, Inc.;

No. 88-1509. Ralph G. Patton, Petitioner *v.* United States Railroad Retirement Board;

No. 88-6675. Paul Everette Woodward, Petitioner *v.* Mississippi;

No. 88-6848. Leonard Marvin Laws, Petitioner *v.* William Armontrout, Warden; and

No. 88-6888. Henry T. Sanders, Petitioner *v.* United States, et al. The petitions for rehearing are denied.

No. 88-6599. Robert L. Mason, Petitioner *v.* Al Parke, Warden. The motion for leave to file a petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from Monday, June 12, 1989 until Thursday, June 15, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|---------------------|
| Nancy J. Aliff | Charleston, WV | George A. Daugherty |
| Robert Frederick Arentz | Bisbee, AZ | Ramon R. Alvarez |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|-----------------------------|
| William F. Baker | Abilene, TX | Thomas Winton Choate |
| Jo Ann Biggs | Dallas, TX | D.M. Lynn |
| Sam Berry Blair Jr. | Memphis, TN | John C. Speer |
| Samuel Leonard Bolinger | Indianapolis, IN | Linley E. Pearson |
| Robert David Castille | Santa Fe, NM | Daniel Hilary Friedman |
| Douglas Charles Clark | Houston, TX | Tom Lorance |
| Richard Wayland Clary | New York, NY | Thomas D. Barr |
| Robert Theodore Cole | Washington, DC | Michael Bradfield |
| Henry Joseph Curtis | Louisville, KY | Nicholas W. Carlin |
| Richard Eugene Davis | Springfield, MO | Raymond E. Whiteaker |
| Peter T. Dazzio | Baton Rouge, LA | Felix R. Weill |
| Hector F. Oliveras Delgado | San Juan, PR | Miguel A. Gimenez Munoz |
| Robert H. Derham | San Francisco, CA | Harold Albert Stone |
| Juan Ramon Miranda Diaz | San Juan, PR | Miguel A. Gimenez Munoz |
| Daniel T. Ditto | Salt Lake City, UT | Rex E. Lee |
| Robert Crawford Ervin | Morganton, NC | Samuel James Ervin IV |
| Fredric N. Friske | Shepherdsville, KY | David A. Pike |
| Lester J. Gauthier Jr. | Lafayette, LA | Walter James Senette, Jr. |
| Paul Richard Gettleman | Zelienople, PA | Anthony G. Amsterdam |
| Robert Paul Goldman | Washington, DC | Robin Winchester Goodenough |
| Andrew J. Goodman | New York, NY | Jonathan Levi Rosner |
| Robert Alan Griffiths | Norristown, PA | Arthur J. Kania |
| William Lee Grimm | San Francisco, CA | Abigail English |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|-----------------------------|
| Edward Aloysius Hartnett | Jersey City, NJ | Judge John J. Gibbons |
| Barrie J. Herbold | Portland, OR | David B. Markowitz |
| H. Chester Horn Jr. | Malibu, CA | William Stanley Abbey |
| Robert Reginald Hyde | Philadelphia, PA | Francis X. Kelly |
| David Vincent Igliazzi | Providence, RI | Joseph A. Kelly |
| John W. Iliff | Omaha, NE | Edward George Warin |
| William Russell Jones | Houston, TX | Henry P. Giessel |
| Raeburn Gleason Kennard | Salt Lake City, UT | Wilford W. Kirton, Jr. |
| John A. Kenneff | Lancaster, PA | Ronald L. Buckwalter |
| Anne Margaret Lahey | Iowa City, IA | Stephen Chenoweth |
| Arthur Lee Lassiter Jr. | Washington, DC | Gerard II |
| Arnold Ross Levinson | San Francisco, CA | John Dabney Walt |
| Robert P. Lunt | Salt Lake City, UT | Marian Haycock Tully |
| Arlene Goldfus Lutz | Trenton, NJ | Wilford W. Kirton, Jr. |
| John N. Mackey | Canton, OH | Mark Barry Goldfus |
| John C. Marabondo | Lyndhurst, NJ | Roy Gutierrez |
| Samuel M. Maruca | Washington, DC | Charles L. Marabondo |
| Roy L. Mason | Baltimore, MD | Stuart Alan Streichler |
| Andrew C. McIntosh | Minneapolis, MN | Robert Charles Morgan |
| Joseph Francis McKeever III | Braintree, MA | Robert J. Schmit |
| Robert C. Meltzer | Chicago, IL | Wilson Cowen |
| Ramon L. Walker Merino | San Juan, PR | Ronald E. Abramson |
| | | Alberto Santiago Villalonga |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|------------------------------|
| John Clifton Miller | Conroe, TX | Nela Laura Thomas Brown |
| Lawrence John-David Miltner | Columbus, OH | Simon Barry Karas |
| Alden Bruce Netterville | Harahan, LA | Philip Edward O'Neill |
| Richard Brooks O'Connor | Oklahoma City, OK | Tenal Stilwell Cooley III |
| Douglas Dennis Palik | Chappell, NE | Thomas M. Shanahan |
| H. Thomas Parsons | Manchester, TN | Doyle E. Richardson |
| Rene Pinto-Lugo | San Juan, PR | Miguel A. Gimenez-Munoz |
| Marc F. Racicot | Helena, MT | Christian D. Tweeten |
| Dario Rivera-Carrasquillo | San Juan, PR | Charles A. Cordero |
| Vernon W. Salvador | Albuquerque, NM | Kent Winchester |
| Paul H. Sato | Honolulu, HI | Edward A. Jaffe |
| Patricia Jean Schaeffer | Helena, MT | Kimberly A. Kradolfer |
| Stuart Jay Shapiro | Tuscaloosa, AL | Joel L. Sogol |
| David Alan Shepherd | Youngstown, OH | Robert Alexander Nader |
| Elijah Smiley | Panama City, FL | Steven Lauren Seliger |
| James A. Smith | Des Moines, IA | Doyle Vernon Lawyer |
| Leonardo Spitale Jr. | Miami, FL | Leonardo Spitale |
| Deborah Carlin Stevens | New York, NY | Barry Alan Schwartz |
| William Harold Thomas | Beverly Hills, CA | Jackson Vincent Lord |
| John P. Warner | Washington, DC | Stuart Alan Streichler |
| Larry E. Welch | Omaha, NE | Edward George Warin |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|------------------------|
| Nancy Chastain Wicker | Columbia, SC | James C. Anders |
| Danny Glen Young | Lubbock, TX | Donald L. Graf |
| Donald Albert Young | Gilbert, PA | Ronald John Karasek |

OPINIONS

No. 87-1428. Patricia A. Lorance, et al., Petitioners *v.* AT&T Technologies, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Justice Scalia. Concurring opinion by Justice Stevens. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Blackmun join. Justice O'Connor took no part in the consideration or decision of this case.

No. 88-616. Louis W. Sullivan, Secretary of Health and Human Services, Petitioner *v.* Elmer Hudson. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice O'Connor. Dissenting opinion by Justice White with whom the Chief Justice, Justice Scalia, and Justice Kennedy join.

No. 88-681. California State Board of Equalization, Petitioner *v.* Sierra Summit, Inc. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

No. 88-5014. Jose Gomez, Petitioner *v.* United States; and

No. 88-5158. Diego Chavez-Tesina, Petitioner *v.* United States. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed. Opinion by Justice Stevens.

No. 88-774. Newman-Green, Inc., Petitioner *v.* Alejandro Alfonzo-Larrain, et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Marshall. Dissenting opinion by Justice Kennedy with whom Justice Scalia joins.

No. 88-305. South Carolina, Petitioner *v.* Demetrius Gathers. On writ of certiorari to the Supreme Court of South Carolina. Judgment affirmed. Opinion by Justice Brennan. Concurring statement by Justice White. Dissenting opinion by Justice O'Connor with whom the Chief Justice and Justice Kennedy join. Dissenting opinion by Justice Scalia.

No. 88-333. Alabama, Petitioner *v.* James Lewis Smith. On writ of certiorari to the Supreme Court of Alabama. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by the Chief Justice. Dissenting opinion by Justice Marshall.

No. 87-1614. John W. Martin, et al., Petitioners *v.* Robert K. Wilks, et al.;

No. 87-1639. Personnel Board of Jefferson County, Alabama, et al., Petitioners *v.* Robert K. Wilks, et al.; and

No. 87-1668. Richard Arrington, Jr., et al., Petitioners *v.* Robert K. Wilks, et al. On writs of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed. Opinion by the Chief Justice. Dissenting opinion by Justice Stevens with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

No. 87-1165. California, et al., Petitioners *v.* United States, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by the Chief Justice. Justice Marshall took no part in the consideration or decision of this case.

Adjourned until Thursday, June 15, 1989 at 10 o'clock.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-------------------------|------------------------|
| Ralph David Hays Fertig | Los Angeles, CA | Joseph L. Rauh Jr. |
| Michael T. Kallas | Eden Prairie, MN | Phillip H. Rudolph |
| John Adam Wasowicz | Alexandria, VA | John Edward Kilcarr |
| Garry K. Seltzer | St. Louis, MO | Abe F. Levy |
| Edith Lillian Levy | Los Angeles, CA | Abe F. Levy |
| Gregory Bernard Rowinski | Garfield Heights, OH | John D. Maddox |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------------|-----------------------|----------------------|
| Joseph Rosenzweig | New York, NY | Jack Gladstein |
| Barbara Sheppard Reede | New York, NY | Jack Gladstein |
| Paula DiMeo Grant | Washington, DC | Mary Elizabeth Kelly |
| Catherine B. Parks | Miami, FL | Mary Elizabeth Kelly |
| Barbara Beck Dickson | Lisle, IL | Mary Elizabeth Kelly |
| Katherine J. Pohlman | Jersey City, NJ | Mary Elizabeth Kelly |
| Ann Baldwin Mech | Baltimore, MD | Mary Elizabeth Kelly |
| Kathleen Obermayer Curley | Hackensack, NJ | Mary Elizabeth Kelly |
| Marita Malloy Hutchinson | West Chester, PA | Mary Elizabeth Kelly |
| Felice M. Quigley | Philadelphia, PA | Mary Elizabeth Kelly |
| Martha C. Romney | Philadelphia, PA | Mary Elizabeth Kelly |
| Bray Bruce Barnes | Toms River, NJ | Nancy Sivilli |
| Terence Boyle | Red Bank, NJ | Nancy Sivilli |
| Brian Mitchell Cige | Somerville, NJ | Nancy Sivilli |
| James McDonald Curran | Woodbridge, NJ | Nancy Sivilli |
| Gary Lee Dennis | Livingston, NJ | Nancy Sivilli |
| Christos J. Diktas | Hackensack, NJ | Nancy Sivilli |
| Stephen Frederick Kern | Edison, NJ | Nancy Sivilli |
| John Robert Kettle III | Newark, NJ | Nancy Sivilli |
| Stephen Michael Ketyer | Maplewood, NJ | Nancy Sivilli |
| John Michael Krenzle | South River, NJ | Nancy Sivilli |
| Robert Montecallo | Hackensack, NJ | Nancy Sivilli |
| Richard L. Oller | Parsippany, NJ | Nancy Sivilli |
| Jessica S. Oppenheim | Trenton, NJ | Nancy Sivilli |
| Mark Eugene Roddy | Atlantic City, NJ | Nancy Sivilli |
| Kenneth R. Russell | New Brunswick, NJ | Nancy Sivilli |
| Susan Stryker | Washington, DC | Nancy Sivilli |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-------------------------|-------------------------|
| James D. Toll | Atlantic City, NJ | Nancy Sivilli |
| Dennis M. Tuohy | Atlantic City, NJ | Nancy Sivilli |
| Catherine A. Tuohy | Atlantic City, NJ | Nancy Sivilli |
| Joanne Mazza Weber | Ocean City, NJ | Nancy Sivilli |
| Ben J. Zander | Summit, NJ | Nancy Sivilli |
| David Grossman | Cranford, NJ | Nancy Sivilli |
| Brian R. Ade | Allendale, NJ | Dennis Allan Maycher |
| Sidney Berezin | Hackensack, NJ | Dennis Allan Maycher |
| Terry Paul Bottinelli | Hackensack, NJ | Dennis Allan Maycher |
| Robert T. Corcoran | Hackensack, NJ | Dennis Allan Maycher |
| David G. Crocco | Ridgewood, NJ | Dennis Allan Maycher |
| Diane Michele DeCarlo | Palisades Park, NJ | Dennis Allan Maycher |
| Karen Ford Edler | Hackensack, NJ | Dennis Allan Maycher |
| Richard Steven Grenberg | Englewood Cliffs, NJ | Dennis Allan Maycher |
| Victor C. Harwood III | Hackensack, NJ | Dennis Allan Maycher |
| Patricia Ann Kieck | Hackensack, NJ | Dennis Allan Maycher |
| Christopher Kirschler Leyden | Hackensack, NJ | Dennis Allan Maycher |
| Lawrence W. Lipman | Glen Rock, NJ | Dennis Allan Maycher |
| Theodore D. Moskowitz | Newark, NJ | Dennis Allan Maycher |
| Barbara H. Parker | Saddle River, NJ | Dennis Allan Maycher |
| Fred J. Pisani | Waldwick, NJ | Dennis Allan Maycher |
| Beverly R. Porway | Hackensack, NJ | Dennis Allan Maycher |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------|-----------------------|-------------------------|
| Kenneth Alan Ramp | Tenafly, NJ | Dennis Allan Maycher |
| Judith C. Reilly | River Vale, NJ | Dennis Allan Maycher |
| Richard M. Rosa | Hackensack, NJ | Dennis Allan Maycher |
| Gerald R. Salerno | Hackensack, NJ | Dennis Allan Maycher |
| David Scillieri | Elmwood Park, NJ | Dennis Allan Maycher |
| Susan Lucy Victoria | Tenafly, NJ | Dennis Allan Maycher |
| Richard H. Weiner | Hackensack, NJ | Dennis Allan Maycher |
| Belle Seitel Weisz | Tenafly, NJ | Dennis Allan Maycher |

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 88-396. Colonial American Life Insurance Company, Petitioner *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Justice Kennedy. Dissenting opinion by Justice Stevens with whom Justice Blackmun and Justice O'Connor join.

No. 87-1855. Carl S. Dellmuth, Acting Secretary of Education of Pennsylvania, Petitioner *v.* Russell A. Muth, Jr., et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Kennedy. Concurring opinion by Justice Scalia. Dissenting opinion by Justice Brennan with whom Justice Marshall, Justice Blackmun, and Justice Stevens join. Dissenting opinion by Justice Blackmun. Dissenting opinion by Justice Stevens.

No. 87-107. Brenda Patterson, Petitioner *v.* McLean Credit Union. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed in part, vacated in part, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Kennedy. Opinion by Justice Brennan concurring in the judgment in part and dissenting in part with whom Justice Marshall and Justice Blackmun join and with whom Justice Stevens joins as to Parts II-B, II-C, and III. Opinion by Justice Stevens concurring in the judgment in part and dissenting in part.

No. 87-746. Michael H. and Victoria D., Appellants *v.* Gerald D. Appeal from the Court of Appeal of California, Second Appellate District. Judgment affirmed. Justice Scalia announced the judgment of the Court and delivered an opinion in which the Chief Justice joins in all but note 6 of which Justice O'Connor and Justice Kennedy join. Opinion by Justice O'Connor concurring in part with whom Justice Kennedy joins. Opinion by Justice Stevens concurring in the judgment. Dissenting opinion by Justice Brennan with whom Justice Marshall and Justice Blackmun

join. Dissenting opinion by Justice White with whom Justice Brennan joins.

No. 88-1048. Robert J. Quinn, Jr. and Patricia J. Kampsen, etc., Appellants *v.* Wayne L. Millsap, et al. Appeal from the Supreme Court of Missouri. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Blackmun.

No. 87-1207. Ray Will, Petitioner *v.* Michigan Department of State Police, et al. On writ of certiorari to the Supreme Court of Michigan. Judgment affirmed. Opinion by Justice White. Dissenting opinion by Justice Brennan with whom Justice Marshall, Justice Blackmun and Justice Stevens join. Dissenting opinion by Justice Stevens.

No. 87-1241. Pennsylvania, Petitioner *v.* Union Gas Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Justice Brennan announced the judgment of the Court and delivered an opinion of the Court with respect to Parts I and II, and an opinion with respect to Part III, in which Justice Marshall, Justice Blackmun and Justice Stevens join. Concurring opinion by Justice Stevens. Concurring opinion by Justice White with whom the Chief Justice, Justice O'Connor and Justice Kennedy join as to Part I. Opinion by Justice Scalia concurring in part and dissenting in part with whom the Chief Justice, Justice O'Connor and Justice Kennedy join as to Parts II, III, and IV. Dissenting opinion by Justice O'Connor.

No. 87-6997. Eugene John Carella, Appellant *v.* California. Appeal from the Appellate Department, Superior Court of California, Los Angeles County. Judgment reversed and case remanded to the Superior Court for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by the Chief Justice. Opinion by Justice Scalia concurring in the judgment with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

Adjourned until Monday, June 19, 1989 at 10 o'clock.

ORDER IN PENDING CASE

No. 88-7461. Ronald Raymond Woomer, Petitioner *v.* Parker Evatt, Commissioner, South Carolina Department of Corrections, et al. The application for stay of execution of sentence of death, presented to the

Chief Justice and by him referred to the Court, is granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court.

CERTIORARI DENIED

No. 88-7447. Leo Edwards, Petitioner *v.* Mississippi. The application for stay of execution of sentence of death presented to Justice White and by him referred to the Court is denied. The petition for a writ of certiorari to the Supreme Court of Mississippi is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

APPEAL—SUMMARY DISPOSITION

No. 88-1753. S. T., on behalf of her minor child, N. T., Appellant *v.* Board of Education of the City of Millville, New Jersey, et al. Appeal from the Superior Court of New Jersey, Appellate Division. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

CERTIORARI—SUMMARY DISPOSITION

No. 88-5795. William Salazar and Beimar Vallejo, Petitioners *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *Gomez v. United States*, 490 U. S. — (1989).

No. 88-6122. Pavit Nittayanupap, Petitioner *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Gomez v. United States*, 490 U. S. — (1989).

No. 88-6725. T. J. Hayes, Petitioner *v.* A. L. Lockhart, Director, Arkansas Department of Correction. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *South Carolina v. Gathers*, 490 U. S. — (1989).

No. 88-6729. Michael Daniels, Petitioner *v.* Indiana. On petition for writ of certiorari to the Supreme Court of Indiana. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Supreme Court of Indiana for further consideration in light of *South Carolina v. Gathers*, 490 U. S. — (1989).

ORDERS IN PENDING CASES

No. —. In Re David I. Dennis. The motion to direct the Clerk to file a petition for a writ of habeas corpus is denied.

No. A-944. Ruth E. Prevenslik, etc., Applicant *v.* Elmer Rossko, et al. The application for stay addressed to Justice Kennedy and referred to the Court is denied.

No. D-784. In the Matter of Disbarment of Larry G. Lillback. Disbarment order entered.

No. D-792. In the Matter of Disbarment of Brian D. Schaefer. It is ordered that Brian D. Schaefer, of Longwood, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-793. In the Matter of Disbarment of Prince Cartwright, Jr. It is ordered that Prince Cartwright, Jr., of Houston, Texas, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-794. In the Matter of Disbarment of Ruben R. Montemayor. It is ordered that Ruben R. Montemayor, of San Antonio, Texas, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 88-1353. United States, Petitioner *v.* Rene Martin Verdugo-Urquidez. The motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* is granted.

No. 88-1640. Michigan Citizens for an Independent Press, et al., Petitioners *v.* Dick Thornburgh, Attorney General of the United States, et al. The motion of the parties to dispense with printing the joint appendix is granted. Justice White took no part in the consideration or decision of this motion.

CERTIORARI GRANTED

No. 88-1719. Chauffeurs, Teamsters and Helpers, Local No. 391, Petitioner *v.* Thomas C. Terry, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 88-1835. Florida, Petitioner *v.* Martin Leslie Wells. Petition for writ of certiorari to the Supreme Court of Florida granted.

No. 88-1595. Kaiser Aluminum & Chemical Corporation, et al., Petitioners *v.* Joseph A. Bonjorno, et al.; and

No. 88-1771. Joseph A. Bonjorno, et al., Petitioners *v.* Kaiser Aluminum & Chemical Corporation, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-6873. Chandler Clemons, Petitioner *v.* Mississippi. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Mississippi granted limited to Question 1 presented by the petition.

CERTIORARI DENIED

No. 87-1445. Alma Hampton, Personal Representative of the Estate of Alvin Hampton, Petitioner *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 87-1454. Maurice Skoblow, Petitioner *v.* Ameri-Manage, Inc. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-447. Rodney G. Vest, Petitioner *v.* Marian Schafer and Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 88-527. Merlin Bishop, et ux., Administrators of the Estate of Robin Bishop, deceased, etc., Petitioners *v.* George Michael Gwaltney, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 88-542. Edward W. Jackson, Petitioner *v.* Maine. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 88-660. Simkins Industries, Inc., Petitioner *v.* Sierra Club. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-709. John Roe, Petitioner *v.* Superior Court of California, County of Marin (Sherry Doe, Real Party in Interest). Petition for writ

of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-1254. Teddyanne Schoo, Petitioner *v.* United States Postal Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1382. Eagle-Picher Industries, Inc., Petitioner *v.* United States; and

No. 88-1418. Raymark Industries, Inc., Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1412. Margaret J. Randall, et al., Petitioners *v.* Richard Thornburgh, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1471. Laurie Walker, Petitioner *v.* Superior Court of Sacramento County. Petition for writ of certiorari to the Supreme Court of California denied.

