

OCTOBER TERM, 1986

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## STATISTICS AS OF JUNE 26, 1987

	Original	Paid Cases	In Forma Pauperis Cases	Total
Number of cases on docket .....	12	2,547	2,564	5,123
Cases disposed of .....	1	2,104	2,241	4,349
Remaining on docket .....	11	440	323	774

## Cases docketed during term:

Paid cases .....	2,071
<i>In forma pauperis</i> cases .....	2,165
Original cases .....	4
Total .....	<u>4,240</u>

Cases remaining from last term .....	883
Total cases on docket .....	5,123
Cases disposed of .....	4,349
Number of remaining on docket .....	774

## Petitions for certiorari granted:

In paid cases .....	121
In <i>in forma pauperis</i> cases .....	14

## Appeals granted:

In paid cases .....	31
In <i>in forma pauperis</i> cases .....	1

Total cases granted plenary review .....

167

Cases argued during term .....

175

    Number disposed of by full opinions .....

164

    Number disposed of by *per curiam* opinions .....

10

    Number set for reargument next term .....

1

Cases available for argument at beginning of term .....

101

Disposed of summarily after review was granted .....

4

Original cases set for argument .....

0

Cases reviewed and decided without oral argument .....

109

Total cases available for argument at start of next term .....

91

Number of written opinions of the Court .....

145

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## Number of lawyers admitted to practice as of October 4, 1987:

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    Total .....

4,760

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SUPREME COURT OF THE UNITED STATES

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

The Chief Justice said:

"I have the honor to announce, on behalf of the Court, that the October 1985 Term of the Supreme Court of the United States is now closed and the 1986 Term is now convened."

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. 85-1890. Garland Independent School District, et al., Appellants *v.* Texas State Teachers Association, et al. Appeal from the United States Court of Appeals for the Fifth Circuit. The judgment is affirmed. The Chief Justice and Justice White would note probable jurisdiction and set the case for oral argument. Justice Scalia took no part in the consideration or decision of this case.

No. 85-1953. Kansas City Power & Light Company, Appellant *v.* State Corporation Commission of Kansas, et al. Appeal from the Supreme Court of Kansas. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2033. Ninth Street Community Paving Project Committee, et al., Appellants *v.* City of Ironton, Ohio, et al. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2057. Consolidated Edison Company of New York, Inc., Appellant *v.* State Board of Equalization and Assessment, et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2112. Lodi Truck Service, Inc., Appellant *v.* Division of Labor Standards Enforcement, Department of Industrial Relations of California. Appeal from the Superior Court of California, County of San Joaquin. The appeal is dismissed for want of a substantial federal ques-

tion. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2161. Mary Petrowski, Appellant *v.* Norwich Free Academy, et al. Appeal from the Supreme Court of Connecticut. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2170, Joseph L. Drociak, Appellant *v.* Supreme Court of New Hampshire. Appeal from the Supreme Court of New Hampshire. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 85-6767. Joseph S. Chicco, Appellant *v.* Edward A. Starecheski, et al. Appeal from the Supreme Judicial Court of Massachusetts. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 86-14. Vernon C. Buckley, Appellant *v.* Pennsylvania. Appeal from the Supreme Court of Pennsylvania, Middle District. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 86-122. Robert M. Thompson, Appellant *v.* Joan E. Thompson. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 86-168. D. R. Mertens, Inc., Appellant *v.* Florida Department of Insurance. Appeal from the District Court of Appeal of Florida, First District. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 86-201. Zuckerman Property Enterprises, etc., et al., Appellants *v.* Louis Husti, et al. Appeal from the Supreme Court of Connecticut. The appeal is dismissed for want of a substantial federal question. Justice Scalia took no part in the consideration or decision of this case.

No. 85-1979. Charles A. Bowsher, Comptroller General of the United States, et al., Appellants *v.* American Federation of Government Employees, AFL-CIO, et al. Appeal from the United States District Court for the District of Columbia. The judgment is affirmed. Justice Scalia took no part in the consideration or decision of this case.

No. 85-1980. Harold W. Noffsinger and Juanita M. Noffsinger, Petitioners *v.* Bank of Central Florida. 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. Justice Scalia took no part in the consideration or decision of this case.

No. 85-1990. Stanley Sterner, Appellant *v.* David J. Andre, 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. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2005. Louise E. Lewis and Velma "Slim" Ivory, Appellants *v.* Charles L. McMasters, 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. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2046. Lenord S. Horwitz, Appellant *v.* State Board of Medical Examiners of Colorado, et al. Appeal from the Court of Appeals of Colorado. 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 Scalia took no part in the consideration or decision of this case.

No. 85-2074. Mary E. Bracy, Appellant *v.* Labor and Industry Review Commission. Appeal from the Court of Appeals of Wisconsin, Milwaukee 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. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2083. James M. Judge, Petitioner *v.* Virginia, et al. Appeal from the Circuit Court of Virginia, Accomack 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. Justice Scalia took no part in the consideration or decision of this case.