No. 88-1571. Thomas H. DeLorenzo, et al., Petitioners *v.* New Jersey Department of Environmental Protection. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 88-1604. Judith Diane Duff Leach, et al., Petitioners *v.* Federal Deposit Insurance Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1616. Joseph Lombardo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1626. Dexter R. Sams, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1642. Alaska, Petitioner *v.* Kenaitze Indian Tribe. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1649. L & B Corporation, et al., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1657. S. H. and P. F., et al., Petitioners *v.* Joe Edwards, Former Commissioner, Georgia Department of Human Resources, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1669. Bill Hamilton, Michael Neel Gleason, and Dan M. Linkous, Petitioners *v.* Thomas J. Stovall, Judge, Second Administrative Judicial District of Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1678. Richard Walton, Petitioner *v.* Scott B. Merriman. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1696. Sales Tax Collector, St. Charles Parish, Louisiana, Petitioner *v.* Westside Sand Company, Inc. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fifth Circuit, denied.

No. 88-1700. Central Louisiana Telephone Company, et al., Petitioners *v.* Mattie McCarroll. Petition for writ of certiorari to the Court of Appeal of Louisiana, Third Circuit, denied.

No. 88-1715. Geraldine Woods, et vir, Petitioners *v.* Bobrow, Greenapple & Skolnik. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1718. Vincent C. Schoemehl, Jr., Petitioner *v.* Bernard F. Edwards, Jr. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-1720. Edward J. Wilsmann, Petitioner *v.* Upjohn Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1727. Video International Productions, Inc., Petitioner *v.* Warner-Amex Cable Communications, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1730. Attorneys' Title Guaranty Fund, Inc., Petitioner *v.* David K. Richards. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1731. District of Columbia Nurses Association, et al., Petitioners *v.* District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-1736. Daniel M. Wemhoff, Petitioner *v.* William E. Floria, et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-1740. Arnold Jerome Karzov, Petitioner *v.* Attorney Registration and Disciplinary Commission of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-1746. Thomas E. Macurdy, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-1747. William E. Grammer, Petitioner *v.* Patterson Services, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1748. Jacob Tasher, Petitioner *v.* St. Tammany Parish Hospital, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1749. William Velez, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-1750. Earle A. Daisley, Petitioner *v.* General Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1752. South Carolina, et al., Petitioners, *v.* Catawba Indian Tribe of South Carolina, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1759. United States, Petitioner *v.* Marvin Mandel, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1760. M. Thora Worrell, Petitioner *v.* B. F. Goodrich Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1780. William B. Cooper, Petitioner *v.* Richard D. Eisenman, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1800. In Re Nathan N. Powell, Petitioner. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-1810. Walter W. Steffen, Petitioner *v.* Meridian Life Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1817. John G. Barrow, Jr., Petitioner *v.* Harold B. Wahl, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1823. Richard Gladden, Petitioner *v.* Randy W. Roach, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1853. Stanley Sterner, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1854. Ronald W. Davenport, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1869. Gladys Ayala, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1876. Christopher Furnari, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1888. James F. Norton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6582. Sylvester Dudley, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied.

No. 88-6636. Richard Gerald Embry, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 88-6913. Ronnie Bruscano, et al., Petitioners *v.* Norman Carlson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6917. Sharman M. Meade-Murphy, Petitioner *v.* City of Atlanta, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6929. Raymond Wagstaff, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-6935. Gary Lee Leech, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6981. Arthur W. Rumney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-7076. Warren Halverson, Petitioner *v.* Janet Barbour, Superintendent, Twin Rivers Correctional Center at Monroe, Washington. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7083. Freddie James Williams, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7084. Roland Patterson, etc., Petitioner *v.* Transworld Drilling Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7092. George Lavelle Brooks, Petitioner *v.* City of Anniston, Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7094. Ernest C. Harper, Petitioner *v.* Crispus Nix, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7095. Richard Hoffman, Petitioner *v.* George Petsock, Superintendent, State Correctional Institution at Pittsburgh, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7102. George Ross, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Correctional Institution (and Diagnostic and Classification Center) at Graterford, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7103. James L. Martin, Petitioner *v.* Court of Appeals of Maryland, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7105. Larry F. Dean, Petitioner *v.* West Virginia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7115. Andrew J. Johnson, Petitioner *v.* District Court of Wyoming, First Judicial District. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 88-7117. Raymond Walker, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Stark County, denied.

No. 88-7141. Marzuq A. Al-Hakim, Petitioner *v.* Tampa City Council. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7150. Gilbert G. Velilla, Petitioner *v.* Connecticut, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-7195. F. G., Petitioner *v.* Forestal Lawton, et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-7237. Thomas Robert Moser, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7238. John Wesley Duffel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7248. Boonchai Naiyavaj, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7255. James A. Thorpe, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-7258. George Lee Kosko, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7260. Carlos M. Gonzalez-Alvarez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7264. Francis T. Fahy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-7265. Martin Cardenas, aka Raul Ramirez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7267. Avery B. Klein, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7268. Rafael Campos-Fuentes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7269. Pedro Rivera, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7270. Carlos Wilbert Wright, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7272. Juergen Stengel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7275. John Glenn Trousdale, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1466. People of Enewetak, Rongelap and other Marshall Islands Atolls, Petitioners *v.* United States. The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1467. Credit Bureau Services-New Orleans, dba Chilton Corporation, Petitioner *v.* Weeland L. Hyde. The motion of Associated Credit Bureaus, Inc. for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1721. L. G. McCormick and Beacon Hill Farms, Inc., Petitioners *v.* Texas Commerce Bank, N.A. The motion of respondent for costs is denied. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 88-1724. Arkansas, Petitioner *v.* Garland Maurice Gibson. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Justice Brennan and Justice White would grant certiorari.

No. 88-1773. Ricoh Company, Ltd., Petitioner *v.* Donald L. Snellman, dba Norfin. The motion of International Electronics Manufacturers and Consumers of America, Inc. for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1813. Thomas J. Raley, Petitioner *v.* Franklin W. Hughes, et ux. The motion of respondents for sanctions and attorney's fees is denied. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-5024. Michael J. Travaglia, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5685. David Lewis Rice, Petitioner *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6006. David Thomas Dawson, Petitioner *v.* Montana. Petition for writ of certiorari to the Supreme Court of Montana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6154. Donald Edward Beaty, Petitioner *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6468. Nicholas Yarris, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7073. Kenneth Glenn Thomas, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7120. Francis Gerard Hernandez, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7132. Ronald Lee Hoke, Sr., Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7135. Freddie Lee Webb, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7136. Walter Lee Caruthers, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7201. Alton Wayne, Petitioner *v.* Sherman L. Townley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7082. John Solon, Petitioner *v.* United States. The petition for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit before judgment is denied.

HABEAS CORPUS DENIED

No. 88-7281. In Re Alan Humphrey, Petitioner. The petition for writ of habeas corpus is denied.

REHEARINGS DENIED

No. 88-963. Eva J. Culberson, Petitioner *v.* Veterans Administration;

No. 88-1011. James D. Harman, et al., Appellants *v.* Elizabeth Dole, Secretary of Labor, et al.;

No. 88-1517. Robert Scott Dunning, Petitioner *v.* Commissioner of Internal Revenue;

No. 88-6515. Edgar Brathwaite, Petitioner *v.* United States;

No. 88-6726. Billy G. Asberry, Petitioner *v.* United States Postal Service, et al.;

No. 88-6734. David Adamo, Petitioner *v.* Hotel, Motel, Bartenders, Cooks and Restaurant Workers Union Local 24, et al.;

No. 88-6773. William Paul Barron, Jr., Petitioner *v.* Salt Lake City, Utah;

No. 88-6859. Luis Gonzalez, Petitioner *v.* Department of the Navy; and

No. 88-6934. Delbert H. Reidt, Petitioner *v.* United States. The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, June 19, 1989 until Wednesday, June 21, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|-------------------------------|
| Cary Walter Brooks | Mt. Clemens, MI | Bill C. Panagos |
| Jerry Moore Bryant | Middletown, OH | John A. Crist |
| Patricia Andrea Bunner | Morgantown, WV | James Audley McLaughlin |
| Ronald L. Burdge | Franklin, OH | James Delano Ruppert |
| Brian Chally | Carson City, NV | D. Brian McKay |
| Joseph E. K. H. Ching | New Orleans, LA | Milton E. Brener |
| Scott Alan Cleary | Jacksonville, FL | Michael J. Davie |
| Robert J. Conrad Jr. | New Orleans, LA | Joel L. Burrello |
| Christopher Thomas Corson | Washington, DC | Ky Pepper Ewing, Jr. |
| Meredith A. Coté | Medford, NJ | Linda K. Calloway |
| H. Woodrow Crook Jr. | Smithfield, VA | William Roberts Moore, Jr. |
| David Rainey Daines | Logan, UT | William G. Gibbs |
| Chesley David Dunlap | Trumann, AR | John R. Henry |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-----------------------------|
| Philip H. Dunleavy | Tonopah, NV | William P. Beko |
| Richard Steven Edelman | Washington, DC | William Grattan Mahoney |
| Patrick Eugene Eldridge | Phoenix, AZ | John Leonard Wiehn |
| John E. Eldridge | Knoxville, TN | Douglas A. Trant |
| Darrell E. Fawley Jr. | Columbus, OH | David L. Kessler |
| Ronald E. Finley | Kansas City, MO | James Stuart Formby |
| Thomas James Fleming Jr. | New York, NY | Leslie Gordon Fagen |
| John T. Fowler III | Louisville, KY | Teddy B. Gordon |
| John W. Frankum | Kansas City, MO | William Howard Billings |
| M. Norman Goldberger | Philadelphia, PA | Barry F. Schwartz |
| Kevin Guy Gupton | Sacramento, CA | George Nicholas Zenovich |
| Aladar G. Gyimesi | Staten Island, NY | David S. Gary |
| Robert Michael Henderson | Peoria, IL | Richard E. Quinn |
| Martha R. Houser | Aurora, CO | Robert H. Chanin |
| William G. Jenkins Jr. | Hilton Head Island, | John Judson McKay, Jr. |
| Joel Kaplan | Miami, FL | Angelo A. Ali |
| Bernard Paul Kenneally | San Francisco, CA | William Lathan Osterhoudt |
| Michael John Kennedy | West Palm Beach, FL | Dennis Allan Vandenberg |
| David Carl Koestner | Burlington, IA | David A. Hirsch |
| John Manning Law | Denver, CO | Judge William Hurt Erickson |
| Jimmy P. Lockert | Ashland City, TN | Robert Eugene Burch |
| James H. Lockhart | Oklahoma City, OK | George Miller |
| W. Anthony Loe | Ft. Lauderdale, FL | Robert M. M. Seto |
| John D. MacIntosh | Concord, NH | Robert A. Stein |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---|--|--|
| Curtis L. Mack Richard Donald Mars | Atlanta, GA Bartow, FL | Harris Jacobs Clinton Austin Curtis |
| Jeffrey B. McClellan Keith A. McIntyre Jane Moran Lewis Straughn Nippard | Atlanta, GA Greely, CO Williamson, WV Ellicott City, MD | Harris Jacobs Walker D. Miller Grant F. Crandall W. Walter Farnandis |
| Michael A. Pohl | Houston, TX | John H. Bennett, Jr. |
| Donald C. Radcliff | Mobile, AL | A. Danner Frazer, Jr. |
| Lynn K. Richardson Lloyd H. Riley | Lansing, MI Sacramento, CA | Miriam Aguiar Gary Elliott Ransom |
| Robin Anthony Sears | Menlo Park, CA | Brian Charles Means |
| Howard M. Simms Thomas von Thury | New York, NY Western Springs, IL | William C. Logan Keith D. Schulz |
| Julian Guthrie True | Frankfort, KY | William Edward Johnson |
| Laurel Anne Wedinger Jon Philip Weyman | Staten Island, NY Williston Park, NY | David S. Gary Douglas Todd Burns |

OPINIONS

No. 88-420. Jimmy Jones, Superintendent, Missouri Training Center for Men at Moberly, Petitioner *v.* Larry P. Thomas. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Kennedy. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Dissenting opinion by Justice Scalia with whom Justice Stevens joins and with whom Justice Brennan and Justice Marshall join as to all but the footnote.

No. 88-348. New Orleans Public Service, Inc., Petitioner *v.* Council of City of New Orleans, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case

remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Scalia. Concurring opinion by Justice Brennan with whom Justice Marshall joins. Opinion by the Chief Justice concurring in Parts I and II-B and concurring in the judgment. Opinion by Justice Blackmun concurring in the judgment.

No. 88-449. John F. Healy, et al., Appellants *v.* The Beer Institute, et al.; and

No. 88-513. Wine and Spirits Wholesalers of Connecticut, Inc., Appellant *v.* The Beer Institute, et al. Appeals from the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Justice Blackmun. Opinion by Justice Scalia concurring in part and concurring in the judgment. Dissenting opinion by the Chief Justice with whom Justice Stevens and Justice O'Connor join.

No. 88-1. Consolidated Rail Corporation, Petitioner *v.* Railway Labor Executives' Association, et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Blackmun. Concurring opinion by Justice White. Dissenting opinion by Justice Brennan with whom Justice Marshall joins.

No. 88-64. Missouri, et al., Petitioners *v.* Kalima Jenkins, by her friend, Kamau Agyei, et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed. Opinion by Justice Brennan. Opinion by Justice O'Connor concurring in part and dissenting in part with whom Justice Scalia joins and with whom the Chief Justice joins in part. Dissenting opinion by the Chief Justice. Justice Marshall took no part in the consideration or decision of this case.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-------------------------|------------------------------|
| Patrick F. O'Laughlin | San Jose, CA | Don Edwards |
| Jerry Allan Retherford | Colorado Springs, CO | Kenneth Bentley Kramer |
| Edward Thomas Dunn Jr. | Santa Ana, CA | William Duncan Crosby Jr. |
| Kenneth W. Heider | Greenwood, IN | Judith Marie Cannavo |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|------------------------|
| Allan Wrenn Steinhorn | Washington, DC | Dean Elliot Swartz |
| John M. Martin Jr. | White Plains, NY | Seth Sumner Smith |
| Michael S. Linn | Tuckahoe, NY | Seth Sumner Smith |
| Ralph R. Reda | White Plains, NY | Seth Sumner Smith |
| Stephen D. Espy | Washington, DC | Joseph John Bonar Ryan |
| Alan Martin Boyd | Washington, DC | William Curtis Bryson |
| George R. Johnson | Buffalo, NY | William Curtis Bryson |
| Jonathan Fred Potter | Warsaw, IN | William Curtis Bryson |
| Gregory Brian Upton | Alexandria, LA | William Curtis Bryson |
| Timothy Patrick Riley | Merrimac, MA | William Curtis Bryson |
| Karen V. Johnson | Irwin, PA | William Curtis Bryson |
| Lauren Best Leeker | Carlisle, PA | William Curtis Bryson |
| John Joseph Hogan | Cumberland, RI | William Curtis Bryson |
| Marcus Anton Brinks | Canton, OH | William Curtis Bryson |
| Lida Anne Stout Savonarola | Woodstock, VA | William Curtis Bryson |
| Thomas A. Sieg | Corvallis, OR | William Curtis Bryson |
| Kristine Margaret Awalt | Sacramento, CA | Alice Louise O'Donnell |
| Connie Priest | Sacramento, CA | Alice Louise O'Donnell |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-----------------------|---------------------------|
| James M. Hess | Orlando, FL | Alice Louise O'Donnell |
| Herbert A. Langston Jr. | Orlando, FL | Alice Louise O'Donnell |
| Louise O. Regelin | Moscow, ID | Alice Louise O'Donnell |
| Melinda D. Middlebrooks | Newark, NJ | Alice Louise O'Donnell |
| Irving Kopech | Providence, RI | Alice Louise O'Donnell |
| Eli W. Bizic | McLean, VA | Alice Louise O'Donnell |
| Garrett Michael Swain | Denver, CO | Elliott S. Milstein |
| Martha Elizabeth Gower | Washington, DC | Elliott S. Milstein |
| Dana Vincent Martin | Washington, DC | Elliott S. Milstein |
| Evelyn Betts Thomason | Washington, DC | Elliott S. Milstein |
| Pastell Vann | Washington, DC | Elliott S. Milstein |
| Barbara Ursula Werthmann | Washington, DC | Elliott S. Milstein |
| Perry M. Smith | Wellesley, MA | Elliott S. Milstein |
| Russel Lee Beers | Silver Spring, MD | Elliott S. Milstein |
| Diane Elizabeth Cafferty | Washington, DC | Elliott S. Milstein |
| Roger W. Galvin | Bethesda, MD | Elliott S. Milstein |
| Phyllis A. Hanfling | Washington, DC | Elliott S. Milstein |
| Karen I. Kerr | Bethesda, MD | Elliott S. Milstein |
| Patrick Francis McLister | Frederick, MD | Elliott S. Milstein |
| Joy McElroy Schwan | Potomac, MD | Elliott S. Milstein |
| Joseph A. Trevino | Greenbelt, MD | Elliott S. Milstein |
| Carol Ann Stanton | Robbinsville, NJ | Elliott S. Milstein |
| Denise Elaine Totaro | Denville, NJ | Elliott S. Milstein |
| Norman N. Kinel | New York, NY | Elliott S. Milstein |
| Carl Robert Steen | Huntington, NY | Elliott S. Milstein |
| Barbara K. Arentz Bado | Edmond, OK | Elliott S. Milstein |
| Priscilla Sams | Alexandria, VA | Elliott S. Milstein |
| GautierBornmann | | |
| Katherine-Marie Bonner Drews | McLean, VA | Elliott S. Milstein |

MONDAY, JUNE 19, 1989

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------|-----------------------|---------------------|
| David Alan Ridgely | Alexandria, VA | Elliott S. Milstein |
| Mark Tosti | Falls Church, VA | Elliott S. Milstein |
| Deanna Marie Tuley | Alexandria, VA | Elliott S. Milstein |

Adjourned until Wednesday, June 21, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 88-7235. George C. Gilmore, Petitioner *v.* William Armontrout, Warden. On motion to vacate stay. The motion of respondent to vacate the order staying the execution of sentence of death entered by Justice Blackmun on June 16, 1989 is granted. Dissenting opinion by Justice Blackmun. Dissenting statement by Justice Stevens with whom Justice Brennan and Justice Marshall join.

CERTIORARI DENIED

No. 88-7530. Leo Edwards, Jr., Petitioner *v.* Lee Roy Black, Commissioner, Mississippi Department of Corrections. The application for stay of execution of sentence of death presented to Justice White and by him referred to the Court is denied. The petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

ORDER IN PENDING CASE

No. A-1012. Randy Lynn McKinney, Applicant *v.* Idaho. The application for stay of execution of sentence of death presented to Justice O'Connor and by her referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.

ORDER IN PENDING CASE

No. A-1025. Leonard Marvin Laws, by and through Marvin E. Laws, as his next friend, Applicant *v.* Paul Delo, Superintendent, Potosi Correctional Center. The application for stay of execution of sentence of death presented to Justice Blackmun and by him referred to the Court is granted pending the timely filing and disposition by this Court of a petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court.

ORDER IN PENDING CASE

No. A-1027. Paul Delo, Superintendent, Potosi Correctional Center, Applicant *v.* George C. Gilmore. The application of the Attorney General of Missouri for an order to vacate the stay of execution of sentence of death entered by the United States District Court for the Eastern District of Missouri presented to Justice Blackmun and by him referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-1651. Massachusetts, Petitioner *v.* Douglas Oakes. On writ of certiorari to the Supreme Judicial Court of Massachusetts. Judgment vacated and case remanded to the Supreme Judicial Court for further proceedings not inconsistent with the opinion of this Court. Justice O'Connor announced the judgment of the Court and delivered an opinion with whom the Chief Justice, Justice White and Justice Kennedy join. Opinion by Justice Scalia concurring in the judgment in part and dissenting in part with whom Justice Blackmun joins and with whom Justice Brennan, Justice Marshall and Justice Stevens join as to Part I. Dissenting opinion by Justice Brennan with whom Justice Marshall and Justice Stevens join.

No. 88-40. United States, Petitioner *v.* Frank S. Zolin, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed by an equally divided Court in part, vacated in part and case remanded to the Court of Appeals for further proceedings in conformity with the judgment of this Court. Opinion by Justice Blackmun. Justice Brennan took no part in the consideration or decision of this case.

No. 87-329. The Florida Star, Appellant *v.* B.J.F. Appeal from the District Court of Appeal of Florida, First District. Judgment reversed and case remanded to the District Court of Appeal for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Marshall. Opinion by Justice Scalia concurring in part and concurring in the judgment. Dissenting opinion by Justice White with whom the Chief Justice and Justice O'Connor join.

No. 87-1589. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al.; and

No. 87-1888. Pittsburgh & Lake Erie Railroad Company, Petitioner *v.* Railway Labor Executives' Association, et al. On writs of certiorari to the United States Court of Appeals for the Third Circuit. The judgment in No. 87-1888 is reversed and the judgment in No. 87-1589 is vacated and the cases are remanded to the Court of Appeals for further

proceedings in conformity with the opinion of this Court. Opinion by Justice White. Opinion by Justice Stevens concurring in part and dissenting in part with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

No. 88-429. *Public Citizen, Appellant v. United States Department of Justice, et al.*; and

No. 88-494. *Washington Legal Foundation, Appellant v. United States Department of Justice, et al.* Appeals from the United States District Court for the District of Columbia. Judgment affirmed. Opinion by Justice Brennan. Opinion by Justice Kennedy concurring in the judgment with whom the Chief Justice and Justice O'Connor join. Justice Scalia took no part in the consideration or decision of these cases.

No. 88-155. *Texas, Petitioner v. Gregory Lee Johnson.* On writ of certiorari to the Court of Criminal Appeals of Texas. Judgment affirmed. Opinion by Justice Brennan. Concurring opinion by Justice Kennedy. Dissenting opinion by the Chief Justice with whom Justice White and Justice O'Connor join. Dissenting opinion by Justice Stevens.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 88-226. Benjamin R. Ward, et al., Petitioners *v.* Rock Against Racism. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Kennedy. Justice Blackmun concurs in the result. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Stevens join.

No. 88-608. Independent Federation of Flight Attendants, Petitioner *v.* Anne B. Zipes, et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Scalia. Opinion by Justice Blackmun concurring in the judgment. Dissenting opinion by Justice Marshall with whom Justice Brennan joins. Justice Stevens took no part in the consideration or decision of this case.

No. 87-2084. Norman Jett, Petitioner *v.* Dallas Independent School District; and

No. 88-214. Dallas Independent School District, Petitioner *v.* Norman Jett. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed in part and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice O'Connor. Opinion by Justice Scalia concurring in part and concurring in the judgment. Dissenting opinion by Justice Brennan with whom Justice Marshall, Justice Blackmun, and Justice Stevens join. Dissenting opinion by Justice Stevens.

No. 88-10. Hart-Hanks Communications, Inc., Petitioner *v.* Daniel Connaughton. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Justice Stevens. Concurring opinion by Justice White with whom the Chief Justice joins. Concurring opinion by Justice Blackmun. Concurring opinion by Justice Kennedy. Opinion by Justice Scalia concurring in the judgment.

No. 87-1729. Caplin & Drysdale, Chartered, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Justice White. Dissenting opinion by Justice Blackmun in this case and in No. 88-454, United States *v.* Monsanto, post, with whom Justice Brennan, Justice Marshall and Justice Stevens join.

No. 88-454. United States, Petitioner *v.* Peter Monsanto. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice White. Dissenting opinion by Justice Blackmun in this case and in No. 87-1729, Caplin & Drysdale, Chartered *v.* United States, ante, with whom Justice Brennan, Justice Marshall and Justice Stevens join.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 88-389. *Public Employees Retirement System of Ohio, Appellant v. June M. Betts*. Appeal from the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Kennedy. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 88-782. *United States Department of Justice, Petitioner v. Tax Analysts*. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Justice Marshall. Justice White concurs in the judgment. Dissenting opinion by Justice Blackmun.

No. 88-412. *Martin W. Hoffman, Trustee, Petitioner v. Connecticut Department of Income Maintenance, et al.* On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Justice White announced the judgment of the Court and delivered an opinion in which the Chief Justice, Justice O'Connor and Justice Kennedy join. Concurring opinion by Justice O'Connor. Opinion by Justice Scalia concurring in the judgment. Dissenting opinion by Justice Marshall with whom Justice Brennan, Justice Blackmun, and Justice Stevens join. Dissenting opinion by Justice Stevens with whom Justice Blackmun joins.

No. 88-515. *Sable Communications of California, Inc., Appellant v. Federal Communications Commission, et al.*; and

No. 88-525. *Federal Communications Commission, et al., Appellants v. Sable Communications of California, Inc.* Appeals from the United States District Court for the Central District of California. Judgments affirmed. Opinion by Justice White. Concurring opinion by Justice Scalia. Opinion by Justice Brennan concurring in part and dissenting in part with whom Justice Marshall and Justice Stevens join.

No. 87-1716. *Granfinanciera, S.A., et al., Petitioners v. Paul C. Nordberg, Creditor Trustee for the Estate of Chase & Sanborn Corporation, etc.* On writ of certiorari to the United States Court of Ap-

peals for the Eleventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Brennan. Opinion by Justice Scalia concurring in part and concurring in the judgment. Dissenting opinion by Justice White. Dissenting opinion by Justice Blackmun with whom Justice O'Connor joins.

No. 88-411. Edward W. Murray, Director, Virginia Department of Corrections, et al., Petitioners *v.* Joseph M. Giarratano, Johnny Watkins, Jr., and Richard T. Boggs, et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. The Chief Justice announced the judgment of the Court and delivered an opinion in which Justice White, Justice O'Connor, and Justice Scalia join. Concurring opinion by Justice O'Connor. Opinion by Justice Kennedy concurring in the judgment with whom Justice O'Connor joins. Dissenting opinion by Justice Stevens with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

Adjourned until Monday, June 26, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

CERTIORARI—SUMMARY DISPOSITION

No. 87-1293. Jeetendra Bhandari, Petitioner *v.* First National Bank of Commerce. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Patterson v. McLean Credit Union*, 491 U.S. — (1989).

No. 87-1631. Burlington Northern Railroad Company, Petitioner *v.* Brotherhood of Locomotive Engineers. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The motion of Equal Employment Advisory Council for leave to file a brief as *amicus curiae* is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Skinner v. Railway Labor Executives' Association*, 489 U.S. — (1989).

No. 87-2049. Railway Labor Executives' Association, et al., Petitioners *v.* Chicago & North Western Transportation Company, et al. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Pittsburgh & Lake Erie Railroad Company v. Railway Labor Executives' Association*, 491 U.S. — (1989).

No. 88-517. City of Galveston, Texas, etc., et al., Petitioners *v.* Railway Labor Executives' Association, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the

Fifth Circuit for further consideration in light of *Pittsburgh & Lake Erie Railroad Company v. Railway Labor Executives' Association*, 491 U.S. — (1989).

No. 88-955. Commissioner of Internal Revenue, Petitioner *v.* Merit Life Insurance Company. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Colonial American Life Insurance Company v. Commissioner of Internal Revenue*, 491 U.S. — (1989).

No. 88-1063. Tennessee, Petitioner *v.* James Howard Turner. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Alabama v. Smith*, 490 U.S. — (1989).

No. 88-1282. Brown-Forman Corporation, Petitioner *v.* Tennessee Alcoholic Beverage Commission, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Healy v. The Beer Institute, Inc.*, 491 U.S. — (1989).

No. 88-1486. Southeastern Pennsylvania Transportation Authority, et al., Petitioners *v.* Transport Workers' Union of Philadelphia, Local 234, et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Consolidated Rail Corporation v. Railway Labor Executives' Association*, 491 U.S. — (1989).

No. 88-1493. Thomas Sobol, Commissioner, New York State Department of Education, Petitioner *v.* Clifford Burr, etc. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *Dellmuth v. Muth*, 491 U.S. — (1989).

No. 88-1653. United Transportation Union, Petitioner *v.* Southeastern Pennsylvania Transportation Authority, et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Skinner v. Railway Labor Executives' Association*, 489 U.S. — (1989).

No. 88-1706. Chicago & North Western Transportation Company, et al., Petitioners *v.* Railway Labor Executives' Association, et al.; and

No. 88-1874. Railway Labor Executives' Association, et al., Petitioners *v.* Interstate Commerce Commission, et al. On petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit. The petitions for writs of certiorari are granted. The judgment is vacated and the cases are remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Pittsburgh & Lake Erie Railroad Company v. Railway Labor Executives' Association*, 491 U.S. — (1989).

No. 88-7033. Johnny Melvin Holland, Petitioner *v.* David H. Bland, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Hardin v. Straub*, 490 U.S. — (1989).

ORDERS IN PENDING CASES

No. —. Kwasi M. Seitu, Petitioner *v.* United States District Court for the Southern District of Mississippi. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. D-749. In the Matter of Disbarment of Robert A. Carter, Jr. Disbarment order entered.

No. D-760. In the Matter of Disbarment of Grace M. Wallis. Disbarment order entered.

No. D-761. In the Matter of Disbarment of Frederick Townley Graham. Disbarment order entered.

No. D-767. In the Matter of Disbarment of Leonard Raymond Eston. Disbarment order entered.

No. D-768. In the Matter of Disbarment of Samuel Henry Sanders, III. Disbarment order entered.

No. 108, **Original.** State of Nebraska, Plaintiff *v.* States of Wyoming and Colorado. The First Interim Report of the Special Master is received and ordered filed.

No. 88-854. Henry G. Spallone, Petitioner *v.* United States, et al.;

No. 88-856. Peter Chema, Petitioner *v.* United States, et al.; and

No. 88-870. Nicholas Longo and Edward Fagan, Petitioners *v.* United States, et al. The motion of American Civil Liberties Union, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-1000. New York, Petitioner *v.* Bernard Harris. The motion of Americans for Effective Law Enforcement, Inc., et al. for leave to file a brief as *amici curiae* is granted.

No. 88-1449. Korean Air Lines, Petitioner *v.* Thomas V. MacNamara; and

No. 88-1551. Thomas V. MacNamara, Petitioner *v.* Korean Air Lines. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 88-7139. Kriss L. Stutzman, Petitioner *v.* Board of Education of the City of Chicago, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 17, 1989, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Brennan and Justice Marshall, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

APPEAL—JURISDICTION NOTED

No. 88-5986. Clyde Osborne, Appellant *v.* Ohio. Appeal from the Supreme Court of Ohio. The motion of appellant for leave to proceed *in forma pauperis* is granted. In this case probable jurisdiction is noted limited to Questions I.(b), I.(d) and II. presented by the statement as to jurisdiction. With respect to the additional questions presented, the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for a writ of certiorari, certiorari is denied.

CERTIORARI GRANTED

No. 88-1105. Curtis Guidry, Petitioner *v.* Sheet Metal Workers National Pension Fund, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 88-1685. National Labor Relations Board, Petitioner *v.* Curtin Matheson Scientific, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 87-2066. W. S. Kirkpatrick & Co., Inc., et al., Petitioners *v.* Environmental Tectonics Corporation, International. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted limited to Question 1 presented by the petition.

CERTIORARI DENIED

No. 87-1911. Railway Labor Executives' Association, et al., Petitioners *v.* Guilford Transportation Industries, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 87-1932. Pennsylvania Electric Company, Petitioner *v.* Charles Gunby, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-597. City of Gretna, Louisiana, et al., Petitioners *v.* Citizens for a Better Gretna, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-606. City of Baytown, Texas, et al., Petitioners *v.* Tony Campos, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-664. Eugene F. Diamond, Petitioner *v.* Allan G. Charles, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1114. Marvin Lebman and Gerald Lebman, et al., Petitioners *v.* Aktiebolaget Electrolux, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1116. Alton & Southern Lodge No. 306, Brotherhood of Railway Carmen of the United States and Canada, Petitioner *v.* Alton & Southern Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1243. Company X, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1432. Maria Esparza, et al., Petitioners *v.* Ruben Valdez, Executive Director, Colorado Department of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1439. James Montgomery, et al., Petitioners *v.* James Auriemma, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1545. Aleksandrs V. Laurins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1566. City of Little Rock, Petitioner *v.* Debbie Williams. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1620. Edward J. Petrus, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1621. Rosario Gambino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1638. PG Publishing Company, ta The Pittsburgh Post-Gazette, Petitioner *v.* Richard DiSalle, et ux. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 88-1659. Theodore Kanne, et ux., Petitioners *v.* Connecticut General Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1664. Giacomo DiNorscio, Petitioner *v.* United States; and

No. 88-6875. Gerald Cohen, et al., Petitioners *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1684. William P. Henderson, Petitioner *v.* L. G. Balfour Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1745. Edward D. Cowhig, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1761. Gerald T. Smith, Petitioner *v.* Margaret Van Duyn. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 88-1765. Ismael Pizarro, aka Lisa Pizarro, Petitioner *v.* William Platt, Timothy Carver and County of Lehigh. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1767. Save Yonkers Federation, Inc., et al., Petitioners *v.* Leonard B. Sand, Judge, United States District Court for the Southern District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1777. Jesse Posey, Sr., et al., Petitioners *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 88-1778. Louis Whatley, Petitioner *v.* Skaggs Companies, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1782. Kevin L. Brown, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 88-1784. Great Republic Insurance Company, et al., Petitioners *v.* LaVerne Cheval, by and Through Her Conservator, Martin Miller. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-1787. Robert W. Hall, Petitioner *v.* Neal K. Okabayashi, et al. Petition for writ of certiorari to the Intermediate Court of Appeals of Hawaii denied.

No. 88-1788. David John Danner, Petitioner *v.* Dorothy Klosterbuer, etc. Petition for writ of certiorari to the Court of Appeals of Iowa denied.

No. 88-1790. Nemours Foundation, et al., Petitioners *v.* Pierce Associates, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1791. Janet D. Vaughn, et vir, Petitioners *v.* Adeline Speaker and Janet E. Prescott, Co-Executors of the Estate of Wilbur P. Speaker. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 88-1792. Billy J. Conley, Petitioner *v.* Burlington Northern Railroad Company. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied.

No. 88-1793. Margaret Allard, etc., Petitioner *v.* Mark F. Bibeau, et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 88-1803. David Edward Glendening, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-1804. CBS Inc., Petitioner *v.* Stephen M. Silverman. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-1815. Dennis Napieralski, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1818. James F. Drogowski, Petitioner *v.* Pennsylvania Department of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1829. Julius E. Cruse, Petitioner *v.* Fayette County, et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-1879. John Baker, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1903. Arthur A. Goldberg, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-1907. Elijah White Ratcliff, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1908. Joyce M. Covatto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1911. Joseph R. Cosentino, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-1925. James M. Foster, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1935. Francis J. Walsh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-5830. Eugene Adams, Jr., Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 88-6623. Menelao Orlando Estevez, aka Andre Fonte-Ferro, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-6777. Randal Lee Bryson, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-6820. Kirk L. Hughes, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 88-6884. Michael Marlow, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 88-6941. Joyce Greeson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-6944. John William Bailey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6957. Frederick H. Lightsey, Petitioner *v.* William Yeager, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6966. Victor A. Rita, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-6967. Hud Collins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-6983. Ricky Johnson, aka Richard Lamar Union, Petitioner *v.* United States; and

No. 88-7001. Durand M. Banner, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6997. Robert J. Lawson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6999. James Percheitte, Petitioner *v.* United States; and

No. 88-7233. William Chippas, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7021. Randall B. Husar, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-7055. Arthur Johnson, Petitioner *v.* Government Employees Insurance Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7107. Louis Butler O'Neal, Petitioner *v.* March Fong Eu, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7111. Travis Kenneth Bynum, Petitioner *v.* Neva Ruth Wood. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 88-7114. John Madsen, Petitioner *v.* Robert Morrell, et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 88-7116. Robert W. Hart, Petitioner *v.* Clark Frame, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7123. Jerry Young, Petitioner *v.* Thomas Coughlin, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7126. Kasib Tauheed Bilal, Petitioner *v.* Willis Sargent, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7128. Kenneth L. Carter, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Paulding County, denied.

No. 88-7129. Alvin Lee Harrison, Petitioner *v.* John L. Bonner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7131. Nina J. Lechiara, Petitioner *v.* Gary M. Gaskins, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7134. George E. Templeton, Petitioner *v.* Crispus Nix, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7148. James L. Martin, Petitioner *v.* Abram D. Mellinger Real Estate, Inc. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 88-7149. Mark Allen Spears, Petitioner *v.* James Bullock, Superintendent, Sampson Correctional Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7152. Marcus B. Harris, Petitioner *v.* Walter Heinrich, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7156. Martine Scott, Petitioner *v.* Prince George's County Department of Social Services, et al. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 88-7186. Gladys Dixon, Petitioner *v.* Kohl's Food Stores, Inc. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District I, denied.

No. 88-7225. Joseph R. Baeli, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7240. Rodney Branham, Petitioner *v.* Herb Grinage, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7253. Russell Means, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7288. Larry Halliburton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7293. June Audrey Burkhart, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-7295. Alfredo Perez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7313. Henry Castro-Poupart, aka Quique, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-7315. Tony Britt, aka Patrick Klein, aka Karl Eckhardt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7330. Edwin John Hagen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7345. Oscar Hernandez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-603. Arizona, Petitioner *v.* Conrad Marion Flint. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied.

No. 88-1796. Illinois, Petitioner *v.* Bartlett Vought. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 88-1648. Norfolk Shipbuilding & Drydock Corporation, Petitioner *v.* Robert T. Nance, et al. The motion of the parties to remand is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1675. Judith Moran, Petitioner *v.* Charles F. Perry, et al. Petition for writ of certiorari to the Supreme Court of Washington denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 88-1751. Northwest Forest Resource Council, Petitioner *v.* Portland Audubon Society, et al. The motion of Mountain States Legal Foundation for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-6897. Anthony Ray Westley, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7090. Baby Ray Bennett, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6965. Willie Terion Washington, Petitioner *v.* Texas. The application for stay of mandate presented to Justice White and by him referred to the Court is denied. The petition for a writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7010. Karla Faye Tucker, Petitioner *v.* Texas. The application for stay of mandate presented to Justice White and by him referred to the Court is denied. The petition for a writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7062. Betty Lou Beets, Petitioner *v.* Texas. The application for stay of mandate presented to Justice White and by him referred to the Court to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7161. Perry Lee Herring, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied. Justice White would grant certiorari.

HABEAS CORPUS DENIED

No. 88-7371. In Re Clovis Carl Green, Jr., Petitioner. The petition for writ of habeas corpus is denied.

MANDAMUS DENIED

No. 88-1862. In Re Jack E. Fleming, Petitioner;

No. 88-7143. In Re Joseph Sun, Petitioner; and

No. 88-7153. In Re Delbert Reidt, Petitioner. The petitions for writs of mandamus are denied.

No. 88-7157. In Re James L. Martin, Petitioner. The petition for writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

No. 87-1594. Charlotte Croman, Petitioner *v.* Manhattan Community College;

No. 88-1419. Richard Lafferty, Petitioner *v.* Alyeska Pipeline Service Company, et al.;

No. 88-1519. Ralph Roger Bergman, Petitioner *v.* United States;

No. 88-1641. Donald Bodine, Petitioner *v.* United States;

No. 88-6513. Peter James Atherton, Petitioner *v.* Attorney General of the United States, et al.;

No. 88-6739. Carl Sutton, Jr., Petitioner *v.* United States;

No. 88-6813. Justin C. S. Kim, Petitioner *v.* United States, et al.;

No. 88-6827. In Re Andrew Walker, Jr., Petitioner;

No. 88-6846. Mack Mellow Summers, Petitioner *v.* Terrie C. Chavis, Warden, et al.;

No. 88-6900. William Hoffman, Petitioner *v.* United States;

No. 88-6904. Jessie D. McDonald, Petitioner *v.* Yellow Cab Metro, Inc.; and

No. 88-6994. Pierre Williams, Petitioner *v.* Little Flower Childrens Services. The petitions for rehearing are denied.

No. 88-6293. David Robinson, Petitioner *v.* United States, et al.; and

No. 88-6659. Walter A. Read, Petitioner *v.* Clarence W. Taylor, et al. The motions for leave to file petitions for rehearings are denied.

RECESS ORDER

The Court will take a recess from Monday, June 26, 1989 until Thursday, June 29, 1989.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-------------------------|------------------------------|
| Philip Franklin Alsup | Arlington, VA | John Purves McLaurin III |
| Charles F. Ammeson | St. Joseph, MI | Theodore E. Troff |
| Robert John Amaro Assuncao | Edison, NJ | John I. Liskowski |
| Ellen Margaret Babbitt | Chicago, IL | Ronald Butler |
| Billy M. Bandy | Athens, TX | William Wayne Justice |
| Willis A. Belford Jr. | Colorado Springs, CO | Jane Belford Terpstra |
| Anthony Joseph Bevilacqua | Philadelphia, PA | David Robert Foley |
| Fred M. Blum | San Francisco, CA | David V. Vrooman |
| Michael J. Bonesteel | Santa Monica, CA | Robert Louis Kaufman |
| Ave Buchwald | Long Beach, CA | Joseph Nicholas Mirkovich |
| Joseph L. Buckley | Newark, NJ | Thomas J. Demski |
| Henry A. Callaway III | Mobile, AL | Charles B. Arendall, Jr. |
| Mary Carr | West Des Moines, IA | Thomas J. Levis |
| S.G. Clark | Pittsburgh, PA | Billy M. Tennant |
| Dennis M. Cook | Milwaukee, WI | Robert Lowell Elliott |
| Gary R. Cunningham | Springfield, MO | Thomas Green Field III |
| Troy Leslie Daugherty | Peoria, IL | Donald L. Dorward |
| Richard Phillip Delatorre | Upland, CA | Glenn E. Reed |
| Daryl Allan Deutsch | Bellevue, WA | Michael M. Berger |
| Timothy P. Dowling | Corpus Christi, TX | Gordon D. Laws |
| Emerald Louise Erickson | Trenton, NJ | Alfred Abbotts |
| Brian P. Flaherty | Philadelphia, PA | Steven A. Arbittier |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------------|-----------------------|--------------------------------|
| Timothy E. Gammon | Springfield, MO | Thomas Green Field III |
| Robert Gregory Gubbe | Minneapolis, MN | John Joseph Horvei |
| Barbara Masin Harvey | Detroit, MI | Ronald Reosti |
| William L. Henderson | Atlanta, GA | Joseph F. Page |
| Susan K. Hoerger | Palo Alto, CA | Iris Brest |
| David Hoffman | Cresskill, NJ | Thomas G. Loman |
| Marvin Gary Holland | Taylor, MI | Felix F. Rogalle |
| Christopher W. Hornig | Washington, DC | Florence Wagman Roisman |
| Michael P. House | Washington, DC | William Silverman |
| Anne S. Infinger | Atlanta, GA | Theodore Howard Lackland |
| Charles Ken Yorio Khim | Honolulu, HI | Benjamin C. Sigal |
| Daniel B. King | Gadsen, AL | Robert Haden King |
| Stephen O. Kinnard | Atlanta, GA | William Blakney Bathe Smith |
| Robert Lee Lane | Columbus, OH | Gregory Lawrence Ayers |
| Margaret Terese Lund | Milwaukee, WI | Francis R. Croak |
| Robert Joseph Macbeth Jr. | Virginia Beach, VA | John Harlow Klein |
| Michael Kevin Maher | Los Angeles, CA | Scott Jay Spolin |
| Daniel P. McDyer | Pittsburgh, PA | Helen R. Kotler |
| Theresa Ann Wagner Middlebrook | Glendale, CA | John Emery Wagner |
| Charles Angelo Mollis | Santa Ana, CA | Donald Ray Price |
| Linsey Moore | Jacksonville, FL | Raymond Edmund Makowski |
| Leighton Gwin Morse | Coconut Grove, FL | Lawrence J. Stein |
| Thomas Craig Mundell | San Bernardino, CA | Thomas Sterling Hudspeth |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|------------------------------|
| Raleigh Newman | Lake Charles, LA | Frank T. Salter, Jr. |
| David S. Poppick | Chappaqua, NY | Asher Fensterheim |
| Charles H. Portz | Houston, TX | Peter William Lewis |
| Robert E. Price | Atlanta, GA | Wayne Thomas Elliott |
| Jesus Ramirez | San Juan, TX | Israel Ramon, Jr. |
| Warren L. Reece | Mustang, OK | Allen Lee Chvotkin |
| Arthur J. Rosenberg | Benicia, CA | Linda G. Rosenzweig |
| Mark D. Shepard | Pittsburgh, PA | John J. McLean, Jr. |
| Peter John Siggins | San Francisco, CA | Paul Donald Gifford |
| Wm. Michael Smith | Yuma, AZ | Jon Richard Cooper |
| Laurence A. Speiser | Las Vegas, NV | Dana Jonathan Nitz |
| Michael Donald Stokes | San Francisco, CA | William Campbell Morison-Kno |
| Steven Byron VanSlyck | Akron, OH | Philip S. Kaufmann |
| Robert Thomas Vaughn | Nashville, TN | Larry David Woods |
| John Emory Waddell | Dothan, AL | Cyrus R. Lewis |
| Greg Alan Walker | Denver, CO | Bruce Stanley Marks |
| Thomas Edward Wall | Culver City, CA | Ronald D. Lessner |
| Laurie D. Zelon | Los Angeles, CA | Samuel L. Williams |

OPINIONS

No. 87-5765. Kevin N. Stanford, Petitioner *v.* Kentucky. On writ of certiorari to the Supreme Court of Kentucky; and

No. 87-6026. Heath A. Wilkins, Petitioner *v.* Missouri. On writ of certiorari to the Supreme Court of Missouri. Judgments affirmed. Justice Scalia announced the judgment of the Court and delivered the opinion of Court with respect to Parts I, II, III, and IV-A, and an opinion with respect to Parts IV-B and V in which the Chief Justice, Justice White and Justice Kennedy join. Opinion by Justice O'Connor concurring in part and concurring in the judgment. Dissenting opinion by Justice Brennan with whom Justice Marshall, Justice Blackmun and Justice Stevens join.