No. 85-2129. Joseph B. Bergen, etc., Appellant *v.* Martindale-Hubbell, Inc. Appeal from the Court of Appeals of Georgia. 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 Scalia took no part in the consideration or decision of this case.

No. 85-6844. Aurelia Elizabeth Pulley, Appellant *v.* Charles Scott, et al. Appeal from the Supreme Court of Tennessee, Middle Division. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certio-

rari is denied. Justice Scalia took no part in the consideration or decision of this case.

No. 85-7142. John J. Staradumsky, Appellant *v.* Tomlinson Transportation, 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. Justice Scalia took no part in the consideration or decision of this case.

No. 86-35. Earlene Polyak, Appellant *v.* Frank Hulen and Wilma Lesanasky. 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. Justice Scalia took no part in the consideration or decision of this case.

No. 86-109. Andrew Delucchi, et ux., Appellants *v.* County of Santa Cruz, et al. Appeal from the Court of Appeal of California, Sixth 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. Justice Scalia took no part in the consideration or decision of this case.

No. 86-136. Islamic Republic of Iran, et al., Appellants *v.* Shams Pahlavi, etc. 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. Justice Scalia took no part in the consideration or decision of this case.

No. 86-150. Lee Fenendael and Gloria Fenendael, Appellants *v.* Lillian Zobel, by Herbert Z. Hancox and Helen W. Hancox, Guardians. Appeal from the Court of Appeals of Wisconsin, District II. 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 Scalia took no part in the consideration or decision of this case.

No. 86-182. 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. Justice Scalia took no part in the consideration or decision of this case.

No. 86-213. Willie Fields and Mary Lee Fields, Appellants *v.* Berry Lewis and Ruth Lewis. Appeal from the Court of Appeals of Kentucky.

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 Scalia took no part in the consideration or decision of this case.

No. 86-5025. E. Christman Dawn, et al., Appellants *v.* H. Rex Greene, et al. 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. Justice Scalia took no part in the consideration or decision of this case.

No. 86-5061. Ernst Perkins, Appellant *v.* Neil F. Hartigan, Attorney General of Illinois. Appeal from the United States Court of Appeals for the Seventh 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 Scalia took no part in the consideration or decision of this case.

No. 86-5181. In The Matter of Vernita Nuey, Appellant. 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. Justice Scalia took no part in the consideration or decision of this case.

No. 86-5224. Joseph John Viola, Appellant *v.* Arizona. Appeal from the Court of Appeals of Arizona, Division One. 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 Scalia took no part in the consideration or decision of this case.

No. 85-7190. Rolf Betka, Appellant *v.* Otis R. Bowen, Secretary of Health and Human Services. Appeal from the United States District Court for the District of Oregon. The appeal is dismissed for want of jurisdiction. Justice Scalia took no part in the consideration or decision of this case.

No. 86-56. Jerry D. Shoecraft, Appellant *v.* Catholic Social Services Bureau, Inc., etc., et al. Appeal from the Supreme Court of Nebraska. The appeal is dismissed as moot. Justice Scalia took no part in the consideration or decision of this case.

#### CERTIORARI—SUMMARY DISPOSITION

No. 85-1959. United States, Petitioner *v.* James Crawford McAfee, et al. 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 *Henderson v. United States*, 476 U.S. — (1986). Justice Scalia took no part in the consideration or decision of this case.

#### ORDERS IN PENDING CASES

No. —. L. Chester Carter, Petitioner *v.* Onnie L. Woodruff, et al. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied. Justice Scalia took no part in the consideration or decision of this motion.

No. —. Miles A. Galin, Petitioner *v.* Dow Chemical Pacific Ltd., et al. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied. Justice Scalia took no part in the consideration or decision of this motion.

No. A-212. Frank Kowalik, Jr., Applicant *v.* United States. The application for stay addressed to Justice Blackmun and referred to the Court is denied. Justice Scalia took no part in the consideration or decision of this application.

No. D-556. In the Matter of Disbarment of Michael Samuel Sadowick. Michael Samuel Sadowick, of West Caldwell, New Jersey, 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 May 5, 1986, is hereby discharged. Justice Scalia took no part in the consideration or decision of this order.

No. 35, **Original**. United States of America, Plaintiff *v.* States of Maine, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida. The Accounting of the Special Master for the Massachusetts Boundary case is received and ordered filed. Justice Scalia took no part in the consideration or decision of this order.

No. 65, **Original**. State of Texas, Plaintiff *v.* State of New Mexico. The 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. Replies thereto, if any, may be filed within 30 days. The motion of the Special Master for award of interim fee allowance is granted. Justice Scalia took no part in the consideration or decision of these orders.

No. 84-6811. Warren McCleskey, Petitioner *v.* Ralph Kemp, Superintendent, Georgia Diagnostic and Classification Center. The motion of Congressional Black Caucus, et al. for leave to file a brief as *amici 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 Franklin M. Fisher, et al. for leave to file a brief as *amici curiae* is granted. Justice Scalia took no part in the consideration or decision of these motions.