No. 87-6177. Johnny Paul Penry, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed in part, reversed in part, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Justice O'Connor announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, II-A, II-B, III, IV-A and IV-B, and an opinion with respect to Part IV-C. Opinion by Justice Brennan concurring in part and dissenting in part with whom Justice Marshall joins. Opinion by Justice Stevens concurring in part and dissenting in part with whom Justice Blackmun joins. Opinion by Justice Scalia concurring in part and dissenting in part with whom the Chief Justice, Justice White, and Justice Kennedy join.

No. 88-556. Browning-Ferris Industries of Vermont, Inc., et al., Petitioners *v.* Kelco Disposal, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Justice Blackmun. Concurring opinion by Justice Brennan with whom Justice Marshall joins. Opinion by Justice O'Connor concurring in part and dissenting in part with whom Justice Stevens joins.

No. 87-1252. H. J. Inc., et al., etc., Petitioners *v.* Northwestern Bell Telephone Company, et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Brennan. Opinion by Justice Scalia concurring in the judgment with whom the Chief Justice, Justice O'Connor and Justice Kennedy join.

No. 88-309. Wyoming, Petitioner *v.* United States, et al. On writ of certiorari to the Supreme Court of Wyoming. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by the Chief Justice. Justice O'Connor took no part in the decision of this case.

No. 88-317. Jack R. Duckworth, Petitioner *v.* Gary James Eagan. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by the Chief Justice. Concurring opinion by Justice O'Connor with whom Justice Scalia joins. Dissenting opinion by Justice Marshall with whom Justice Brennan joins, and with whom Justice Blackmun and Justice Stevens join as to Part I.

Adjourned until Thursday, June 29, 1989 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

OPINIONS

No. 87-2013. Board of Trustees of the State University of New York, et al., Petitioners *v.* Todd Fox, et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Scalia. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

No. 87-1622. Philip Brendale, Petitioner *v.* Confederated Tribes and Bands of Yakima Indian Nation, et al.;

No. 87-1697. Stanley Wilkinson, Petitioner *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al.; and

No. 87-1711. County of Yakima, et al., Petitioners *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al. On writs of certiorari to the United States Court of Appeals for the Ninth Circuit. The judgment in No. 87-1622 is affirmed. The judgment in Nos. 87-1697 and 87-1711 is reversed. Justice Stevens delivered an opinion announcing the judgment of the Court in No. 87-1622 and concurring in the judgment in Nos. 87-1697 and 87-1711 with whom Justice O'Connor joins. Justice White delivered an opinion announcing the judgment of the Court in Nos. 87-1697 and 87-1711 and dissenting in No. 87-1622 with whom the Chief Justice, Justice Scalia, and Justice Kennedy join. Opinion by Justice Blackmun concurring in the judgment in No. 87-1622 and dissenting in Nos. 87-1697 and 87-1711 with whom Justice Brennan and Justice Marshall join.

The Chief Justice said:

"On Monday, July 3, 1989, the Court will announce all the remaining opinions ready during the Term of the Court."

Adjourned until Monday, July 3, 1989 at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, and Justice Scalia.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

OPINIONS

No. 87–2050. County of Allegheny, et al., Petitioners *v.* American Civil Liberties Union Greater Pittsburgh Chapter, et al.;

No. 88–90. Chabad, Petitioner *v.* American Civil Liberties Union, et al.; and

No. 88–96. City of Pittsburgh, Petitioner *v.* American Civil Liberties Union Pittsburgh Chapter, et al. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed in part, reversed in part and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Justice Blackmun announced the judgment of the Court and delivered an opinion of the Court with respect to Parts III–A, IV, and V, an opinion with respect to Parts I and II, with whom Justice O’Connor and Justice Stevens join, an opinion with respect to Part III–B, with whom Justice Stevens joins, and an opinion with respect to Part VI. Opinion by Justice O’Connor concurring in part and concurring in the judgment with whom Justice Brennan and Justice Stevens join as to Part II. Opinion by Justice Brennan concurring in part and dissenting in part with whom Justice Marshall and Justice Stevens join. Opinion by Justice Stevens concurring in part and dissenting in part with whom Justice Brennan and Justice Marshall join. Opinion by Justice Kennedy concurring in the judgment in part and dissenting in part with whom the Chief Justice, Justice White and Justice Scalia join.

No. 88–605. William L. Webster, Attorney General of Missouri, et al., Appellants *v.* Reproductive Health Services, et al. Appeal from the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. The Chief Justice announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, II–A, II–B, and II–C, and an opinion

with respect to Parts II-D and III with whom Justice White and Justice Kennedy join. Opinion by Justice O'Connor concurring in part and concurring in the judgment. Opinion by Justice Scalia concurring in part and concurring in the judgment. Opinion by Justice Blackmun concurring in part and dissenting in part with whom Justice Brennan and Justice Marshall join. Opinion by Justice Stevens concurring in part and dissenting in part.

OPINION PER CURIAM

No. 88-6801. David Lee Powell, Petitioner *v.* Texas. On petition for writ of certiorari to the Court of Criminal Appeals of Texas. The motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari are granted. The judgment is reversed and case is remanded to the Court of Criminal Appeals of Texas for further proceedings in conformity with the opinion of this Court.

APPEAL—SUMMARY DISPOSITION

No. 88-1819. Robert L. McCordic, Appellant *v.* California. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

CERTIORARI—SUMMARY DISPOSITION

No. 87-1051. Russell Hobson, Petitioner *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989).

No. 87-1358. Marshall-Silver Construction Company, Inc., and Silver Construction, Inc., Petitioners *v.* M. Mark Mendel, et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989). The Chief Justice, Justice White, Justice Stevens and Justice O'Connor would deny certiorari.

No. 87-1530. Eastern Publishing and Advertising, Inc., t/a "Armed Forces News", Petitioner *v.* Chesapeake Publishing and Advertising, Inc., t/a "The Military News", et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989). The Chief Justice, Justice White, Justice Stevens and Justice O'Connor would deny certiorari.

No. 87-1742. Terre Du Lac Association, Inc., Petitioner *v.* Terre Du Lac, Inc., et al. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989).

No. 87-1760. Diana M. Perkinson, et vir, t/a Perkinson & Perkinson, a Partnership, Petitioners *v.* Donald W. Huffman, etc., et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Granfinanciera, S. A. v. Nordberg*, 492 U. S. — (1989).

No. 87-6482. Miguel A. Richardson, Petitioner *v.* Texas. On petition for writ of certiorari to the Court of Criminal Appeals of Texas. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Criminal Appeals of Texas for further consideration in light of *Penry v. Lynaugh*, 492 U. S. — (1989).

No. 87-6820. Jeffrey Scott Wagner, Petitioner *v.* Oregon. On petition for writ of certiorari to the Supreme Court of Oregon. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Supreme Court of Oregon for further consideration in light of *Penry v. Lynaugh*, 492 U. S. — (1989).

No. 88-190. Drivers, Chauffeurs and Helpers Local Union No. 639, etc., et al., Petitioners *v.* Yellow Bus Lines, Inc. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States

Court of Appeals for the District of Columbia Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989). Justice Stevens would deny certiorari.

No. 88-558. Margaretha Walk, et al., Petitioners *v.* Baltimore and Ohio Railroad, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989).

No. 88-1506. Joe E. Fryar, Petitioner *v.* Edward C. Abell, Jr., et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989).

No. 88-1523. Harry B. Helmsley, et al., Petitioners *v.* Rosalyn O. Beauford, et al. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989).

No. 88-1534. Mercy-Memorial Hospital Corporation, et al., Petitioners *v.* Hospital Employees' Division of Local 79, Service Employees International Union, AFL-CIO, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989).

No. 88-5611. Dan G. Alexander, Jr., Petitioner *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *H. J. Inc. v. Northwestern Bell Telephone Company*, 492 U. S. — (1989). Justice Stevens would deny certiorari.

No. 88-5792. Gary Graham, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Penry v. Lynaugh*, 492 U. S. — (1989).

No. 88-7199. Clifford Holt Boggess, Petitioner *v.* Texas. On petition for writ of certiorari to the Court of Criminal Appeals of Texas. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Criminal Appeals of Texas for further consideration in light of *Penry v. Lynaugh*, 492 U. S. — (1989).

ORDERS IN PENDING CASES

No. —. Paul Robinson, Petitioner *v.* Steve W. Puckett. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. D-788. In the Matter of Disbarment of Michael H. Cates. Disbarment order entered.

No. 65, **Original**. State of Texas, Plaintiff *v.* State of New Mexico. The Final Report of the Pecos River Master for Accounting Year 1989 is received and ordered filed.

No. 88-192. McKesson Corporation, Petitioner *v.* Division of Alcoholic Beverages and Tobacco, Department of Business Regulation of Florida, et al.; and

No. 88-325. American Trucking Associations, Inc., et al., Petitioners *v.* Maurice Smith, Director, Arkansas Highway and Transportation Department, et al. These cases are restored to the Calendar for reargument. In No. 88-192, the parties are directed to brief and argue the following questions in addition to the issues already briefed:

1. "When a taxpayer pays under protest a state tax found to violate clearly established law under the Commerce Clause must the State provide some form of retrospective relief, such as a tax refund or an offsetting tax on past beneficiaries of the tax preference, or may the State elect to provide only prospective relief?"

2. "May a State, consistently with the Due Process Clause of the 14th Amendment, remedy the effects of a tax found to discriminate against an interstate business in violation of the Dormant Commerce

Clause by retroactively raising the taxes of those who benefited from the discrimination?"

Each case is allotted 45 minutes for reargument.

No. 88-6896. Charles F. Schaefer, Petitioner *v.* Transportation Media, Inc., etc. The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

No. 88-1805. Eastern Nebraska Community Office of Retardation, et al., Petitioners *v.* Patricia Ann Glover, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 88-6995. Charles Edward Moore, Petitioner *v.* California. The respondent is requested to file a response to the petition for rehearing within thirty days.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 88-805. Ohio, Appellant *v.* Akron Center for Reproductive Health, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. In this case probable jurisdiction is noted.

No. 88-790. Bernard J. Turnock, et al., Appellants *v.* Richard M. Ragsdale, et al. Appeal from the United States Court of Appeals for the Seventh Circuit. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits.

CERTIORARI GRANTED

No. 88-334. John S. Lytle, Petitioner *v.* Household Manufacturing, Inc., dba Schwitzer Turbochargers. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 88-1503. Nancy Beth Cruzan, by her parents and co-guardians, Lester L. Cruzan, et ux., Petitioners *v.* Director, Missouri Department of Health, et al. Petition for writ of certiorari to the Supreme Court of Missouri granted.

No. 88-1597. Board of Education of the Westside Community Schools, (Dist. 66), et al. Petitioners *v.* Bridget C. Mergens, by and through her next friend, Daniel N. Mergens, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 88-1125. Jane Hodgson, et al, Petitioners *v.* Minnesota, et al.; and

No. 88-1309. Minnesota, et al., Petitioners *v.* Jane Hodgson, et al. Petitions for writs of certiorari to the United States Court of Appeals

for the Eighth Circuit granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 88-1775. Gary E. Peel, Petitioner *v.* Attorney Registration and Disciplinary Commission of Illinois. The motion of National Board of Trial Advocacy for leave to file a brief as *amicus curiae* is granted. The motion of Association of Trial Lawyers of America, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the Supreme Court of Illinois granted.

No. 88-7146. Jonas H. Whitmore, individually and as next friend of Ronald Gene Simmons, Petitioner *v.* Arkansas, et al. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Arkansas are granted.

CERTIORARI DENIED

No. 87-1262. Jack R. Rogers, et al., Petitioners *v.* Liquid Air Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 87-1478. Medallion Television Enterprises, Inc., et al., Petitioners *v.* SelecTV of California, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87-1738. Creative Bath Products, Inc., et al., Petitioners *v.* Connecticut General Life Insurance Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87-1854. Bill J. Cory, Petitioner *v.* Standard Federal Savings and Loan Association, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-458. SK Hand Tool Corporation and Corcoran Partners, Ltd., Petitioners *v.* Dresser Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-625. Metromedia, Inc., et al., Petitioners *v.* April Enterprises, Inc. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-903. Americana Hotels, Inc., et al., Petitioners *v.* Eugenie Parnar. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 88-1327. Pedro Delgado, et al., Petitioners *v.* Jim Smith, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1518. Edward C. Abell, Jr., et al., Petitioners *v.* Wright, Lindsey & Jennings, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1547. California, Petitioner *v.* Harold James Baert. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-1611. Daniel Scott Gahagan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1623. John Deliere, Petitioner *v.* United States;

No. 88-6952. Thomas K. Doherty, Petitioner *v.* United States;

No. 88-6953. Nelson E. Barner, Petitioner *v.* United States; and

No. 88-7249. Nicholas Salerno, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 88-1660. Nicholas Marino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1701. Claude R. Wilson, Jr. and Modes, Inc., Petitioners *v.* United States and Robert W. Wallace. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1781. Algoma Steel Corporation, Limited, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 88-1785. Blanche E. Lampasona, Petitioner *v.* Steve Jacobs. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-1786. Twin Manors West of Morton Grove Condominium Association, Petitioner *v.* Edward J. Rosewell. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 88-1798. Roland E. Hemon, Petitioner *v.* Office of Public Guardian, et al. and Roland E. Hemon, Petitioner *v.* Office of Public Guardian, et al. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 88-1802. Chi-Ming Chow, Petitioner *v.* Attorney Grievance Commission. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 88-1807. Walter L. Fletcher, Jr., Petitioner *v.* Anthony O'Donnell, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1814. Donald E. Stinner, Petitioner *v.* Eleanore Stinner, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 88-1816. City of Burlington, Vermont, Petitioner *v.* Mountain Cable Company. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 88-1820. Charles Mebane, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 88-1821. Joseph A. Mari, Petitioner *v.* Eula Mae Green. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 88-1825. Harold Harris, et al., Petitioners *v.* Union Electric Company, et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 88-1830. Donald Craig Mitchell, Petitioner *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 88-1833. Jim L. Williams, Petitioner *v.* Baptist Medical Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-1837. John Smith, Petitioner *v.* Jane Doe. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 88-1840. Arthur Voellinger, Petitioner *v.* Police Retirement System of St. Louis, et al. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 88-1841. Indiana Civil Rights Commission, et al. Petitioners *v.* American Commercial Barge Line Company. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 88-1845. New Jersey Chamber of Commerce, et al., Petitioners *v.* Robert E. Hughey, etc., et al.; and

No. 88-1868. Fragrance Materials Association of the United States, et al., Petitioners *v.* William Van Note, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1849. Workers' Compensation Insurers Rating Association of Minnesota, et al., Petitioners *v.* Austin Products Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1851. John F. White, Jr., Secretary, Pennsylvania Department of Public Welfare, et al., Petitioners *v.* Mary Bennett, et al. Peti-

tion for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1855. Gaile Henry, Sr., Petitioner *v.* Beaumont Iron & Metal Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-1857. Donald Wayne Howard, Petitioner *v.* Orville B. Pung, Commissioner, Minnesota Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-1861. James Stryker, et al., Petitioners *v.* William Edward Decker, et ux.; and David Eugene Gersch, Petitioner *v.* Thomas Loughlin; Jo Ann Hight-Berry, Petitioner *v.* City and County of Denver, et al.; Jerry Zapp, et ux., Petitioners *v.* James Kukuris, et al. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 88-1882. Manuel Reyes, Petitioner *v.* Kansas. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 88-1929. Timothy Washabaugh, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 88-1934. Edith Mae Gracey, Petitioner *v.* Barbara M. Day. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-1941. Mohammad Sharifnassab, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-1949. Nan Ya Plastics Corporation U.S.A., Petitioner *v.* Philip R. DeSantis. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-1967. Charles M. Anderson, Petitioner *v.* Charles W. Sickels, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-1975. John G. Barrow, Jr., Petitioner *v.* Eleanor B. Hawkins, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-5077. Ronald Dicaprio, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-6376. Rita Montero, Petitioner *v.* Natalie Meyer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-6627. Richard Lee Costello, Stephen Paul Rainford and William George Bain, Petitioners *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 88-6930. Robert Milton Warrick, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-6947. Ruksana Diwan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7064. David Samuel Iredia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7098. Rochester Harris, Petitioner *v.* Kent Jones. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7110. Angel Pantoja, Petitioner *v.* Stateville Correctional Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-7165. Daniel Johnson, Petitioner *v.* Joe Kegans, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7169. Robert L. Mason, Petitioner *v.* John Rees, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7170. Reginald Eric Marquez, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 88-7172. Willie Smith, Petitioner *v.* W. J. Estelle, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7174. Ouida Shearer, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 88-7175. Lawrence Lee Jones, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7176. Russell Joe Sanders, Petitioner *v.* California. Petition for writ of certiorari to the Appellate Department, Superior Court of California, Los Angeles County, denied.

No. 88-7177. Richard B. Calpin, Petitioner *v.* Mark J. Kadish. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7178. Charles Frederick Hoffman, Petitioner *v.* Arthur Kelsey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7179. Joseph Glen Jones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7182. David J. Mireles, Petitioner *v.* Brian McKay, Attorney General of Nevada. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7187. James Michael Mathews, Petitioner *v.* Terry L. Morris, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7192. Ronald Chandler, Petitioner *v.* Carl White, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7193. William F. Manchester, Petitioner *v.* Richard Flynn, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7197. Dolph Roberts, Petitioner *v.* J. M. Huber Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7202. Frank Carpenter, et ux., Petitioners *v.* West Virginia Department of Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7203. John Shannon, Petitioner *v.* Michael O'Leary, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 88-7206. Edward L. Coleman and Madelyn L. Coleman, Petitioners *v.* Martha S. Simpson Coleman Butler. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 88-7207. Caroline T. Corbit, Petitioner *v.* James H. Denley. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 88-7208. Paul Perez, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 88-7220. Levord Henry Warren, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 88-7256. Myrtle Sue Blair, Petitioner *v.* Amos Preece, et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 88-7273. Ricky Lee Adkisson, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Eleventh District, denied.

No. 88-7280. Lon D. Dressel and Cindy M. Dressel, Petitioners *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 88-7289. Robert Williamson, Petitioner *v.* David Buckingham, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 88-7296. Dorothy Wynn, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-7317. William W. Craft, Petitioner *v.* Eddie Nagle, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7320. Daniel Nkenchor Iduwe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7321. Donald Jolly, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7324. Ben McLain Robinson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7326. Larry P. Bosley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7328. Twondy Foots, aka Gail Foots, aka Twondy Henderson, aka Gail Henderson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7331. Mitchell Williams, Petitioner *v.* New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 88-7335. Derrick McCarter, Petitioner *v.* United States; and

No. 88-7339. John C. Swisher, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7336. Ross Williams, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7342. Juvenile Male, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7347. William Scott Rhoden, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7355. Bernard Douglas Holland, aka "Bernie", Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7357. John M. Eagle, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7365. Donald J. Hatch, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 88-7369. Miguel Angel Iraheta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7376. Juventino Mejia-Orosco, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7380. Enrique Jesus Espinoza-Leon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 88-7387. Bop-Nin Chow, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88-7389. Thomas E. Dorsey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 88-7390. Firouz Yamin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7392. Percy Jones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7396. Rex Snook, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 88-7399. Curtis Lee Pruitt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 88-7401. Arshad Z. Pervez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 88-7410. Isaias Rojas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 88-7424. Robert Lee Price, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88-7458. Darwall, aka Darrell Farmer, Petitioner *v.* Michigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-5609. Dalton Prejean, Petitioner *v.* Frank C. Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6023. Troy Kunkle, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-6406. Calvin Joseph Williams, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-1154. Ronald S. Monroe, Petitioner *v.* Hilton Butler, Warden. Petition for writ of certiorari to the Criminal District Court of Louisiana, Parish of New Orleans, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5189. William Crews, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5237. Ricardo Aldape Guerra, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5437. Alexander Edmund Williams, IV, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5581. Joseph Carlos Poggi, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5749. Allen Earl Holloway, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-5953. Tony Albert Mackall, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6315. Walter Bell, Jr., Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6585. Donald Kenneth Fetterly, Petitioner *v.* Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6611. Cleo Douglas LeCroy, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-6838. Pamela Lynn Perillo, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7013. Carl Eugene Kelly, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7138. John Grant Gillard, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7242. Larry Allen Stout, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7394. Tuan Anh Nguyen, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-1705. Bernard M. Barrett, Jr., as President of Plastic and Reconstructive Surgeons, P.A., Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice White and Justice Marshall would grant certiorari. Justice Brennan took no part in the consideration or decision of this petition.

No. 87-5666. Jose Martinez High, Petitioner *v.* Walter Zant, Warden. The order entered June 30, 1988, is vacated. The petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-492. Shoshone Tribe and Northern Arapaho Tribe of the Wind River Indian Reservation, Petitioners *v.* Wyoming, et al.; and

No. 88-553. City of Riverton, Wyoming, et al., Petitioners *v.* United States, et al. Petitions for writs of certiorari to the Supreme Court of Wyoming denied. Justice O'Connor took no part in the consideration or decision of these petitions.

No. 88-626. Goodyear Tire & Rubber Company, Petitioner *v.* Dale L. Hodder. The motion of Motor Vehicle Manufacturers Association of the United States, Inc., et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 88-1186. Cudahy Company and General Host Corporation, Petitioners *v.* Cecil W. Miller, et al. The motion of National Association of Manufacturers of the United States of America for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 88-1824. Robert F. Deford, et al., Petitioners *v.* Soo Line Railroad Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 88-1867. James N. Fleming, Petitioner *v.* W. Bedford Moore, III, et al. The motion of petitioner to defer consideration of the petition

for a writ of certiorari is denied. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 88-7026. John Fearance, Jr., Petitioner *v.* Texas. The application for stay of mandate presented to Justice White and by him referred to the Court is denied. The petition for a writ of certiorari to the Court of Criminal Appeals of Texas is denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 88-7354. Lester Leroy Bower, Jr., Petitioner *v.* Texas. The application for stay of mandate presented to Justice White and by him referred to the Court is denied. The petition for a writ of certiorari to the Court of Criminal Appeals of Texas is denied. Dissenting statement by Justice Brennan and Justice Marshall.

HABEAS CORPUS DENIED

No. 88-1990. In Re Lyndon H. LaRouche, Jr., William Wertz, Edward Spannaus, Michael Billington, Dennis Small, Paul Greenberg and Joyce Rubinstein, Petitioners;

No. 88-7408. In Re Dallas Qualman, et ux., Petitioners; and

No. 88-7413. In Re Carl Snyder, Petitioner. The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

No. 88-1329. In Re Pedro Delgado, Elia Gregorio, Marcelo Llanes and Marta R. Torres. The petition for writ of mandamus is denied.

REHEARINGS DENIED

No. 88-1463. Thomas W. Wrenn, Petitioner *v.* State Industrial Insurance System;

No. 88-1481. Oen Yin-Choy, Petitioner *v.* Glen S. Robinson, United States Marshal for the Northern District of California;

No. 88-1533. Charles Russell Twist, Petitioner *v.* Dick Thornburgh, Attorney General of the United States;

No. 88-1570. Clyde O. Washington, et ux., Petitioners *v.* First Federal Savings and Loan Association of LaPorte County, Indiana, et al.;

No. 88-1673. Brian M. Bonello, Petitioner *v.* Connecticut;

No. 88-5799. Michael Francis Beuke, Petitioner *v.* Ohio;

No. 88-6066. Paul C. Hildwin, Petitioner *v.* Florida;

No. 88-6353. Daniel Lee Bedford, Petitioner *v.* Ohio;

No. 88-6618. John Fritz, Petitioner *v.* George E. Barker, Judge, Kentucky Circuit Court at Fayette, et al.;

- No. 88-6641. Willie Herbert, Jr., Petitioner *v.* United States;
No. 88-6642. Charles Albanese, Petitioner *v.* Illinois;
No. 88-6737. Gary Lee McColpin, Petitioner *v.* United States;
No. 88-6785. John Fritz, Petitioner *v.* George E. Barker, Judge, Kentucky Circuit Court at Fayette, et al.;
No. 88-6804. Timothy Tyrone Foster, Petitioner *v.* Georgia;
No. 88-6810. Larry Lee, Petitioner *v.* Georgia;
No. 88-6826. In Re Raymore Phillips, Petitioner;
No. 88-6886. Eleanor T. Filoon, Petitioner *v.* Workmen's Compensation Appeal Board;
No. 88-6932. Mercer D. Eubanks, et ux., Petitioners *v.* South Carolina National Bank, et al.;
No. 88-6962. Lawrence Edward Thompson, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections, et al.;
No. 88-6988. Clifford Oran Craig, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections;
No. 88-7004. John Webster Flanagan, Petitioner *v.* United States;
No. 88-7015. James L. Martin, Petitioner *v.* C. Itoh & Company, Inc., et al.;
No. 88-7016. In Re James L. Martin, Petitioner; and
No. 88-7068. Douglas A. Chizmadia, Petitioner *v.* Smiley's Point Clinic, et al. The petitions for rehearing are denied.
No. 88-1178. Thomas E. Keane, Petitioner *v.* United States. The petition for rehearing is denied. Justice Stevens took no part in the consideration or decision of this petition.
No. 88-7052. Michael Marine, Petitioner *v.* United States. The motion for leave to file a petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from today until the first Monday in October, 1989, at which time the October 1988 Term will adjourn.

The Chief Justice said:

"I am authorized to announce that all of the cases and other matters before the Court which were ready for disposition, have been acted upon by the Court. Accordingly, it is ordered that those cases remaining on the docket, but not ready for consideration are continued to the Session of the Court beginning October 2, 1989.

The Court will be in recess from today until the first Monday in October, 1989, at which time the October 1988 Term of the Court will be

adjourned and the October 1989 Term of the Court will begin as provided by statute on the first Monday in October.

Because of certain fiscal constraints, this has been a particularly trying Term for the entire Supreme Court staff—the housekeeping staff and security forces, those who process the thousands of documents submitted for consideration, those who assist in our research and respond to our myriad queries, those who assemble and publish our final product. I speak for all of the members of the Court in thanking all of the Supreme Court staff for his and her continued dedicated work during the Term.”

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 88-7562. Eric Kimble, Petitioner *v.* Dan Vasquez, Warden. The application for stay of execution of sentence of death presented to Justice O'Connor and by her referred to the Court is granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the issuance of the mandate of this Court.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 89-5094. Horace Franklin Dunkins, Jr., Petitioner *v.* Charlie Jones, Warden, et al. The applications for stays of execution of sentence of death presented to Justice Kennedy and by him referred to the Court are denied. Dissenting statements by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 89-5121. James William Hamblen, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The application for stay of execution of sentence of death presented to Justice Kennedy and by him referred to the Court is granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDERS IN PENDING CASES

No. A-916 (Oct. Term 1988). Bankers Multiple Line Insurance Co., Applicant *v.* Joseph D. Farish, Jr., et al. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. A-961 (Oct. Term 1988). United Services Automobile Association, Applicant *v.* Larry Wade and Tracie Wade. The application for stay addressed to Justice O'Connor and referred to the Court is denied.

No. A-19. Alcee L. Hastings, United States District Judge, Applicant *v.* United States Senate, et al. The application for injunction addressed to Justice Brennan and referred to the Court is denied. The Chief Justice took no part in the consideration or decision of this application.

No. D-766. In the Matter of Disbarment of Donald Kenneth Halper. Disbarment order entered.

No. D-778. In the Matter of Disbarment of H. Barry Shultz. Disbarment order entered.

No. D-780. In the Matter of Disbarment of Thomas Michael Hayes, Jr. Disbarment order entered.

No. D-781. In the Matter of Disbarment of Larry Thomas Black. Disbarment order entered.

No. D-782. In the Matter of Disbarment of Everett Emmett Ricks, Jr. Disbarment order entered.

No. D-783. In the Matter of Disbarment of Richard R. Paige. Disbarment order entered.

No. D-785. In the Matter of Disbarment of Mitchell David Aronson. Disbarment order entered.

No. D-786. In the Matter of Disbarment of John J. Ford, III. Disbarment order entered.

No. D-790. In the Matter of Disbarment of John P. Fitzgerald. Disbarment order entered.

No. D-795. In the Matter of Disbarment of John J. Held. It is ordered that John J. Held, of Erie, Pennsylvania, be suspended from the

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

No. D-796. In the Matter of Disbarment of Glenn Dale Cannon. It is ordered that Glenn Dale Cannon, of Gulfport, Mississippi, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-797. In the Matter of Disbarment of Lawrence Ripes. It is ordered that Lawrence Ripes, of Northbrook, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-798. In the Matter of Disbarment of Michael Edwin Zealy. It is ordered that Michael Edwin Zealy, of Fort Lauderdale, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-799. In the Matter of Disbarment of Arvin Lee Davis. It is ordered that Arvin Lee Davis, of Kalamazoo, Michigan, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-800. In the Matter of Disbarment of William Francis Xavier Klan. It is ordered that William Francis Xavier Klan, of Danbury, Connecticut, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-801. In the Matter of Disbarment of Robert George Jacobson. It is ordered that Robert George Jacobson, of Port Charlotte, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-802. In the Matter of Disbarment of Warren E. Rollman. It is ordered that Warren E. Rollman, of Baltimore, Maryland, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-803. In the Matter of Disbarment of Dennis R. DiRicco. It is ordered that Dennis R. DiRicco, of San Mateo, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-804. In the Matter of Disbarment of George W. McManus Jr. It is ordered that George W. McManus Jr., of Baltimore, Maryland, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 88-7626. (Oct. Term 1988). Juan Bautista Rivera, Petitioner *v.* Oroweat Foods Company, Inc., et al. The application for recall and stay of mandate addressed to Justice Brennan and referred to the Court is denied.

REHEARINGS DENIED

No. 87-1614. John W. Martin, et al., Petitioners *v.* Robert K. Wilks, et al.;

No. 87-1639. Personnel Board of Jefferson County, Alabama, et al., Petitioners *v.* Robert K. Wilks, et al.; and

No. 87-1668. Richard Arrington, Jr., et al., Petitioners *v.* Robert K. Wilks, et al.;

No. 87-7107. James Earl Slaughter, Petitioner *v.* Kentucky;

No. 88-420. Jimmy Jones, Superintendent, Missouri Training Center for Men at Moberly, Petitioner *v.* Larry P. Thomas;

No. 88-774. Newman-Green, Inc., Petitioner *v.* Alejandro Alfonzo-Larrain, et al.;

No. 88-897. R. H. Ashenbaugh, et al., Petitioners *v.* Crucible Inc., 1975 Salaried Retirement Plan;

No. 88-1612. Daniel R. Hodge, Petitioner *v.* Walter R. Kelly, et al.;

No. 88-1616. Joseph Lombardo, Petitioner *v.* United States;

No. 88-1672. Betsy Acosta, Petitioner *v.* Louis W. Sullivan, Secretary of Health and Human Services;

No. 88-1711. Donald Pruessman, Petitioner *v.* Gordon Lewis, et al.;

No. 88-1717. Lawrence Allen Fassler, Petitioner *v.* United States;

No. 88-1799. William D. Jackson, Petitioner *v.* United States;

No. 88-5241. Ronnie Howard, Petitioner *v.* South Carolina;

No. 88-6494. Curtis L. Wrenn, Petitioner *v.* Lawrence P. Benson, et al.;

No. 88-6723. John B. Nixon, Sr., Petitioner *v.* Mississippi;

No. 88-6917. Sharman M. Meade-Murphy, Petitioner *v.* City of Atlanta, et al.;

No. 88-6959. Kathy Menard, Petitioner *v.* County of Henrico, Virginia, et al.;

No. 88-6992. Charles A. Williams, Petitioner *v.* Ted Wallman, Warden, et al.;

No. 88-7057. Stella E. Ruscitti, Petitioner *v.* Estate of Frank A. Ruscitti, etc.;

No. 88-7065. Robert Ralph Barnes, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al.;

No. 88-7103. James L. Martin, Petitioner *v.* Court of Appeals of Maryland, et al.;

No. 88-7107. Louis Butler O'Neal, Petitioner *v.* March Fong Eu, et al.;

No. 88-7128. Kenneth L. Carter, Petitioner *v.* Ohio;

No. 88-7148. James L. Martin, Petitioner *v.* Abram D. Mellinger Real Estate, Inc.;

No. 88-7157. In Re James L. Martin, Petitioner;

No. 88-7171. Morris May, Petitioner *v.* Lawrence J. Hackett;

No. 88-7200. Jacob Amelius Irving, aka Jacob Owens, Petitioner *v.* United States;

No. 88-7240. Rodney Branham, Petitioner *v.* Herb Grinage, et al.;

No. 88-7272. Juergen Stengel, Petitioner *v.* United States; and

No. 88-7281. In Re Alan Humphrey, Petitioner. The petitions for rehearing are denied.

No. —. In Re Michael W. Mason, et ux. The petition for rehearing and for other relief is denied.

No. 87-963. Robert L. Hernandez, Petitioner *v.* Commissioner of Internal Revenue; and

No. 87-1616. Katherine Jean Graham, et al., Petitioners *v.* Commissioner of Internal Revenue. The petition for rehearing is denied. The motion to remand for further proceedings on unresolved issues is denied. Justice Brennan and Justice Kennedy took no part in the consideration or decision of this petition and motion.

No. 87-6405. Phillip D. Tompkins, Petitioner *v.* Texas. The petition for rehearing is denied. Justice O'Connor took no part in the consideration or decision of this petition.

No. 88-1843. Vincent Victor Roggio, Petitioner *v.* United States. The motion of petitioner for leave to proceed further herein *in forma pauperis* is granted. The petition for rehearing is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. A-139. Herbert Lee Richardson, Applicant *v.* Alabama. The application for stay of execution of sentence of death presented to Justice Kennedy and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.

CERTIORARI DENIED

No. 89-5395. Herbert Lee Richardson, Petitioner *v.* Morris Thigpen, Commissioner, Alabama Department of Corrections. The application for stay of execution of sentence of death presented to Justice Kennedy and by him referred to the Court is denied. The petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDERS IN PENDING CASES

No. A-126. Southern University Board of Supervisors, Applicant *v.* United States, et al.; and

No. A-127. Louisiana, ex rel. William J. Guste, Jr., Attorney General of Louisiana, Applicant *v.* United States, et al. The applications for stay presented to Justice White and by him referred to the Court are granted and enforcement of the judgment and orders of the United States District Court for the Eastern District Court of Louisiana, Civil Action No. 80-3300, entered August 2, 1988, July 19, 1989 and August 4, 1989, is stayed pending the timely docketing of appeals in these cases and final disposition by the Court. Justice Brennan, Justice Marshall and Justice Blackmun dissent.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 88-1000. New York, Petitioner *v.* Bernard Harris. Barrington D. Parker, Jr., Esquire, of New York, New York, a member of the Bar of this Court, is invited to brief and argue this case, as *amicus curiae*, in support of the judgment below.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDERS IN PENDING CASES

No. A-18. Earlene Polyak, Applicant *v.* Thomas Stack, et al. The application for stay addressed to Justice Blackmun and referred to the Court is denied.

No. A-47. City of New York, et al., Applicants *v.* Seawall Associates, et al. The application for stay presented to Justice Marshall and by him referred to the Court is denied. The order heretofore entered by Justice Marshall on July 20, 1989, is vacated. Justice Brennan and Justice Marshall would grant the application for stay.

No. 87-1965. Marcus C. Zinermon, et al., Petitioners *v.* Darrell E. Burch. The motion of American Orthopsychiatric Association, et al. for leave to file a brief as *amici curiae* is granted.

No. 88-854. Henry G. Spallone, Petitioner *v.* United States, et al.;

No. 88-856. Peter Chema, Petitioner *v.* United States, et al.; and

No. 88-870. Nicholas Longo and Edward Fagan, Petitioners *v.* United States, et al. The motion of petitioner in No. 88-854 for divided argument and for additional time for oral argument is denied. The motion of petitioner in No. 88-856 for divided argument and for additional time for oral argument is denied. The motion of petitioners in No. 88-870 for divided argument and for additional time for oral argument is denied. The motion of respondents Yonkers Branch National Association for the Advancement of Colored People, et al. for divided argument and for additional time for oral argument is denied.

No. 88-1076. J. Paul Preseault, et ux., Petitioners *v.* Interstate Commerce Commission, et al. The motion of respondents Vermont, et al. for divided argument is granted.

No. 88-1150. Missouri, et al., Petitioners *v.* Kalima Jenkins, et al. The motion of Icelean Clark, et al. for leave to participate in oral argument as *amici curiae*, for divided argument and for additional time for oral argument is denied.

No. 88-1182. Baltimore City Department of Social Services, Petitioner *v.* Jacqueline Bouknight; and

No. 88-6651. Maurice M., Petitioner *v.* Jacqueline Bouknight. The motion of petitioner Maurice M. for divided argument is granted.

No. 88-1198. Federal Trade Commission, Petitioner *v.* Superior Court Trial Lawyers Association; and

No. 88-1393. Superior Court Trial Lawyers Association, et al., Petitioners *v.* Federal Trade Commission. The motion of respondents/cross-petitioners Superior Court Trial Lawyers Association, et al. for divided argument is denied.

No. 88-1569. Richard H. Austin, Michigan Secretary of State and Frank J. Kelley, Michigan Attorney General, Appellants *v.* Michigan Chamber of Commerce. The motion of Federal Election Commission for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

No. 88-1640. Michigan Citizens for an Independent Press, et al., Petitioners *v.* Dick Thornburgh, Attorney General of the United States, et al. The motion of the Acting Solicitor General for divided argument is denied. Justice White took no part in the consideration or decision of this motion.

No. 89-5357. Betsey Warren Lebbos, Petitioner *v.* State Bar of California, et al. The application for stay addressed to Justice Brennan and referred to the Court is denied.

REHEARINGS DENIED

No. 86-6023. Troy Kunkle, Petitioner *v.* Texas;

No. 87-746. Michael H. and Victoria D., Appellants *v.* Gerald D.;

No. 87-1293. Jeetendra Bhandari, Petitioner *v.* First National Bank of Commerce;

No. 87-1697. Stanley Wilkinson, Petitioner *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al.; and

No. 87-1711. County of Yakima, et al., Petitioners *v.* Confederated Tribes and Bands of the Yakima Indian Nation, et al.;

No. 87-1854. Bill J. Cory, Petitioner *v.* Standard Federal Savings and Loan Association, et al.;

No. 87-5666. Jose Martinez High, Petitioner *v.* Walter Zant, Warden;

No. 87-5765. Kevin N. Stanford, Petitioner *v.* Kentucky;

No. 87-6026. Heath A. Wilkins, Petitioner *v.* Missouri;

No. 87-6406. Calvin Joseph Williams, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections;

No. 87-6997. Eugene John Carella, Appellant *v.* California;

No. 88-226. Benjamin R. Ward, et al., Petitioners *v.* Rock Against Racism;

No. 88-305. South Carolina, Petitioner *v.* Demetrius Gathers;

No. 88-664. Eugene F. Diamond, Petitioner *v.* Allan G. Charles, et al.;

No. 88-1745. Edward D. Cowhig, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army;

No. 88-1760. M. Thora Worrell, Petitioner *v.* B. F. Goodrich Company;

No. 88-1817. John G. Barrow, Jr., Petitioner *v.* Harold B. Wahl, et al.;

No. 88-1854. Ronald W. Davenport, Petitioner *v.* United States;

No. 88-5189. William Crews, Petitioner *v.* Illinois;

No. 88-5237. Ricardo Aldape Guerra, Petitioner *v.* Texas;

No. 88-5437. Alexander Edmund Williams, IV, Petitioner *v.* Georgia;

No. 88-5581. Joseph Carlos Poggi, Petitioner *v.* California;

No. 88-6154. Donald Edward Beaty, Petitioner *v.* Arizona;

No. 88-6957. Frederick H. Lightsey, Petitioner *v.* William Yeager, Warden, et al.;

No. 88-6977. Keith T. Johnson, Petitioner *v.* Department of Justice;

No. 88-7062. Betty Lou Beets, Petitioner *v.* Texas;

No. 88-7110. Angel Pantoja, Petitioner *v.* Stateville Correctional Center, et al.;

No. 88-7111. Travis Kenneth Bynum, Petitioner *v.* Neva Ruth Wood;

No. 88-7114. John Madsen, Petitioner *v.* Robert Morrell, et al.;

No. 88-7116. Robert W. Hart, Petitioner *v.* Clark Frame, et al.;

No. 88-7120. Francis Gerard Hernandez, Petitioner *v.* California;

No. 88-7169. Robert L. Mason, Petitioner *v.* John Rees, Warden;

No. 88-7203. John Shannon, Petitioner *v.* Michael O'Leary, Warden, et al.;

No. 88-7206. Edward L. Coleman and Madelyn L. Coleman, Petitioners *v.* Martha S. Simpson Coleman Butler;

No. 88-7331. Mitchell Williams, Petitioner *v.* New York, et al.;

No. 88-7355. Bernard Douglas Holland, aka "Bernie", Petitioner *v.* United States;

No. 88-7394. Tuan Anh Nguyen, Petitioner *v.* Oklahoma;

No. 88-7408. In Re Dallas Qualman, et ux., Petitioners; and

No. 88-7458. Darwall, aka Darrell Farmer, Petitioner *v.* Michigan, et al. The petitions for rehearing are denied.