No. 85-129. Linda Wimberly, Petitioner *v.* Labor and Industrial Relations Commission of Missouri, 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 Scalia took no part in the consideration or decision of this motion.

No. 85-1433. Gloria Richardson, Warden, Petitioner *v.* Clarissa Marsh. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1630. Lowell D. Hewitt, et al., Petitioners *v.* Aaron Helms. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1695. Societe Nationale Industrielle Aerospatiale and Societe de Construction d'Avions de Tourism, Petitioners *v.* United States District Court for the Southern District of Iowa, etc. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1043. Pilot Life Insurance Company, Petitioner *v.* Everate W. Dedeaux. The motion of American Council of Life Insurance, et al. for leave to file a brief as *amici curiae* is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1199. First English Evangelical Lutheran Church of Glendale, Appellant *v.* County of Los Angeles, California. Further consideration of the motion of appellee to dismiss the appeal is deferred to the hearing of the case on the merits. Justice Scalia took no part in the consideration or decision of this order.

No. 85-1200. California Coastal Commission, et al., Appellants *v.* Granite Rock Company. Further consideration of the motion of appellee to strike portions of the brief and appendix of the Big Sur Foundation,

et al., as *amici curiae*, is deferred to the hearing of the case on the merits. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. Justice Scalia took no part in the consideration or decision of these motions.

No. 85-1206. Charlie Wayne Rose, Appellant *v.* Barbara Ann McNeil Rose and Tennessee. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. The motion of appellees for divided argument is granted. Justice Scalia took no part in the consideration or decision of these motions.

No. 85-1239. Amoco Production Company, et al., Petitioners *v.* Village of Gambell, Alaska, et al.; and

No. 85-1406. Donald P. Hodel, Secretary of the Interior, et al., Petitioners *v.* Village of Gambell, et al. The motion of the Solicitor General for divided argument is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1358. William L. Lukhard, Commissioner, Virginia Department of Social Services, Petitioner *v.* Ona Mae Reed, et al. The motion of the Solicitor General for divided argument is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1329. Gerald J. Young, George Cariste, Sol N. Klayminc and Nathan Helfand, Petitioners *v.* United States, ex rel. Vuitton et Fils S.A., et al. The motion of petitioner Sol N. Klayminc to proceed further herein *in forma pauperis* is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1347. Pennsylvania, Petitioner *v.* George F. Ritchie. The motion of Sunny von Bulow National Victim Advocacy Center, Inc., et al. for leave to file a brief as *amici curiae* is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1384. William R. Turner, et al., Petitioners *v.* Leonard Safley, 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 Scalia took no part in the consideration or decision of this motion.

No. 85-1520. Russell Anderson, Petitioner *v.* Robert E. Creighton, Jr., et ux., et al. The motion of Ronald I. Meshbesh, Esquire, to permit John P. Sheehy, Esquire, to present oral argument *pro hac vice* is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1656. O. L. McCotter, Director, Texas Department of Corrections, Petitioner *v.* Gregory Allen Petty. 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 John R. Breihan, Esquire, of Austin, Texas, is appointed to serve as counsel for the respondent in this case. Justice Scalia took no part in the consideration or decision of these motions.

No. 85-1740. Richard A. Kananen, et ux., Petitioners *v.* Sun Bank Okeechobee, aka Commercial Bank Okeechobee, Florida, et al. The motion of respondent for damages is denied. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1877. AZL Resources, Inc., Petitioner *v.* Margaret Hall Foundation, Inc., et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States. Justice Scalia took no part in the consideration or decision of this order.

No. 85-1910. Business Electronics Corporation, Petitioner *v.* Sharp Electronics Corporation; and

No. 85-2094. Sharp Electronics Corporation, Petitioner *v.* Business Electronics Corporation. The Solicitor General is invited to file a brief in these cases expressing the views of the United States. Justice Scalia took no part in the consideration or decision of this order.

No. 85-2079. Laborers Health and Welfare Trust Fund, for Northern California, et al., Petitioners *v.* Advanced Lightweight Concrete Co., Inc. The Solicitor General is invited to file a brief in this case expressing the views of the United States. Justice Scalia took no part in the consideration or decision of this order.

No. 86-49. American Electric Power Company, Inc., et al., Petitioners *v.* Kentucky Public Service Commission, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States. Justice Scalia took no part in the consideration or decision of this order.

No. 86-61. Commonwealth Electric Company, Petitioner *v.* Department of Public Utilities of the Commonwealth of Massachusetts. The Solicitor General is invited to file a brief in this case expressing the views of the United States. Justice Scalia took no part in the consideration or decision of this order.

No. 86-21. Immigration and Naturalization Service, Petitioner *v.* Virginia Hector. The motion of respondent for leave to proceed *in forma pauperis* is granted. Justice Scalia took no part in the consideration or decision of this motion.