No. 88-309. Wyoming, Petitioner *v.* United States, et al. The petition for rehearing filed by Wyoming is denied. The petition for rehearing filed by respondents Bradford Bath, et al. is denied. Justice O'Connor took no part in the consideration or decision of these petitions.

No. 88-5868. Fernando Belmontes, Petitioner *v.* California. The motion for leave to file a petition for rehearing is denied.

No. 88-6078. DeWayne C. Britz, Petitioner *v.* Illinois. The motion of petitioner for leave to file second petition for rehearing is denied.

No. 89-5476. Alton Waye, Petitioner *v.* Edward Murray, Director, Virginia Department of Corrections. The application for stay of execution of sentence of death presented to the Chief Justice and by him referred to the Court is denied. The petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 89-5477. Alton Waye, Petitioner *v.* Sherman L. Townley, Warden. The application for stay of execution of sentence of death presented to the Chief Justice and by him referred to the Court is denied. The petition for writ of certiorari to the United States Court of Appeals for Fourth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. A-152. B. J. Alan Company, Inc., Olde Glory Marketing Ltd., Neptune Fireworks Company, Inc., and Consigned Sales, Company, Applicants *v.* Interstate Commerce Commission and United States. The application for stay pending appeal to the United States Court of Appeals for the District of Columbia Circuit presented to Justice Brennan and by him referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 89-5221. James Emery Paster, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of sentence of death presented to Justice White and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Blackmun and Justice Stevens would grant the application for stay.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDERS IN PENDING CASES

No. A-85. J. L. Johnston and Ted L. Johnston, Applicants *v.* Valerie Ann Smith and Theodore Calderoni. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. A-124. Jerome B. Rosenthal, Applicant *v.* Armand Arabian, et al. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. D-776. In the Matter of Disbarment of Mark Eugene Werner, II. Disbarment order entered.

No. D-779. In the Matter of Disbarment of Irving B. Lampert. Disbarment order entered.

No. D-789. In the Matter of Disbarment of Michael Joseph Guinan. Disbarment order entered.

No. D-791. In the Matter of Disbarment of Jerril J. Krowen. Disbarment order entered.

No. D-792. In the Matter of Disbarment of Brian D. Schaefer. Disbarment order entered.

No. D-805. In the Matter of Disbarment of Elliott H. Pollack. It is ordered that Elliott H. Pollack, of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-806. In the Matter of Disbarment of Richard Mario Biaggi. It is ordered that Richard Mario Biaggi, of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-807. In the Matter of Disbarment of James J. Cally. It is ordered that James J. Cally, of Flushing, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-808. In the Matter of Disbarment of Nicholas A. Addams. It is ordered that Nicholas A. Addams, of Washington, D. C., be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-809. In the Matter of Disbarment of Bernard Gordon Ehrlich. It is ordered that Bernard Gordon Ehrlich, of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-810. In the Matter of Disbarment of Stanley Simon. It is ordered that Stanley Simon, of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 87-1955. Gerald A. Lewis, etc., Appellant *v.* Continental Bank Corporation, et al. The motion of appellant for divided argument is denied.

No. 87-1979. Chesapeake and Ohio Railway Company, Petitioner *v.* Nancy J. Schwab and William McGlone; and

No. 88-127. Norfolk & Western Railway Company, Petitioner *v.* Robert T. Goode, Jr. The motion of the Solicitor General to permit Christine Desan Husson, Esq. to present oral argument *pro hac vice*, as *amicus curiae*, is granted.

No. 87-2048. Texaco, Inc., Petitioner *v.* Ricky Hasbrouck, dba Rick's Texaco, et al. The motion of Motor and Equipment Manufacturers Association for leave to file a brief as *amicus curiae* is granted. The motion of National Association of Wholesaler-Distributors for leave to file a brief as *amicus curiae* is granted. The motion of Boise Cascade Corporation for leave to file a brief as *amicus curiae* is granted. The motion of Society of Independent Gasoline Marketers of America, et al. for leave to file a brief as *amici curiae* is granted. The motion of National Association of Texaco Wholesalers for leave to file a brief as *amicus curiae* is granted. The motion of American Petroleum Institute, et al. for leave to file a brief as *amici curiae* is granted. The motion of Motor Vehicle Manufacturers Association of the United States, et al. for leave to file a brief as *amici curiae* is granted. The motion of Petroleum Marketers Association of America for leave to file a brief as *amicus curiae* is granted. The motion of the Solicitor General for leave to

participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-1105. Curtis Guidry, Petitioner *v.* Sheet Metal Workers National Pension Fund, et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is denied. Justice Blackmun would grant the motion.

No. 88-1323. Louis W. Sullivan, Secretary of Health and Human Services, et al., Petitioners *v.* Sandra Everhart, et al. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 88-1369. Maryland, Petitioner *v.* Jerome Edward Buie. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-1480. Bob Reves, et al., Petitioners *v.* Arthur Young & Co. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-1503. Nancy Beth Cruzan, by her parents and co-guardians, Lester L. Cruzan, et ux., Petitioners *v.* Director, Missouri Department of Health, et al. The motion of petitioners to dispense with printing the joint appendix is granted.

No. 88-1512. Albert J. Ferens, et ux., Petitioners *v.* John Deere Company, aka Deere & Company. The motion of Pfizer, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Product Liability Advisory Council for leave to file a brief as *amicus curiae* is granted.

No. 88-1668. Atlantic Richfield Company, Petitioner *v.* USA Petroleum Company. The motion of American Newspaper Publishers Association for leave to file a brief as *amicus curiae* is granted. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 88-2010. Robert William Roy, Petitioner *v.* United States. The application to recall and stay the mandate addressed to Justice Scalia and referred to the Court is denied.

No. 88-2127. Fred H. Vahlsing, Jr., Petitioner *v.* Maine. The application for stay addressed to Justice White and referred to the Court is denied.

No. 88-7146. Jonas H. Whitmore, individually and as next friend of Ronald Gene Simmons, Petitioner *v.* Arkansas, et al. The motion of respondents for divided argument and for additional time for oral argument is denied.

No. 89-237. William George Payne, Petitioner *v.* Immigration and Naturalization Service. The application for stay of deportation addressed to Justice O'Connor and referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, Justice O'Connor, Justice Scalia, and Justice Kennedy.

ORDER IN PENDING CASE

No. 89-5621. Richard E. Grant, Petitioner *v.* Dan Vasquez, Warden. The application for stay of execution of sentence of death presented to Justice O'Connor and by her referred to the Court is granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the issuance of the mandate of this Court.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

JULY 17, 1989

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|---------------------------|
| James Fontaine Adams | Dallas, TX | William Hayes Hart |
| Harold James Adkins | Baton Rouge, LA | Jonathan Curry Harris |
| Pamela Kaye Akin | Tampa, FL | Bernard Charles Silver |
| Richard Witte Alexander | Austin, TX | Carl Larsen Taylor |
| W. William Anderson | York, PA | Byron H. LeCates |
| Kurt Morris Andreason | Beaumont, TX | James L. Weber |
| Kenneth Michael Argentieri | Pittsburgh, PA | Harry Woodruff Turner |
| Eugene D. Attkisson | Lexington, KY | William H. Gorin |
| Charles Samuel Baker | Alamo, CA | Brian D. Seibel |
| James C. Bakk | Waukegan, IL | Fred L. Foreman |
| Robert N. Barnes | Oklahoma City, OK | Daniel LeRoy Evans |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--|---|---|
| Kenneth Berlin Farrell Paul Bolz | Washington, DC Houston, TX | Robert Reed Gray George Royalty Edwards |
| Theodore Steve Booras | West Palm Beach, FL | Donald L. Morgan |
| Gary D. Borek | Buffalo, NY | John Dayton Steele Jr. |
| Craig Anthony Boudreau | Palm Beach, FL | James L. Eisenberg |
| Charles T. Boyle | Punta Gorda, FL | Guy Storms Emerich |
| James A. Branch Jr. | Albuquerque, NM | Turner Williamson Branch |
| David Lee Bridges | Austin, TX | Steven DeWayne Peterson |
| Paul Briggs | Schenectady, NY | Thomas E. DeLorenzo |
| Anthony J. Bucci Jr. | North Providence, RI | Joseph R. DiStefano |
| Whitney A. Burke | Orlando, FL | Norman Francis Burke |
| James Sherman Burling Thomas Lynn Busby | Sacramento, CA Corpus Christi, TX | Robin Lee Rivett Leslie Denis Cassidy III |
| Debra Sue Byrd | Wichita, KS | Mona Lee Mansoor Furst |
| Francis Edward Cafferty | Allen Park, MI | Patrick Edward Cafferty |
| Edward Thomas Chavez Joseph Michael Chiarelli | Pasadena, CA Kansas City, MO | Michael J. Udovic Walter J. Kennedy Jr. |
| Hernan G. Chico-Fuertes John Louis Cipriano Jr. | Naguabo, PR Hamden, CT | Julia M. Garriga William Saul Nathanson |
| Ann Cocheu | Tallahassee, FL | Robert A. Butterworth |
| John Conlon | Portage, MI | Thomas Conrad Mayer |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|---------------------------|
| Patricia Ann Conners | Tallahassee, FL | Raymond L. Marky II |
| John Aloysius Convery Jr. | Belton, TX | Maury Maverick Jr. |
| Thomas E. Cooney | Spokane, WA | James F. Irwin |
| Ramon Coto-Ojeda | San Juan, PR | Abelardo Ruiz- Suria |
| Leo J. Coughlin | Arnold, MD | Robin Axel Jones |
| Carolyn C. Coukos | Indianapolis, IN | Gerald L. Bepko |
| Roger P. Cox | Lincoln, NE | Murray Ogborn |
| Wayne Gilbert Crookston Jr. | Meridian, ID | W. Anthony Park |
| John H. Culver III | Baltimore, MD | George Beall |
| Devarieste Curry | New Carrollton, MD | Julia Cooper Mack |
| Mark Henry Daaleman | Westfield, NJ | Walter P. Kelly |
| John Carter Danish | Irving, TX | James W. Deatherage |
| Judith Ellen Deck | New Orleans, LA | C. Ellis Henican Jr. |
| Lynn Downey Dowd | Chicago, IL | D. Kendall Griffith |
| Daniel J. Dugan | Philadelphia, PA | Eugene J. Comey |
| John Edmund Duvall | Jacksonville, FL | Peter Reed Corbin |
| Charlene Vanessa Edwards | Tampa, FL | Bernard Charles Silver |
| John C. Englander | Boston, MA | Allan van Gestel |
| James O. Ervin | Baton Rouge, LA | Timothy M. Screen |
| Robert Marshall Fells | Falls Church, VA | David H. Marion |
| Ralph Peter Ferrara | Newark, NJ | Peter W. Rodino III |
| Glen Filippone | Denville, NJ | Michael John Hogan |
| James S. Frank | New York, NY | Theophil Carl Kammholz |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-------------------------------|
| Anita Holly Frantz | Albuquerque, NM | James Coplen Hall |
| Nalini Rajender Frush | San Francisco, CA | Shyamala Rajender |
| Terry Takashi Fujimoto | Los Angeles, CA | John Albert Saurenman |
| Carolyn Diane Fuson | Los Angeles, CA | William Trigg Harter |
| Joseph Gregory Galagaza | Houston, TX | James M. Neel |
| Stephen Elias Geduldig | Harrisburg, PA | LeRoy S. Zimmerman |
| Claude Peter Goetz | New York, NY | Eli David Schoenfield |
| Marc L. Goldman | Miami, FL | Alan L. Levine |
| Alan Paul Gooding | Los Angeles, CA | John William Evans |
| Ann Randolph Goodman | Hickory, NC | Stewart Lee Cloer |
| Robert M. Gosner Jr. | Philadelphia, PA | Dean F. Murtagh |
| Keith Andrew Graffam | San Juan, PR | Justo Arenas |
| Joseph Henry Green Jr. | Washington, DC | James Percy Hood Jr. |
| William Greenberg | White Plains, NY | Anthony J. Mercorella |
| Maria Cristina Gutierrez | Baltimore, MD | Phillip George Dantes |
| Sharon Kaye Hackett | Youngstown, OH | Judge William Thomas Bodoh |
| Robert J. Hajek | Minneapolis, MN | Brian Lee Sobol |
| Jeff D. Harris | Chicago, IL | Thomas Aquinas Foran |
| John Maurice Hassett | Baltimore, MD | John Carroll Byrnes |
| Mark Bartrum Helm | Los Angeles, CA | Ralph B. Helm |
| Jeffrey Scott Herden | Chicago, IL | Richard Wade Cosby |
| John Ashby Hernandez Jr. | Carencro, LA | Carolyn A. Ingraham |
| Paul Alan Hoffman | Dallas, TX | Harold B. Berman |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-----------------------|---------------------------------|
| Seth S. Holbrook | Boston, MA | Thomas E. Clinton |
| Karen M. Holt | Kaunakakai, HI | Cheryl Ann Tipton |
| Robert Franklin Howell | San Diego, CA | Jeffrey Alan Joseph |
| William Paul Hoyer | Des Moines, IA | Lawrence F. Scalise |
| David Chu-Wen Hsia | Washington, DC | John Thomas Adney |
| John Joseph Jakubczyk | Phoenix, AZ | David Burnell Smith |
| Janina Anne Jaruzelski | Washington, DC | Steven Ronald Ross |
| Harold J. Johnson | White Plains, NY | Barry Kamins |
| Clinton Lamont Johnson | Chester, PA | Judge Joseph Francis Battle Jr. |
| Raymond L. Kalmans | Houston, TX | James M. Neel |
| Leslie Keith Kaufman | Santa Ana, CA | Sanford Paul Kaufman |
| John Bernard Kearney | Cherry Hill, NJ | Allen Abram Etish |
| J. Grant Kennedy | Los Angeles, CA | Juliette Z. Allen |
| Kathie D. King | Philadelphia, PA | Patrick J. O'Connor |
| Rockforde D. King | Knoxville, TN | George Wager Morton Jr. |
| Coleman Eugene Klein | West Bloomfield, MI | Sheldon Murray Meizlish |
| William Otis Kneece | Columbia, SC | W. Gaston Fairey |
| Robert J. Kopka | Chicago, IL | William Woloshin |
| Thomas Gregory Kramer | Dayton, OH | Jeffrey B. Shulman |
| William Joseph Kresse | Chicago, IL | Abraham L. Marovitz |
| Kevin James Luster | San Bernardino, CA | Robert Merrill Butler |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|------------------------|
| Sharon S. Lutz | Detroit, MI | Mary Elizabeth Kelly |
| Michael J. Lynch | Pittsburgh, PA | Harry Woodruff Turner |
| Ronald D. Maines | Washington, DC | Barry D. Wood |
| Donald C. Marcum | Plano, IL | Leonard James Wojtecki |
| Benjamin Robert Margolis | Pacific Palisades, CA | Marshall C. Sanders |
| James J. Mayer | Cincinnati, OH | Joan T. Schneider |
| Michael John McCaffrey | Clinton, NJ | Jerrold D. Goldstein |
| Michael Kennedy McIntyre | Atlanta, GA | Robert Altman |
| James Anthony McKowen | Charleston, WV | Barbara H. Fleisher |
| Christopher M. McMurray | Washington, DC | Hershal Brown |
| Kathi Lynn McNabb | Youngstown, OH | Mary Jane Stephens |
| Richard Chares McNeill Jr. | Philadelphia, PA | Richard Brian Sigmond |
| Cary J. Menard | Lafayette, LA | Michael Harson |
| Paul T. Mengel | West Bloomfield, MI | Jacob A. Dalm Jr. |
| Neal E. Millert | Kansas City, MO | Bruce C. Houdek |
| Michael L. Minsker | Philadelphia, PA | Patrick J. O'Connor |
| William E. Mohler | Charleston, WV | Robert Bruce King |
| William Richard Moore | Los Angeles, CA | Larry E. Robinson |
| Todd Randall Moyses | Stockton, CA | Dennis Donald Geiger |
| Vincent Anthony Mulieri | Annapolis, MD | Martha F. Rasin |
| Raymond Thomas Mundy | Suffern, NY | Thomas W. Evans |
| Thomas J. Muzyka | Boston, MA | Thomas E. Clinton |
| Michael J. Neimand | Miami, FL | Julie S. Thornton |
| Nancy A. Nord | Washington, DC | James S. Halpern |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|---------------------------|
| George B. Norman | Davenport, IA | Edward L. Eagle Jr. |
| Vincent F. O'Hara | New York, NY | Robert Arthur Kennedy |
| Michael William O'Hara | Springfield, IL | Harvey B. Stephens |
| Nwabueze Vincent Okocha | Cleveland, OH | Thomas C. Simiele |
| Thomas Harold Ostrander | Bradenton, FL | George Hodges Harrison |
| Frederic Parnon | New York, NY | Gerald Alan Novack |
| Kathryn Senecal Pecko | Miami, FL | Jorge Luis Fernandez |
| James L. Pemberton | Schenectady, NY | Thomas E. DeLorenzo |
| Steven I. Peretz | Miami, FL | Alan Jay Kluger |
| Robert Paul Phillips III | Savannah, GA | Joseph Bodell Bergen |
| Robert Barth Pierce | West Bloomfield, MI | Jacob A. Dalm Jr. |
| Bernard M. Plum | New York, NY | Bettina Barasch Plevan |
| Jeffrey Jude Pokorak | Austin, TX | Scott W. Howe |
| George Edwin Price | Salem, OR | Albin Walter Norblad |
| Vincent J. Quinn | Lancaster, PA | James P. Cullen |
| Andrew Radding | Baltimore, MD | Charles Christopher Brown |
| Gregory Frederick Reis | Orlando, FL | George E. Adams |
| Mark Phillip Reynolds | Omaha, NE | Horace Herman Reynolds IV |
| James Michael Richardson | Austin, TX | Milton Lacy Bankston |
| Rachel Pauline Roat | Teaneck, NJ | Pamela Ann Spinelli |
| Alicia Gabriela Rosenberg | Los Angeles, CA | Maxwell Michael Blecher |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---|---|--|
| William Thomas Roshko Alan G. Ross | Orlando, FL Cleveland, OH | Elmo R. Hoffman William George Wickens |
| John David Rowell Ket Alan Schaffer Glenn Ralph Schmitt | Los Angeles, CA Houston, TX Cleveland, OH | Peter Abrahams Lewis Dickson Kenneth Francis Ripple |
| David Anthony Searles Philip Sheuerman | Philadelphia, PA Stockton, CA | Eric L. Frank Anthony Lewis Wagner |
| John S. Skilton | Madison, WI | John Robert Dawson |
| Anne Davies Smith | Arlington, VA | Paul Lawrence Friedman |
| Robert Marshall Sommers Scott Turner Spear Paul Brian Spurlock Edward C. Stark | Kansas City, MO Scituate, RI New Orleans, LA Los Angeles, CA | Bruce C. Houdek John Gorham C. James Gelpi Michael James Malak |
| Edward McKinley Stowe Robert J. Sullivan | Danville, VA Morristown, NJ | William H. Smith Bradford Whitman Rich |
| Paul Joseph Swacina | Corpus Christi, TX | Robert J. Patterson |
| Thomas Thaxter Swan | Pittsburgh, PA | Robert Eugene Stewart |
| Barbara Lawrence Swimley | Oklahoma City, OK | Stephen Perley Friot |
| Kathleen O. Tatarsky | Canton, OH | Lawrence Emil Chapanar |
| Harry Addison Thompson II | Pittsburgh, PA | William A. Meyer Jr. |
| Jeffry Scott Thomsen Joseph E. Tierney Jr. Terry W. Tippens | St. Louis, MO Milwaukee, WI Edmond, OK | Gerre S. Langton Francis R. Croak James Davison Fellers |
| John Joseph Tomaselli | New Hyde Park, NY | Robert James Roventini |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|----------------------------|
| Robert Van Derhoff | Carbondale, IL | Richard E. White |
| Joyce Alene White Vance | Birmingham, AL | Robert S. Vance |
| Louis J. Wade | Kansas City, MO | James R. Wyrsh |
| James David Walker | Austin, TX | Jon N. Coffee |
| Scott Harding Walters | Davenport, IA | Michael William Liebbe |
| Kirk Gibson Warner | Raleigh, NC | Frank Gerald . Julian |
| James Richard White | Dallas, TX | William Michael Baggett |
| Steven D. Woodland | Salt Lake City, UT | William Giles Fowler |
| Brenda Wright | Washington, DC | Frank R. Parker |
| Elizabeth Levin Ziegler | Jefferson City, MO | John M. Morris III |

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| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------|-----------------------|------------------------------------|
| Brigid Quinn Alford | Harrisburg, PA | William D. Boswell |
| Keith Robert Anderson | Plainfield, IL | Judge Norma Holloway Johnson |
| David Warren Anderson | Orinda, CA | William E. Cosden |
| Peter J. Anderson | Los Angeles, CA | James Patrick Tierney |
| John Willis Anderson | Salt Lake City, UT | Theodore Boyer Jr. |
| Glen Monroe Ashworth | Kaufman, TX | Linda Russell |
| Kevin J. Beaton | Boise, ID | John Thomas Hawley Jr. |
| Peter L. Benjamin | Merrillville, IN | Max Cohen |
| James Kelly Boles | Tampa, FL | Terry Alan Furnell |
| Sheldon Baldwin Boney | Jacksonville, FL | William Pierce White III |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|-------------------------|
| Stephen Allen Bost | Los Angeles, CA | James Michael McFaul |
| Anthony S. Bottar | Syracuse, NY | William E. Cass |
| Jonathan Andrew Brenner | La Jolla, CA | Donald R. Brenner |
| Alan James Brinkmeier | Elmhurst, IL | Craig A. Chapello |
| Ronald M. Bugaj | Honesdale, PA | Sidney L. Krawitz |
| Michael Leopold Burak | Burlington, VT | Samuel Harris Press |
| Guy E. Burnette Jr. | Tampa, FL | Theodore B. Olson |
| B. John Burns | Des Moines, IA | James Francis Whalen |
| Alison J. Butterfield | Phoenix, AZ | Robert Keith Corbin |
| Jones Pharr Byrd | Asheville, NC | James Price Erwin Jr. |
| Gene Austin Cain | Walnut Creek, CA | William Arthur Jennings |
| Bonnie Jean Campbell | Des Moines, IA | Brent Robert Appel |
| James Campbell VII | Portland, OR | Arthur Lewis Whinston |
| Nicholas M. Cannella | New York, NY | Donald R. Dinan |
| Michael Warren Carmel | Phoenix, AZ | James Elliott Carmel |
| Gregory Campbell Carter | Oklahoma City, OK | Robert Bruce Carter |
| David C. Casey | Boston, MA | Thomas E. Peckham |
| Donald L. Catlett | Jefferson City, MO | Lew A. Kollias |
| Lorie A. Chaiten | Chicago, IL | Colleen K. Connell |
| Linda J. Chase | Chicago, IL | Michael A. Pope |
| Janet Marie Christoffersen | Los Angeles, CA | James Michael McFaul |
| Charles Malcolm Cochran IV | Wilmington, DE | James Caleb Boggs |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|------------------------|-----------------------------------|
| Stuart Robert Cohen | Baltimore, MD | Lawrence Bernard Coshnear |
| Robert N. Cohen | Great Neck, NY | Martin Allen Weinstein |
| Daniel McKay Collette IX | West Palm Beach, FL | Charles Thomas Collette |
| Thomas A. Comstock Jr. | Fullerton, CA | Mark Scott Robert |
| James M. Connell | Bethlehem, PA | John F. Spirk Jr. |
| Michael F. Cooney | New York, NY | Peter S. Bonwich |
| Michael K. Courtney | Litchfield, CT | Robert Franklin Field |
| Perry Allan Craft | Nashville, TN | W. J. Michael Cody |
| Robert Gregory Perez Cruz | Agana, GU | Charles Henry Troutman III |
| Byron Glen Cudmore | Springfield, IL | John William Roberts |
| Dale A. Davenport | Harrisonburg, VA | Lawrence Harold Hoover Jr. |
| Morris Durham Davis | Shelby, NC | Jeffrey Hutton Curtis |
| Hector De Leon | Austin, TX | Joseph C. Boggins |
| Alex V. DeMarco | Vandalia, OH | Daniel J. O'Brien |
| Mary Dean | New York, NY | Peter S. Bonwich |
| James E. Deno | Everett, WA | Charles Eugene Hunter |
| James O. Devereaux | San Francisco, CA | Clyde Edward Miller |
| David L. Donovan | Washington, DC | Daniel McMullen Armstrong, III |
| Robert H. Douthitt | Spokane, WA | Scott Bruce Lukins |
| Stephen Bushman Doxey | Salt Lake City, UT | Theodore Boyer Jr. |
| John William Dressing | Cincinnati, OH | James Joseph Condit |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|---------------------------|
| William J. Duensing | Brookline, MA | Paul J. Liacos |
| Daryl Gordon Dursum | Houston, TX | Byron G. Lee |
| John F. Eastes | Nashville, TN | Daniel Leonard Schofield |
| Stewart Charles Economou | Alexandria, VA | Stefan Clay Long |
| Christopher Charles Edwards | Griffin, GA | Bentley C. Adams III |
| Kenneth T. Eichel | Denver, CO | Michael R. Dice |
| Eric Spencer Eissenstat | Oklahoma City, OK | James Davison Fellers |
| Ziad A. Fadel | Southfield, MI | Donald A. Shely |
| Peter Marshall Feaman | Boca Raton, FL | Joel D. Kenwood |
| Michael Ross Feinberg | Los Angeles, CA | Robert Maltby Dohrmann |
| Virginia L. Ferrara | Albuquerque, NM | John Edwards Conway |
| Joseph J. Ferris | Waukesha, WI | John M. Swietlik |
| Aaron Frederick Fishbein | Brooklyn, NY | James Daniel Harmon Jr. |
| Joseph Mark Fitzpatrick | New York, NY | Donald R. Dinan |
| J. Casey Forester | Alexandria, VA | Stefan Clay Long |
| Ydelsy Quevedo Forte | Miami, FL | Donald I. Bierman |
| James Harry Fosbinder | San Diego, CA | David G. Eisenstein |
| Stanley Kirkland Foshee | Washington, DC | Holloway Wooten |
| David M. Foster | Arlington, VA | Marion J. Foster |
| Michelle A. Fox | Harrisbur, PA | LeRoy S. Zimmerman |
| Bernard R. Gans | Los Angeles, CA | William Poms |
| Terence Gargan Gargan | New York, NY | John Joseph Tomaselli |
| James Kyle Gee | Oakland, CA | Gary D. Sowards |
| Carl A. Gigante | Chicago, IL | James Robert Figliulo |
| Joseph M. Goldhammer | Denver, CO | Walter Charles Brauer III |
| Richard Edward Goodman | Glen Ellyn, IL | Kenneth H. Nails |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------------|-----------------------|--|
| Vicki Gottlich | Washington, DC | Jay Richard Goldman |
| John W. Greenfield | Atlanta, GA | James Herrell Rollins |
| C. David Hailey | Atlanta, GA | John Phillip MacNaughton |
| Hilary Harp | Washington, DC | Robert Lowell Deitz |
| Frank Boyd Harty | Des Moines, IA | John R. Phillips |
| Matthew Heartney | Los Angeles, CA | Ronald C. Redcay |
| Judith Dale Heimlich | Washington, DC | Arthur Barry Spitzer |
| J. Brian Heller | Washington, IL | Harlan Heller |
| Richard B. Henry | Honesdale, PA | Sidney L. Krawitz |
| Paul H. Hentemann | Eastlake, OH | Frank Robert Brancatelli |
| David Jeffrey Hirsch | Baltimore, MD | Richard Bloch |
| Thomas M. Hitch | East Lansing, MI | Kenneth P. Frankland |
| John Carlton Duckworth Holden | Bartlesville, OK | Frederick Scott Esser |
| William E. Holland | Omaha, NE | Lindsey Miller-Lerman |
| Deborah A. Hooper | Alexandria, VA | John Charles Cruden |
| Gerald E. Hopkins | Houston, TX | Terry T. Wiens |
| Carol L. J. Hustoles | Kalamazoo, MI | Charles E. Ritter |
| John A. Hutchison | Beckley, WV | James Alexander Swart |
| Kent Wayne Jackson | Phoenix, AZ | Douglas Marvin William William Anthony Le Clair |
| Larry Michael Jarvis | Chicago, IL | George Pellegrin McAndrews |
| William W. Kantola | Nome, AK | John R. Vacek |
| Howard Bruce Kaplan | New Orleans, LA | Benjamin Franklin Davis Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-----------------------------|-----------------------|------------------------------|
| Paul Marshall Kaplan | West Haven, CT | Mark David Arons |
| Steven Kimelman | New York, NY | Leon B. Polsky |
| Kenneth R. Kirby | Buffalo, NY | David Gerald Jay |
| Robert Stephen Kiss | Beckley, WV | James Alexander Swart |
| Joseph E. Kolick Jr. | Washington, DC | Angelo V. Arcadipane |
| Kenneth D. Kondritzer | Savannah, GA | Michael G. Schiavone |
| Gerald L. Kroll | Los Angeles, CA | Ruth Kroll |
| David R. Kuney | Potomac, MD | John Edward Williams |
| Ann Blair Laupheimer | Philadelphia, PA | William Henry Roberts |
| James T. Lesho | Wilkes Barre, PA | David R. Lipka |
| Michael J. Levin | New York, NY | Andrew J. Connick |
| Raymond John Stephen Lillie | Morristown, NJ | Brendan T. Byrne |
| Randall Mark Lipshutz | Atlanta, GA | Robert J. Lipshutz |
| Juan Alberto Lopez Jr. | Jersey City, NJ | William Francis Aranguren |
| Ronald K. Lospennato | Concord, NH | Richard L. Hesse |
| Thomas David MacNamara | Gainesville, FL | Samuel Patterson Stafford II |
| John Mage | New York, NY | Michael E. Tigar |
| John P. Marinar | New York, NY | Alan David Reitzfeld |
| Wendy Lee Markee | Houston, TX | Frank W. Morgan |
| Michael L. Marshall | Baltimore, MD | Henry Lee Belsky |
| Steven Martin Maslauski | Los Angeles, CA | Robert Charles Packard |
| Robert C. McCall | Lake Charles, LA | Michael K. Dees |
| Charles Ellard McClellan | Oak Park, IL | Thomas H. Donohoe |
| David L. McClenahan | Pittsburgh, PA | Harry Woodruff Turner |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|-----------------------------------|
| David L. McColgin | Philadelphia, PA | Jeffrey Lewis Staniels |
| Charles W. McDonald | Waco, TX | Joseph Michael Layman |
| Robert Albert McMahon Jr. | New Orleans, LA | Benjamin Franklin Davis Jr. |
| Gary Robert Mitchell | Long Beach, CA | Clive Standlee Martin Jr. |
| Juliane Balliro Mondano | Boston, MA | Robert Albert George |
| Carolyn Smith Motes | McLean, VA | Grayson Pollard Hanes |
| Diane Murley | Denver, CO | Raymond P. Murley |
| Ernie Keith Murray | Rocky Mount, NC | John Russell Jolly Jr. |
| Marcelle E. Mihaila | San Diego, CA | William S. Boggs |
| Sheila Carol Myers | New Orleans, LA | Stephen B. Murray |
| Scylla Stancliff Nagel | Los Angeles, CA | Judge Martha Goldin |
| Horacio A. Grigera Naon | New York, NY | Jerry Lawrence Siegel |
| Pamela Gersh Nardolilli | Washington, DC | James Virgil Mattingly Jr. |
| David Negus | La Verne, CA | Gary William Feller |
| Kristine P. Nesthus | San Diego, CA | Peter H. Benzian |
| Deborah Ann Nilson | White Plains, NY | Alain Rozan |
| Linda G. O'Connell | Bedminster, NJ | John I. Lisowski |
| Anthony J. O'Donnell Jr. | Miami, FL | William Edward Sadowski |
| Robert C. O'Hara | Wilmington, DE | James Caleb Boggs |
| Kevin Hackett O'Neill | Tampa, FL | Daniel N. Burton |
| Louis K. Obody IV | Wichita, KS | William Edgar Shull Jr. |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------------|------------------------|------------------------------|
| Louis Frank Oliver | Austin, TX | Joe M. Kilgore |
| Darla Gail Orndorff | Topeka, KS | Mark Robert Land |
| William M. Orth | Bloomington, MN | Mark S. Wernick |
| Luther Kent Orton | San Francisco, CA | William E. Trautman |
| David M. Ottenwess | Detroit, MI | Charles F. Glass |
| Lynn Diane Partin | Portland, OR | Marc David Blackman |
| William Matthew Pearson | Miami, FL | Daniel S. Pearson |
| Luis Alberto Perez | New Orleans, LA | Donald C. Massey |
| Glen Richard Petersen | Baton Rouge, LA | William J. Guste |
| Sherilyn Peterson | Seattle, WA | Steven C. Marshall |
| Connie Redbird Pinkerman- Uri | Hollywood, CA | Howard George Johnson |
| Michael Thomas Pivac | Springfield, MO | Mathew W. Placzek |
| Robert Alan Poe | Denver, CO | Robert Murray Pomeroy Jr. |
| Howard B. Possick | Washington, DC | Robert B. Hirsch |
| Catherine Angela Potthast | Baltimore, MD | John Frederick Fader II |
| Michael J. Pugh | Pensacola, FL | Judge Winston E. Arnow |
| William James Quick Jr. | Beaumont, TX | Tanner Truett Hunt Jr. |
| Bruce M. Ramsey | West Palm Beach, FL | Marjorie Diane Gadarian |
| Illona Sheffey Rawlings | Baltimore, MD | Evelyn Omega Cannon |
| Jacqueline A. Reed | Providence, RI | Ruth E. Hankins |
| Daniel S. Reinhardt | Atlanta, GA | Herbert D. Shellhouse |
| Nelson Barry Rich | St. Louis, MO | Gerald Leroy Cohen |
| Brian S. Riepen | Dallas, TX | Frank Armstrong |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|------------------------------|
| Mark Riera | Los Angeles, CA | Stephen Chalmer Taylor |
| Timothy George Riley | San Diego, CA | Samuel Carpenter |
| Mark J. Roberts | Indianapolis, IN | Michael Andrew Bergin |
| James Hugh Roberts | Pittsburgh, PA | Donald Carroll Winson |
| Victor James Rocco | New York, NY | Harry I. Rand |
| Richard Sheridan Rockwell | Tustin, CA | James van Roden Springer |
| David Allen Rodabaugh | Lima, OH | John Alton Robenalt |
| Larry Robert Rogers | Chicago, IL | R. Eugene Pincham |
| Robert L. Rouner | Houston, TX | William Orlando Strong III |
| Burt M. Rublin | Philadelphia, PA | Seymour Kurland |
| G. Steven Ruprecht | Kansas City, MO | Bruce C. Houdek |
| Jane K. Rushton | New York, NY | Thomas J. Cerna |
| Stephen C. Ryan | Phoenix, AZ | Thomas L. Toone |
| Howard A. Sagaser | Fresno CA | Jay Victor Jory |
| Charles Milton Schiedel | Springfield, IL | Theodore Alexander Gottfried |
| Sally L. Schoffstall | Allentown, PA | Bernard Frank |
| Jack Schwartz | Baltimore, MD | Judson Paul Garrett Jr. |
| Debra Hodges Scudiere | Morgantown, WV | John D. Amos |
| Roger Tehan Scully | Bethesda, MD | William Daniel Quarles |
| Philip A. Seplow | Phoenix, AZ | Kathleen A. Rihr |
| Henry F. Siedzikowski | Philadelphia, PA | John M. Elliott |
| Eldon E. Silverman | Denver, CO | Richard Harding Shaw |
| David Hamilton Skilton | Louisville, KY | Christine Bishop Skilton |
| Patti Louise Smith | Allentown, PA | Bernard Frank |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|--------------------------------|
| Clyde H. Sorrell | Gaithersburgh, MD | Angela Katherine Hart |
| Alan Mark Sowell | Nashville, TN | Patrick A. Ruth |
| Norman H. Stark | Erie, PA | Irving Olds Murphy |
| John Thomson Stiles | San Antonio, TX | Jack Minyard Partain Jr. |
| Scott Stuart | Jackson, MS | James P. Streetman III |
| Thomas P. Sukowicz | Chicago, IL | James John Grogan |
| James L. Sultan | Boston, MA | Charles W. Rankin |
| Bradford A. Thomas | Miami, FL | Elizabeth Miranda Hernandez |
| James Allen Thomassen | Austin, TX | James Albon Mattox |
| Timothy E. Troll | Anchorage, AK | Raymond C. Troll |
| C. Wesley Vines | Oklahoma City, OK | Robert D. Tomlinson |
| Howard H. Vogel | Knoxville, TN | Carolyn Beth Lamm |
| Gregory Joseph Vogler | Chicago, IL | George Pellegrin McAndrews |
| Nancy Perpall Wallitsch | Allentown, PA | Thomas A. Wallitsch |
| Thomas Wayne Watson | Nashville, TN | Donald Edward Dawson |
| John Deforest Watson III | Birmingham, AL | Hobart A. McWhorter Jr. |
| Richard H. Weiss | New York, NY | Theodore Gewertz |
| Carol A. Wendl | Des Moines, IA | John H. Neiman |
| Patrick Karl Westerbeck | Rockwall, TX | Donald Ray Gray |
| John Michael Weston | Cedar Rapids, IA | Larry G. Gutz |
| Helen Wetherbee | Jackson, MS | Tom Hunt Cole Jr. |
| Gregory Dale Whitt | Dayton, OH | Robert Leslie Schaefer |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|----------------------------|-----------------------|------------------------------|
| Dianne E. H. Wilcox | Roanoke, VA | Thomas J. Hall |
| Dirk Andrew Williams | Missoula, MT | Robert James Phillips |
| Melvyn James Williams | Macon, GA | Charles Ticknor Erion |
| David L. Williams | Little Rock, AR | Phillip Carroll |
| Michael Patrick Williamson | Nashville, TN | William Joseph Marett Jr. |
| Michael M. Wilson | Houston, TX | Jacks C. Nickens Jr. |
| Harry Ira Zimmerman | Albuquerque, NM | Nancy Hollander |
| Steve Zimmerman | Wenatchee, WA | Richard Brent Daniel |
| Gary M. Zwain | New Orleans, LA | Wayne J. Lee |
| Michael P. Zweig | New York, NY | Charles H. Miller |