No. 86-173. Richard Page Harris, Petitioner *v.* Attorney General of Virginia, et al. The application for bail addressed to Justice Blackmun and referred to the Court is denied. Justice Scalia took no part in the consideration or decision of this application.

No. 86-5082. Curtis L. Wrenn, Petitioner *v.* Department of Mental Health, etc., et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 27, 1986, 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*. Justice Scalia took no part in the consideration or decision of this motion.

No. 86-5271. Colonel Theodis Brown, Petitioner *v.* Gordon D. Schweitzer, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until October 27, 1986, 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*. Justice Scalia took no part in the consideration or decision of this motion.

#### APPEALS—JURISDICTION NOTED

No. 85-1963. Tyler Pipe Industries, Inc., Appellant *v.* Washington Department of Revenue; and

No. 85-2006. National Can Corporation, et al., Appellants *v.* Washington State Department of Revenue. Appeals from the Supreme Court of Washington. In these cases probable jurisdiction is noted. The cases are consolidated and a total of one hour is allotted for oral argument. Justice Powell and Justice Scalia took no part in the consideration or decision of these cases.

No. 86-71. CTS Corporation, Appellant *v.* Dynamics Corporation of America, et al.; and

No. 86-97. Indiana, Appellant *v.* Dynamics Corporation of America, et al. Appeals from the United States Court of Appeals for the Seventh Circuit. In these cases probable jurisdiction is noted. The cases are con-

solidated and a total of one hour is allotted for oral argument. Justice Scalia took no part in the consideration or decision of these cases.

No. 86-243. City of Houston, Texas, Appellant *v.* Raymond Wayne Hill. Appeal from the United States Court of Appeals for the Fifth Circuit. The motion of appellee for leave to proceed *in forma pauperis* is granted. In this case probable jurisdiction is noted. Justice Scalia took no part in the consideration or decision of this motion and this case.

#### CERTIORARI GRANTED

No. 85-1716. Jean E. Welch, Petitioner *v.* State Department of Highways and Public Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1735. Lee M. Thomas, Administrator, Environmental Protection Agency and United States Environmental Protection Agency, Petitioners *v.* Outboard Marine Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1924. National Labor Relations Board, Petitioner *v.* International Brotherhood of Electrical Workers, Local 340. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1940. United States, Petitioner *v.* Cherokee Nation of Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1987. Karen See and Alan R. Cunningham, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2039. United States, Petitioner *v.* Frieda Joyce Johnson, Personal Representative of the Estate of Horton Winfield Johnson, Deceased, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2067. United States, Petitioner *v.* Jose Mendoza-Lopez and Angel Landeros-Quinones. Petition for writ of certiorari to the United

States Court of Appeals for the Eighth Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2116. Puerto Rico, Petitioner *v.* Terry E. Branstad, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2121. Arizona, Petitioner *v.* William Carl Mauro. Petition for writ of certiorari to the Supreme Court of Arizona granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-39. Burlington Northern Railroad Company, et al., Petitioners *v.* Brotherhood of Maintenance of Way Employes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-80. New York, Petitioner *v.* Joseph Burger. Petition for writ of certiorari to the Court of Appeals of New York granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-104. Board of Airport Commissioners of the City of Los Angeles, et al., Petitioners *v.* Jews for Jesus, Inc. and Alan Howard Snyder, aka Avi Snyder. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1973. Richard Pope and Charles G. Morrison, Petitioners *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, granted limited to Question 2 presented by the petition. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2099. Pennsylvania, Petitioner *v.* Dorothy Finley. 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, granted. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 86-6. James G. Ricketts, Director, Arizona Department of Corrections, et al. *v.* John H. Adamson. 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. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-2156. Shaare Tefila Congregation, et al., Petitioners *v.* John William Cobb, et al. The motion of Anti-Defamation League of B'nai B'rith, et al. for leave to file a brief as *amici curiae* is granted. The motion of respondent Michael David Remer 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 granted. The case is set for oral argument in tandem with No. 85-2169, *St. Francis College v. Al-Khazraji*. Justice Scalia took no part in the consideration or decision of these motions and this petition.

No. 85-2169. Saint Francis College, et al., Petitioners *v.* Majid Ghaidan Al-Khazraji, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted limited to Questions 1 and 2 presented by the petition. The case is set for oral argument in tandem with No. 85-2156, *Shaare Tefila Congregation v. Cobb*. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6790. Waldo E. Granberry, Petitioner *v.* Jim W. Greer, Warden. The motion of petitioner 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. Justice Scalia took no part in the consideration or decision of this petition.

#### CERTIORARI DENIED

No. 85-1535. Luis Manuel Verez and Milton Vidal, Petitioners *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1565. William McCaskill Vaught, Jr., Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1568. Randolph Artis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1571. Jeffrey R. MacDonald, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1588. John Germann, Petitioner *v.* City of Kansas City, Missouri, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1604. Utah, Petitioner *v.* Robert Paul Pacheco. Petition for writ of certiorari to the Supreme Court of Utah denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1620. Daniel Hoeft, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1654. Lewis Myers, Petitioner *v.* Mississippi State Bar. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1668. Randall Underhill, dba Eastside Motors and Ward Massey, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1678. Nancy C. Carney, Director, Employee Relations for the City of Garland, et al., Petitioners *v.* Dean Whitaker. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1696. Douglass B. Whitney, W. D. Jordan, and Fred Shessel, Petitioners *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1704. Joseph S. Wool, Petitioner *v.* United States District Court for the District of Vermont. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1707. Viola Moody, 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 Scalia took no part in the consideration or decision of this petition.

No. 85-1721. Charles Dare Schaut, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1727. H. Floyd Sherrod, Jr. and Estalee Sherrod Sandlin, Co-Executors of the Estate of H. Floyd Sherrod, Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1728. J. Placido Garcia, Petitioner *v.* Board of Education of the Socorro Consolidated School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1730. New Jersey, Petitioner *v.* Mims Hackett, Jr. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1737. Kevin J. Love, Petitioner *v.* Summit County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1741. American Mining Congress, et al., Petitioners *v.* Lee M. Thomas, Administrator, Environmental Protection Agency; and

No. 85-1748. Secondary Lead Smelters Association, Inc., et al., Petitioners *v.* Lee M. Thomas, Administrator, Environmental Protection Agency. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-1742. Julian W. Rawl, Administrator of the Estate of Edwin E. Rawl, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1743. Teamsters Local 317, Petitioner *v.* Clinton's Ditch Cooperative Co., Inc. and National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1745. Rixson Merle Perry, Petitioner *v.* Federal Bureau of Investigation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1751. Ottman Custom Processors, Inc., et al., Petitioners *v.* William E. Brock, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1759. Texas, Petitioner *v.* Ronald Gerald Adley. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1762. Maryland Cup Corporation, Petitioner *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1763. Florence Nightingale Nursing Home, Petitioner *v.* Cesar Perales, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1778. United Food & Commercial Workers, Local 626, Petitioner *v.* Kroger Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1779. Synanon Church, Petitioner *v.* Stuart A. Bernstein, et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1782. John DePauw, Petitioner *v.* United States International Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1788. Jim B. McClendon, et ux., Petitioners *v.* Shelby County, Alabama, et al. Petition for writ of certiorari to the Court of Civil Appeals of Alabama denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1789. Robert John Winicki and Andrew Alexander Strauss, etc., Petitioners *v.* Robert A. Mallard, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Cir-

cuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1790. Cooper Union for the Advancement of Science and Art, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1791. Darlene K. Thomas, Petitioner *v.* Craig Willis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1796. Robert C. Hickerson, etc., Petitioner *v.* Velsicol Chemical Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1797. Carlene Mack, et al., Petitioners *v.* Caspar W. Weinberger, individually and in his official capacity as Secretary of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1802. Daniel Easton, Karl Easton, et ux., Petitioners *v.* City of Boulder, Colorado, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1806. Gayle Franzen, Director, Illinois Department of Corrections, et al., Petitioners *v.* Junior Ray Duckworth, et al.; and

No. 85-1820. Junior Ray Duckworth, et al., Petitioners *v.* Gayle Franzen, Director, Illinois Department of Corrections, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-1815. Edward Bundrick, Ruby Bundrick and Yzobel Bundrick, Petitioners *v.* United States; and

No. 85-1938. Rodney Alder, et al., Petitioners *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-1819. G. Thomas Cestaro, Petitioner *v.* James Corcoran, etc. Petition for writ of certiorari to the Appellate Division, Supreme Court

of New York, First Judicial Department, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1826. Joanne Alinovi, Petitioner *v.* Worcester School Committee, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1829. George T. Acri, et al., Petitioners *v.* International Association of Machinists & Aerospace Workers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1842. Dan Covert, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1849. Glen Walker and Benford Walker, Petitioners *v.* Iowa, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1854. Ira Banks, Petitioner *v.* Finley-Seligman & Latz, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1856. Jayco Systems, Inc., Petitioner *v.* Savin Business Machines Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1860. R. S. Cowles and Gloria B. Cowles, Petitioners *v.* Dow Keith Oil & Gas, Inc., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1861. Amir Shokrian, Petitioner *v.* Midge Carroll, Chief of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1866. CSEA Local Union 1000, American Federation of State, County and Municipal Employees, AFL-CIO, Petitioner *v.* William E. Brock, Secretary of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1867. Great American Airways, Petitioner *v.* Nevada State Tax Commission. Petition for writ of certiorari to the Supreme Court of Nevada denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1868. Atlantic Richfield Co., Petitioner *v.* Interstate Oil Transport Co. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1870. Moreton Rolleston, Jr., Petitioner *v.* Rose Hall (Developments) Limited, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1871. Rickey E. Mitchell, Petitioner *v.* W. J. Michael Cody, Attorney General of Tennessee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1873. Ward Truman Jones, Jessie Thomas Jones and Joe B. Bledsoe, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1878. Board of Trustees of Alabama State University, et al., Petitioners *v.* Auburn University, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1881. John J. Stanton, Petitioner *v.* District of Columbia Court of Appeals. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1882. John J. Scinto, Petitioner *v.* R. David Stamm, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1885. Good's Furniture House, Inc., Petitioner *v.* Iowa State Board of Tax Review. Petition for writ of certiorari to the Supreme Court of Iowa denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1887. Geraldine Fennell, etc., Petitioner *v.* Warner Lambert Company. Petition for writ of certiorari to the United States Court of

Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1888. Norman Owens, et al., Petitioners *v.* Richard French, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1889. Jack Zachary, et al., Petitioners *v.* Allan Wilk, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1893. Paul Henry Eisenberger, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1896. Theodore deLusignan, Petitioner *v.* R. N. Gould, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1904. Penelope Kinney, Petitioner *v.* Howard Kinney. Petition for writ of certiorari to the Appellate Court of Connecticut denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1905. Yong Bing-Nam, aka Yong Pian-Nam, aka Bing, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1906. Adelfino Alaniz, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1907. Wallace Rice, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1908. Joe Sepheus Wesley, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Court of Appeals of Arkansas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1913. Edward Bauer and Nicholas Damer, Petitioners *v.* Coastside Publishers and Printers, et al. Petition for writ of certiorari

to the Court of Appeal of California, First Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1914. Lyndon H. LaRouche, Jr., Petitioner *v.* National Broadcasting Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1916. Andres Alonso, Jr., Petitioner *v.* Grand National Bank, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1918. L.B.G. Properties, Inc., Petitioner *v.* Chisholm Realty Company, Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1921. Diane L. Mauriello, Petitioner *v.* University of Medicine and Dentistry of New Jersey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1923. Rienk Kamer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1925. Cementcraft Inc., Petitioner *v.* Concrete Unlimited, Inc. and Carlos Pascual. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1927. Vickie Jean Ratliff Peck, etc., Petitioner *v.* M/V Morris Harvey, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1929. Kondian R. Rajaram, Petitioner *v.* A. S. Abell Publishing Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1930. Humble Exploration Company, Inc., Petitioner *v.* Phillips Petroleum, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1932. Robert E. LaFountain, Petitioner *v.* Town of Saratoga, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1933. Bound Brook Association, et al., Petitioners *v.* City of Norwalk, et al. Petition for writ of certiorari to the Supreme Court of Connecticut denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1934. Digicourse, Inc., Petitioner *v.* AMA Distributors, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1935. Isaac Johnson, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1936. Lord Electric Company, Inc., Petitioner *v.* United States;

No. 85-1942. W. V. Pangborne and Co., Inc., and J. A. Bruce Pinney, Petitioners *v.* United States; and

No. 85-1950. Sargent Electric Company, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-1937. Joseph C. Gioffre, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1941. Mississippi, Petitioner *v.* Leo Gregory Nealy. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1944. Anthony D. Marable, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1945. Thomas J. Bowie, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1947. William I. Kaufman, Petitioner *v.* McCrory Stores Division of McCrory Corp., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1951. Indium Corporation of America, Petitioner *v.* Semi-Alloys, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1954. Alfredo R. Arriola, et al., Petitioners *v.* T. L. Harville, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1958. Fred S. Nolan, et al., Petitioners *v.* Otis Elevator Company, et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1960. Albert D. Durden, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1964. American Hospital Association, et al., Petitioners *v.* David K. Heydinger, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1966. 8.41 Acres of Land, More or Less, Situated in Orange County, Texas, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1967. Hollingsworth Oil Company, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1968. Cambridge Wire Cloth Company, Petitioner *v.* Laitram Corporation and Intralox, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1970. Andrew F. Ehat, Petitioner *v.* Jerald Tanner, et al. Petition for writ of certiorari to the United States Court of Appeals for

the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1971. Patricia M. Mousseau, Petitioner *v.* Department of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1975. Earlene Polyak, Petitioner *v.* Frank Hulen and Wilma Lesnansky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1977. Oil Insurance Limited, Petitioner *v.* Superior Court of California, San Mateo County (A.I.U. Insurance Company, et al., Real Parties in Interest). Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1981. Gregory Marketing Corporation and Daniel Scher, Petitioners *v.* Wakefern Food Corporation and Red Cheek, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1983. Santos Carrion, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1988. Edwin Y. Fondo, Petitioner *v.* Molly Misodi, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1989. Crown Zellerbach Corporation, Petitioner *v.* Ingram Industries, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1992. Paul Briggs, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1993. Joel D. Jackson, Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1994. Carole Shelby Carnes Tucker, Petitioner *v.* Walter F. Marcus, Jr., Judge, Supreme Court of Louisiana, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1996. Melvin K. Forsythe, Petitioner *v.* Jones & Laughlin Steel Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1997. Local 134, International Brotherhood of Electrical Workers, AFL-CIO, Petitioner *v.* Harvstone Manufacturing Corp., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1998. William B. Tabler, et al., Petitioners *v.* Mary L. Wallace, Administratrix of the Estate of William Wallace, et al. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1999. City of College Station, et al., Petitioners *v.* Fred B. Shelton, III and John Paul Jones. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2000. Alicia M. Grijalva and Amanda Erica Grijalva, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2003. Henry E. Ingram, Jr., Petitioner *v.* United States; and