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| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|-------------------------------|
| Jose A. Agostini | San Juan, PR | Gerardo Ortiz del Rivero |
| Lawrence J. Aldrich | Washington, DC | John Stuart Smith |
| Aurora A. Ares | Miami, FL | Eric Kirby Gressman |
| Lloyd T. Asbury | Jacksonville, FL | Gary Arthur Bubb |
| Elizabeth Barrett- Anderson | Agana, GU | Charles Henry Troutman III |
| Stephen L. Beer | Boise, ID | Stewart A. Morris |
| George N. Benesch | Reno, NV | Brian Chally |
| Robert S. Bennett | Houston, TX | Scott A. Brister |
| Ralph L. Berke | Chicago, IL | Craig E. Anderson |
| John Harlow Bicknell | Huntington, WV | Charles Frank Bagley III |
| Arthur R. Block | New York, NY | William A. Dobrovir |
| Percy J. Blount | Augusta, GA | Thomas W. Tucker |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|-----------------------------|
| Joyce Boland-DeVito | Mineola, NY | John P. Boland |
| Leslie Borgognoni | Fayetteville, AR | John C. Everett |
| Theodore I. Brenner | Richmond, VA | Murray Joseph Janus |
| Walter E. Brock Jr. | Raleigh, NC | William MacNider Trott |
| Ben C. Broocks | Houston, TX | Scott A. Brister |
| Alice Bussiere | San Francisco, CA | Carole B. Shauffer |
| Peter A. Buxbaum | Philadelphia, PA | Peter Alfred Ragone |
| Joseph Samuel Cohen | Houston, TX | Michael S. Wilk |
| Thomas Taft Cole Jr. | Lebanon, OH | Paul N. Herdman |
| Samuel David Comras | Gardena, CA | Douglas Butler |
| Charles Edward Cook | Cleveland, OH | David Joseph Kovach |
| Randall D. Cox | Sale Lake City, UT | Kenneth R. Brown |
| James M. D'Amico | LaGrange, IL | James M. P. D'Amico |
| Robert L. Davis | Annapolis, MD | Ralph E. Sharpe |
| Diana Louise DeGette | Denver, CO | John E. Sexton |
| Gary A. Dodge | Salt Lake City, UT | Rex E. Lee |
| Alexander L. Domb | Hollywood, FL | John Adikes Bond |
| Paul Michael Doucher | Columbus, OH | Craig Douglas Andrew |
| James Glynn Driscoll III | Portland, OR | I. Franklin Hunsaker III |
| George T. Dunn | Lockhart, TX | Charles Robert Kimbrough |
| Patrick W. Durick | Bismarck, ND | George Frazier IV |
| Norman William Fichthorn | Washington, DC | F. William Brownell |
| Frederick Wells Finn | Washington, DC | Richard L. Brown |
| William D. Fireman | New York, NY | Stuart A. Schlesinger |
| Michael J. Fitzgerald | Racine, WI | Dennis P. Coffey |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|------------------------------------|
| Paul Frederick Forshay | Washington, DC | Philip R. Ehrenkranz |
| Richard Leif Fredericks | Oakridge, OR | Andrew Neal Bates |
| Jacob Friedlander | New York, NY | John Sargent Kinzey, Jr. |
| Laura Emily Frossard | Tulsa, OK | Edward John Shawaker |
| Greg Jackson Fuller | Twin Falls, ID | Lloyd J. Webb |
| Geoffrey Brian Gompers | Philadelphia, PA | Philip H. Rush |
| Edward Greer | Cambridge, MA | Dorian Bowman |
| David E. Gregory | Riverside, CA | Kathleen Jacobs |
| Paul H. Greisen | Sacramento, CA | Clifford Earl Tedmon |
| Louis Grumet | Altamont, NY | Jay Worona |
| James Bailey Halliday | Gulfport, MS | R. Lewis McHenry |
| Robert W. Hammesfahr | Chicago, IL | Richard Lee Blatt |
| Martin I. Hanson | Racine, WI | Dennis P. Coffey |
| John Williams Harte Jr. | Aiken, SC | Julian B. Salley Jr. |
| Russell L. Healey | Jacksonville, FL | William Lacy Mahon Jr. |
| David F. Herr | Saint Paul, MN | Charles Quaintance Jr. |
| Stephen Bartels Hurlbut | Washington, DC | Jon Michael Wickwire |
| Charles Martin Huston | Akron, OH | John Richard James |
| Aaron Louis Jackson | Austin, TX | James V. Sylvester |
| Barbara Manahan Jarrett | Phoenix, AZ | Jessica Gifford Funkhouser |
| Huntley Johnson Jr. | Gainesville, FL | Fletcher Nathaniel Baldwin J |
| Todd Joseph Kaiser | Indianapolis, IN | Michael Andrew Bergin |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------|-----------------------|------------------------------------|
| Lucy Jane Karl | Manchester, NH | Lowell E. Sachnoff |
| Jerold S. Kayden | Cambridge, MA | Gus Bloch Bauman |
| John Neely Kennedy | Baton Rouge, LA | Joseph J. Levin Jr. |
| Jon R. Ker | Hewitt, TX | Phillip R. Segrest |
| Nelson R. Knapp | Miami, FL | John Jefferson Copelan Jr. |
| Steven C. LaTourette | Painesville, OH | Judge James Wallace Jackson |
| Charles J. Lavelle | Louisville, KY | John H. Stites III |
| Lisa Elaine Leonard | Los Angeles, CA | Robert Keith Holmes |
| Gordon Archer Letter | Los Angeles, CA | Douglas Neal Letter |
| Thomas R. Levy | New York, NY | Ralph Malcolm Brozan |
| Dianne Lee Liddy | Westminster, CA | John Robert Cogorno |
| John M. Loomis | Milwaukee, WI | Barry L. Chaet |
| David S. Luker | Birmingham, AL | J. Wilson Dinsmore |
| Christopher J. MacAvoy | Washington, DC | Kathleen Elizabeth McDermott |
| Rafael Eduardo Madrigal | Miami, FL | Bennett Drew Fultz |
| William B. Mains | Morehead, KY | David Alan Friedman |
| W. Michael Maloof | Decatur, GA | John Wayne Moulton |
| Mitchell G. Mandell | New York, NY | Patrick H. Barth |
| Jeffrey P. Mans | Loundonville, NY | Susan Marie Tatro |
| Joseph F. Manson III | Fairfax, VA | Michael Joseph Hurley |
| Susan Kay Martin | Augusta, GA | Lisa J. Krisher |
| Richard McCarroll | Austin, TX | Walter H. Mizell |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-----------------------|---------------------------|
| Shaun Stathea McCrea | Eugene, OR | Andrew Neal Bates |
| Deborah A. McDonald | McComb, MS | Carroll Rhodes |
| Thomas Joseph McGonigle | Washington, DC | Stephen M. Colangelo |
| William Shelby McKenzie | Baton Rouge, LA | Frank W. Middleton Jr. |
| Dennis I. Meyer | Washington, DC | Eugene Albert Theroux |
| Donald Earl Mielke | Lakewood, CO | William R. Sharpe |
| Milton Allen Miller | Los Angeles, CA | Hugh Steven Wilson |
| James E. Milliman | Louisville, KY | Laramie L. Leatherman |
| Martin Joseph Minnella | Waterbury, CT | Timothy C. Moynahan |
| Mitchell Y. Mirviss | Baltimore, MD | Susan Dishler Shubin |
| Gilberto Mario Moreno | Washington, DC | E. Richard Larson |
| Jerome Mrowca | Lombard, IL | Philip Richard Telleen |
| Alvin R. Mueller | New Ulm, MN | Robert J. Berens |
| Robert G. Mullendore | Missoula, MT | Bennet A. McCounaughy |
| Robert W. Munley | Scranton, PA | Paul A. Barrett |
| Michael J. Murphy | New York, NY | John W. Castles III |
| Lawrence D. Murray | San Francisco, CA | Daniel Upham Smith |
| Edmund F. Murray Jr. | Providence, RI | James E. O'Neil |
| Robert Loewy Nelson | San Rafael, CA | Clyde Edward Miller |
| Kenneth D. Noel | San Diego, CA | Charles M. Sevilla |
| Gregory Steven Norris | Arlington, VA | Robert E. Diaz |
| Rufus Franklin Norton | Knoxville, TN | Geoffrey D. Kressin |
| Thomas Alexander O'Donnell | Washington, DC | Eugene Albert Theroux |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|------------------------|----------------------------|
| Hugh Fairley O'Donnell | Castlewood, VA | Margaret Tuttle Schenck |
| Lino S. Lipinsky de Orlov | Denver, CO | John E. Sexton |
| David R. Osborne | St. Croix, VI | Robert Lewis Tucker |
| Stanley V. Ostrow | Pittsburgh, PA | Elliott W. Finkel |
| Rebecca A. Palmer | Minneapolis, MN | Charles Quaintance Jr. |
| David R. Parker | Detroit, MI | Sharon S. Lutz |
| Michael Howard Payne | Fort Washington, PA | David W. Starfield |
| Daniel C. Payne Jr. | Concord, CA | A. Curtis Sawyer Jr. |
| Frank A. Perrecone | Rockford, IL | Lawrence J. Ferule |
| Jerome A. Pivnik | Miami, FL | Lee Ann Watson |
| Wayne John Positan | Roseland, NJ | Dennis J. Drasco |
| Amos Ulmer Priester IV | Raleigh, NC | Henry A. Mitchell Jr. |
| Carl S. Primavera | Philadelphia, PA | Edward G. Rendell |
| Thomas Wayne Privette | Santa Ana, CA | Michael Jeffrey Pear |
| Gerard W. Quinn | Atlantic City, NJ | Lloyd D. Levenson |
| Melvin Radowitz | Washington, DC | Richard M. Landis |
| James F. Ralls Jr. | Kansas City, MO | John B. Ewing, Jr. |
| Phillip Joseph Ramthum | Milwaukee, WI | Eugene A. Gasiorkiewicz |
| Barry J. Reiber | New York, NY | Stanley George Solomon |
| John C. Revis | Daytona Beach, FL | Berrien H. Becks |
| Paul D. Rheingold | New York, NY | Steven Ershowsky |
| Katheryne Stokes Rickford | Washington, DC | Brendolyn Renee McCarty |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|---------------------------|-----------------------------------|
| John Robert Rodman | Denver, CO | Paul D. Renner |
| Nathan Aaron Rosen | Kansas City, MO | Michael A. Cardozo |
| Karl D. Ross | Stockton, CA | Jerry B. Whitney |
| Ivette M. Rossello | San Juan, PR | Roberto Segarra- Olivencia |
| Lawrence S. Rothenberg | Houston, TX | Brian William Wice |
| William D. Saltzman | Boston, MA | Michael Christopher Donahue |
| Steven Frederick Schmitt | Tallasse, AL | James Robert Bowles |
| Larry G. Schuster | Helena, MT | Terry B. Cosgrove |
| James Matthew Serling | Rochester, NY | Thomas Philipp Rheinstein |
| David Alan Shafer | Placentia, CA | Mark S. Roberts |
| Timothy Frederick Shields | Santa Ana, CA | Richard Stanley Henderson |
| Alan L. Shulman | New York, NY | Barry Isaac Slotnick |
| Susan Frederick Smith | Columbia, SC | Floyd D. Spence |
| James A. Smith | Grosse Pointe Park, MI | Richard D. Rohr |
| Michael W. Sozansky Jr. | Flemington, NJ | Michael Kenneth Ligorano |
| Christopher Keith Speed | Arlington, VA | John David Schmidlein |
| Jeffrey W. Steidley | Houston, TX | Thomas B. Weatherly |
| David Alexander Stuart | Clinton, TN | Lenny L. Croce |
| Dennis Michael Stutsman | Morehead, KY | John M. Rosenberg |
| Ronald Allen Sutton | Buffalo, NY | Raymond H. Barr |
| Julianne Marie Sweeters | Los Angeles, CA | Kent M. Bridwell |
| C. David Swenson | Washington, DC | Eugene Abert Theroux |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------------|-----------------------|--------------------------------|
| Mary Ann Tally | Fayetteville, NC | Malcolm Ray Hunter, Jr. |
| Leonard Terr | Washington, DC | Eugene Albert Theroux |
| H. Victor Thomas | Houston, TX | Scott A. Brister |
| Linda Frances Thome | Washington, DC | Miriam Rachel Eisenstein |
| Sabin R. Thompson | Nashville, TN | Richard James Braun |
| Mark Andrew Thornhill | Kansas City, MO | Edward James Holland, Jr. |
| Michael Ray Turner | Dayton, OH | Bradley J. Schaeffer |
| Robert W. Turner | Dallas, TX | V. Bryan Medlock Jr. |
| Nancy Clark Tyler | Baton Rouge, LA | Frank W. Middleton Jr. |
| James Patrick Ulwick | Baltimore, MD | Andrew Jay Graham |
| Alex Raymond Voils Jr. | Indianapolis, IN | Richard Dewayne Gilroy |
| Gregory W. Walkauskas | Pittsburgh, PA | Roy John Roscoe |
| Allen Duane Webber | Washington, DC | Eugene Albert Theroux |
| Michael Edmond Weddington | Raleigh, NC | Henry A. Mitchell Jr. |
| Cori Ching Weston | Bloomfield, NJ | Daniel C. Nowell |
| James Michael White | Rochester, NY | Kenneth Arnold Payment |
| James Lloyd White | Seattle, WA | Michael John Zimmar |
| Elaine W. Whitehurst | Atlanta, GA | Benjamin Louis Weinberg Jr. |
| Mark Wilson Williams | Denver, CO | Tucker Karl Trautman |
| G. Gray Wilson | Winston-Salem, NC | William Frank Maready |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------|-----------------------|--------------------------|
| Ashley McHaffie Winn | Santa Cruz, CA | Donald F. Costello |
| Rebecca Sellers Woodward | Houston, TX | Thomas Scott Woodward |

SEPTEMBER 8, 1989

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|----------------------------|
| Neal W. Adams | Bedford, TX | Homer Gordon Price |
| Douglas George Amber | Crown Point, IN | Peter J. Visclosky |
| Luther M. Amundson | Minneapolis, MN | Theodore Joseph Collins |
| Katherine Ann Andrias | Bethesda, MD | William T. Watkins |
| Mary Elizabeth P. Babcock | Albany, NY | Lenore Kramer |
| Matthew David Babcock | Albany, NY | Lenore Kramer |
| Robert Gregory Bailey | St. Louis, MO | James Edward Sullivan |
| James Miner Bailey III | Ponca City, OK | Joseph S. Lewis |
| Kenneth Eugene Barden | Dayton, OH | William Marc Schabler |
| John Fritz Barnett | Houston, TX | Judge David Hittner |
| Lee Baylin | Baltimore, MD | Charles G. Bernstein |
| Donald E. Beachley | Hagerstown, MD | W. Kennedy Boone, III |
| Robert Eric Birne | Dallas, TX | Donald E. Godwin |
| Amy Sue Bones | Omaha, NE | Joseph Kenneth Meusey |
| John K. Boyer | Omaha, NE | Joseph Kenneth Meusey |
| Loren L. Braverman | Columbus, OH | Joel Sanford Taylor |
| Alfred Paul Britton Jr. | Rochester, NY | Kenneth Arnold Payment |
| Carl Burnham Jr. | Ontario, OR | Emil R. Berg |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|--------------------------------|-----------------------|------------------------------|
| Hugh J. Burns Jr. | Philadelphia, PA | Gaele McLaughlin Barthold |
| Sam Cale Caliendo | Boca Raton, FL | Francis G. McKenna |
| Harry C. Citrino Jr. | Philadelphia, PA | Richard F. Furia |
| Michael S. Cole | New York, NY | Richard Dickler |
| John Mark Colette | Jackson, MS | Walter Scott Welch III |
| Joseph Aloysius Conino | Jefferson, LA | Albert Russell Roberts |
| Jerry D. Courtney | Clarendon, TX | Maston C. Courtney |
| Laurence Vincent Cronin | Wilmington, DE | Karen L. Johnson |
| Linda Graham Cryer | Houston, TX | Robert A. Scardino |
| Cynthia Marie Currin | Raleigh, NC | William Thomas Crisp II |
| Joyce L. Davis | Raleigh, NC | Robert Foster Page |
| Louise Trant Dobbe | St. Paul, MN | Stephen P. Kilgriff |
| Thomas Edward Doig Jr. | East Windsor, NJ | Leonard R. Fellen |
| Robert Henry Drummer | Silver Spring, MD | Nathan Joel Greenbaum |
| John Charles Engel | Milwaukee, WI | Curry First |
| Arza Rayches Feldman | Hauppauge, NY | Hyman Lewis Rutman |
| Richard Bruce Finch | Tulare, CA | Richard Francis Humphrey |
| John Chester Fish | Kalamazoo, MI | Gary P. Bartosiewicz |
| David E. Fitzgerald | Duluth, MN | Richard J. Leightn |
| Scott Norman Gelman | Denver, CO | John H. Licht |
| Alejandro Benjamin Gonzalez | El Paso, TX | William Robert Maynard |
| Anthony Bruce Gordon | Los Angeles, CA | Patrick Lynch |
| Gregory X. Gorman | Chicago, IL | Robert J. Gorman |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------------|-------------------------------------|--|
| Robert Anthony Graci | Camp Hill, PA | Ernest D. Preate Jr. |
| Brian Colvert Griffin | Washington, DC | Honorable Kenneth Winston Starr, Solicitor General of the United States |
| Garth C. Grissom | Denver, CO | Michael A. Williams |
| Barbara Ann Helton Gustafson | Frankfort, IL | Philip Richard Telleen |
| Claudia Swafford Haltom | Memphis, TN | William Howard Haltom Jr. |
| Stephen J. Harhai | Denver, CO | John Kenneth Kleinheksel |
| Kevin James Hasson | Washington, DC | Kevin Taylor Baine |
| Steven F. Hauser | Atlanta, GA | Robert Allan Boas |
| George J. Heid | Lafayette, IN | Joseph T. Bumbleburg |
| Jon M. Hesse | Livingston, MT | Ralph Allen Beck |
| Derek Scott Hickam | Hot Springs National Park, AR | Paul Richard Bosson |
| Gerald L. Hilsher | Tulsa, OK | Francis Anthony Keating II |
| Christian Alan Horsnell | Nashville, TN | Harris A. Gilbert |
| Paul Richard Howell | Salt Lake City, UT | Kay Sterling Cornaby |
| Hunter R. Hughes III | Atlanta, GA | Richard H. Sinkfield |
| Mary Elizabeth Jansing | San Jose, CA | Arnold E. Kaufman |
| James A. Johnson | Rhineland, WI | Donald Clark O'Melia |
| Douglas Alan Johnston | Raleigh, NC | H. A. Cole Jr. |
| Walter Alan Kamiat | Washington, DC | Laurence Stephen Gold |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|-------------------------------|-------------------------|------------------------------|
| Andrew Elias Karim | Oklahoma City, OK | Michael Geoffrey McGuire |
| Michael Francis Keyes | Spokane, WA | Carl Edward Hueber |
| Michael J. Knollmeyer | Cabot, AR | Dana Sue McFee West |
| Kenneth Eugene Knopf | Charleston, WV | James Bradley Russell |
| Karl Knuchel | Livingston, MT | Jeffrey Thomas Renz |
| Terrence Kurth | Phoenix, AZ | William Russell Jones Jr. |
| Stewart Kent Lambert | Cherokee Village, AR | Herbert David Blair |
| James F. Lee | Binghamton, NY | John M. Keeler |
| Frank P. Leto | Tucson, AZ | Carol Edith Wittels |
| Larry B. Leventhal | Minneapolis, MN | Kenneth E. Tilsen |
| Stuart F. Lichterman | Beverly Hills, CA | James Allen Rothstein |
| Robin Nancy Loeb | Atlanta, GA | Edward T. M. Garland |
| C. Robert Loskot | Baltimore, MD | Charles G. Bernstein |
| Charles Edward Maduell | Seattle, WA | Richard H. Holmquist |
| Mary Beth Martin | Albany, NY | Lenore Kramer |
| John Mason Jr. | Denver, CO | Harry M. Sterling |
| Richard A. McCartan | Olympia, WA | Sara J. Finlay |
| James Francis McCarthy III | Cincinnati, OH | Robert Edward Manley |
| Kelly L. McClelland | Liberty, MO | Vincent F. Igoe Jr. |
| Kevin Marshall McCormick | Kansas City, MO | Earl E. McCleave |
| Robert James McDonnell | Newport Beach, CA | Robert Ira Schwartz |
| Matthew J. McGowan | Providence, RI | James R. McGowan |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------------|-----------------------|-------------------------------|
| Alexander McVoy McIntyre Jr. | New Orleans, LA | Dando B. Cellini |
| Ronald R. McMillin | Jefferson City, MO | Lori J. Levine |
| Scott Raymond Merrill | Sacramento, CA | Daniel E. Lungren |
| Mark Lane Metz | Milwaukee, WI | Jeffrey P. Clark |
| Harold Meyerson | New York, NY | Robert LeRoy Ellis |
| Robert Michael Mirkov | Merrillville, IN | Daniel Toomey |
| Woodrow Silvio Monica Jr. | Houston, TX | Russell James Wright |
| David Boyce Mouton | Carthage, MO | Thaddeus C. McCanse |
| Kevin Reid Murray | Dallas, TX | John Michael Nolan |
| Wm. Fremming Nielsen | Spokane, WA | Robert H. Whaley |
| Ricardo Juan Nunez | Philadelphia, PA | James J. McCabe, Jr. |
| Thomas J. O'Meara Jr. | Austin, TX | Martha V. Terry |
| Caine O'Rear III | Mobile, AL | Charles B. Arendall Jr. |
| John A. O'Sullivan | Los Angeles, CA | William Robert Weisman |
| Kent Nicholas Oliver | Hagerstown, MD | W. Kennedy Boone III |
| Julia F. Pendery | Dallas, TX | Cynthia Carolyn Hollingsworth |
| Jerry Post | Batesville, AR | David Keith Rutledge |
| Thomas A. Prince | Little Rock, AR | John Gardner Lile III |
| Meredith L. Ratcliff | Kirksville, MO | Maurice B. Graham |
| Donna Skinner Reed | Denver, CO | Brooke Wunnicke |
| Carol Ann Remer-Smith | New York, NY | Lenore Kramer |
| Frank David Remington | Madison, WI | Michael J. Remington |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|---------------------------|-----------------------|--------------------------|
| Mark Carl Rifkin | Philadelphia, PA | Arthur W. Lefco |
| M. Jayne Rizzo | Chicago, IL | Thomas D. Allen |
| Jeffrey L. Rogers | Portland, OR | Barbee B. Lyon |
| Barry M. Rosenbaum | Southfield, MI | Mark E. Reizen |
| John R. Schaibley III | Indianapolis, IN | Stephen W. Terry Jr. |
| Dan M. Scheuermann | Baton Rouge, LA | Winston Gerard Decui |
| Peter Richard Seibel | Defiance, OH | Arthur Martin Ney Jr. |
| Joel H. Serlin | Southfield, MI | Mark E. Reizen |
| Robyn S. Shapiro | Milwaukee, WI | James Urdan |
| Richard Forrest Sharrard | Edwardsville, IL | Randolph E. Schum |
| James R. Shelton | Lafayette, LA | Charles J. Boudreaux Jr. |
| Frank Shor | Dallas, TX | Fred Time |
| Robert L. Shuftan | Chicago, IL | Thomas D. Allen |
| Benjamin R. Simpson | Wallace, ID | Gary C. Randall |
| Michael Edward Snyder | Hamilton, VA | L. James D'Agostino |
| Larry Joe Steele | Walnut Ridge, AR | John Adam Burris |
| Randolph Noel Stone | Chicago, IL | Charles J. Ogletree Jr. |
| James William Stone Jr. | Hagerstown, MD | W. Kennedy Boone III |
| Dale W. Storer | Idaho Falls, ID | Ray Wendell Rigby |
| Nancy Harris Vaidik | Merrillville, IN | William Earl Daily |
| Daniel Thomas Vogt | Tallahassee, FL | Edward S. Stafman |
| Raymond Thomas Wagner Jr. | Jefferson City, MO | Duane Benton |
| Stephen Scott Walters | Portland, OR | Charles Frederick Hinkle |
| Charles David Warren | Athens, OH | James F. Shumaker |
| Barry Edward Watson | Wallace, ID | John J. Peacock |

| <u>Applicant</u> | <u>City and State</u> | <u>Movant</u> |
|------------------------|-------------------------------------|------------------------------------|
| John Charles Wawerna | Las Vegas, NV | John Julian Graves Jr. |
| Michael J. Weiser | Alexandria, VA | Stefan Clay Long |
| Richard Earl West | Springboro, OH | Fred E. Jones |
| Thomas Claude Wheat | Corpus Christi, TX | Thomas Lynn Busby |
| Jerald Lee Wilkerson | San Diego, CA | David R. Clark |
| Thomas Lynn Williams | Hot Springs National Park, AR | Paul Richard Bosson |
| Tim Fisher Wilson | Oxford, MS | Judge James Lawton Robertson |
| Paul Jude Winterhalter | Philadelphia, PA | Edward J. DiDonato |
| Norman H. Wright | Omaha, NE | Joseph Kenneth Meusey |
| Sharon Elaine Yackey | Los Angeles, CA | Gerald Franklin Crump |
| Thomas Troy Zieman Jr. | Mobile, AL | Lester M. Bridgeman |
| David Zwiebel | New York, NY | Samuel Mark Krieger |