No. 85-2150. Clifford Brantley, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-2004. Geltman Industries, Inc., Petitioner *v.* Trustees of the Amalgamated Insurance Fund. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2007. Douglas M. Sumner, Petitioner *v.* Yoder Township, et al. Petition for writ of certiorari to the Court of Appeals of Kansas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2008. James D. Brown, Petitioner *v.* Louis J. Rogers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2011. Gary J. Klippert, Petitioner *v.* Department of Defense. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2012. Charles Milo Connick, Petitioner *v.* Teachers Insurance and Annuity Association and College Retirement Equities Fund. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2013. James J. Carras, Petitioner *v.* Hull and Smith Horse Vans, Inc. Petition for writ of certiorari to the Court of Appeals of Michigan denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2016. Wayne T. Owens, Petitioner *v.* Baltimore & Ohio Railroad Company. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2017. Joseph Giovaniello, Petitioner *v.* Board of Directors of Centennial Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2018. Arthur Kungle, Jr., Petitioner *v.* St. John's College, et al. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2020. Edward C. Embury, Jr., Petitioner *v.* Supreme Court of Colorado, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2021. Stanley R. Greer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2022. Interstate Natural Gas Association of America and Transcontinental Gas Pipe Line Corporation, Petitioners *v.* Federal

Energy Regulatory Commission. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2024. Harry H. Baie, Jr., Petitioner *v.* Secretary of Defense. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2025. Richard Perna, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2026. Michigan, Petitioner *v.* Gary Lamar Johnson. Petition for writ of certiorari to the Court of Appeals of Michigan denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2029. Eddie Padin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2030. Sandra J. Roland and Ronnie J. Roland, Petitioners *v.* Paul H. Klingenberg. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2032. William H. Kupau, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2035. Howard Sieger, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2036. Union Electric Company, Petitioner *v.* Harold Harris, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2037. Robert John Brady, Petitioner *v.* Court of Appeal of California, Fourth Appellate District, et al. Petition for writ of certiorari to the Supreme Court of California denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2038. Jim Kiser, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2040. Olen Ward Murff, Administrator of the Estate of Dan Allen Murff, Deceased, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2041. Colony Square Company, Petitioner *v.* Prudential Insurance Company of America and Colony Square Company *v.* Prudential Insurance Company of America. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2042. Carl Carbone, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2043. Jack Lynn Hoffart, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth Supreme Judicial District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2044. Stephen L. Ustrak, Petitioner *v.* James W. Fairman. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2045. Angel M. Cosme Nieves, et al., Petitioners *v.* Robert C. Deshler, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2048. James R. Pellerin, Petitioner *v.* Tudor Construction Company, et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2050. Johnson & Johnson Products, Inc., Petitioner *v.* Lynette West. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2051. Herbert O. Jensen, Petitioner *v.* Winston Satran, Warden. Petition for writ of certiorari to the United States Court of

Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2052. Leon Judson Wood, III, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2053. W. J. Schneider and K.B. Marcus, Petitioners *v.* City of East Orange and Attorney General of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2054. Roscoe Emory Dean, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2055. Albert K. Brown, et al., Petitioners *v.* Shell Oil Company. Petition for writ of certiorari to the Court of Appeals of Michigan denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2056. Theodore Yanopoulos, Petitioner *v.* Department of the Navy and Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2058. William Elizzey, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2059. Rainsford J. Winslow, Petitioner *v.* Board of Morgan County Commissioners. Petition for writ of certiorari to the Court of Appeals of Colorado denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2061. Erasmo Gambino and Anthony Spatola, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2063. Velma L. Riggs, Petitioner *v.* Verne Orr, Secretary, United States Department of the Air Force and American Federation of Government Employees, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2066. John Doyle, et al., Petitioners *v.* Suffolk County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2069. Seymour Wexler, et ux., Individually and on behalf of their child, Douglas Wexler, Petitioners *v.* Westfield Board of Education. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2070. Michael O'Connor, Petitioner *v.* Edward Prins, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2072. David S. Sands, Petitioner *v.* Michael J. Cunningham, Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2075. Thomas Patzer, et al., Petitioners *v.* North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2076. Bernardo Rodriguez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2078. Martin G. Thuna, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2080. Robert K. Grace, Petitioner *v.* Heartland Transportation, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2084. Harold Coffey, et al., Petitioners *v.* John H. Pierson and Gynelle Pierson. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2085. Beaudry Motor Company, Petitioner *v.* Abko Properties, Inc., et al. Petition for writ of certiorari to the United States

Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2086. Walter G. Pietsch, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2087. Milton M. Lawrence, et ux., Petitioners *v.* Advanced Patent Technology Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2088. Roger's Terminal and Shipping Corporation, Petitioner *v.* Director, Office of Workers' Compensation Programs, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2090. George H. Dicupe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2091. Union Oil Company of California, Petitioner *v.* Superior Court of California, Orange County (Pat J. Buchanan, Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2092. Alberta Bradford, etc. and Moonyene S. Jackson, Petitioners *v.* Blue Pearl Music Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2093. James O. Mote, et al., Petitioners *v.* Bishop and Diocese of Colorado, et al. Petition for writ of certiorari to the Supreme Court of Colorado denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2095. Abraham Rodolitz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2096. Henry J. Krueger, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2097. *Weisser Optical Company, Petitioner v. National Labor Relations Board*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2098. *Richard Russell, Petitioner v. Sam Millsap, Jr., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2100. *Gerald Gordon, Petitioner v. Veterans Administration*. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2101. *Jose Serra, Petitioner v. Paul A. Picardo and Robert Elsea*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2103. *Utility Contractors, Inc., Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2104. *George V. Wintriss, Petitioner v. Christel E. Wintriss*. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2105. *Deborah Delaplaine, Michael O'Brien and Paul Mosher, Petitioners v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2106. *Ohio, Petitioner v. Pi Kappa Alpha Fraternity*. Petition for writ of certiorari to the Supreme Court of Ohio denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2108. *Joseph Biasucci, Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2109. *Lerakoli, Inc., et al., Petitioners v. Pan American World Airways, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2111. Robert H. Teeple, Petitioner *v.* John T. Patton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2113. A. H. Robins Company, Inc., Petitioner *v.* Eli Lilly and Company. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2114. Lawrence Bell, Wilbert Bell, Kernan Perkins and George Hardy, Petitioners *v.* Department of Health and Human Resources, et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2117. Joe L. Robinson, Petitioner *v.* Robert C. Daugherty, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2118. Anthony Puglisi, Anthony Bodami and Albert Morgan, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2119. Block Drug Company, Inc., et al., Petitioners *v.* Milton Hodosh and Richardson-Vicks, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2120. Richard R. Wheeler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2124. Anthony Charles Capo, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2125. Aaron Magidow, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2126. Henry Malachowski, et ux., Petitioners *v.* City of Keene, et al. Petition for writ of certiorari to the United States Court of

Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2127. Billy McDaniel, Petitioner *v.* Roy Johnson and John Sheller. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2130. Robert W. Akers, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2131. Levy Auto Parts of Canada, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2132. Marion Hofmann Kehoe, Petitioner *v.* Beatrice Claire Hofmann. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2135. Lavoyd Wayne "Bill" Hardin, Petitioner *v.* Gilbert & Colvin and Lavoyd Wayne Hardin, a/k/a/ Bill Hardin *v.* Gilbert and Colvin. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2136. City Cab Company of Orlando, Inc., et al., Petitioners *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2138. Township of Woodbridge, Petitioner *v.* Township of Franklin Sewerage Authority, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2139. Chemical Engineering Corporation, et al., Petitioners *v.* Laurene O. Paterson, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2140. Emilia DiNola, Petitioner *v.* American Cyanamid, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2142. Southwest Sunsites, Inc., et al., Petitioners *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2143. Ray A. C. Johnson, etc., Petitioner *v.* Chuck R. Patteson. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2144. City of New York, Petitioner *v.* Smoss Enterprises Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2145. Thomas Anthony Maricle, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2146. Patrick Quemener, Yann Boedec, Steven Seward, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2148. Robert Sargent Hale, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2149. Willie Warren Craft and Louis A. DeSalle, III, Petitioners *v.* Board of Trustees of the University of Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2151. Vasiliki Nisiotakis, et al., Petitioners *v.* Columbus Aircraft Division of Rockwell International Corporation and Stencel Aero Engineering Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2152. Faye S. Baggiano, Commissioner, Alabama Medicaid Agency and Alabama Medicaid Agency, Petitioners *v.* AlaCare, Inc.-North. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2153. Brotherhood of Locomotive Engineers, Petitioner *v.* Boston & Maine Corporation; and

No. 86-160. Boston and Maine Corporation, Petitioner *v.* Brotherhood of Locomotive Engineers. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-2154. Armstrong Rubber Company and Cooper Tire & Rubber Company, Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2158. Dale Bower and Richard Dailey, Petitioners *v.* Richard E. Lyng, Secretary of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2159. Alphonso Thompson, Petitioner *v.* Housing Authority of City of Los Angeles, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2160. Town of Norwood, Petitioner *v.* Uncompahgre Valley Water Users Association, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2162. I. P. S. Sandhu, Petitioner *v.* Commonwealth of Virginia State Water Control Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2163. Donald L. Johnson, Administrator of the Estate of Ronald M. Johnson, Sr., Deceased, Petitioner *v.* Max E. Colley, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2165. Alexander Damascus, Petitioner *v.* Pacific Bell Company, et al. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2166. Robert L. Middleton and Marian S. Middleton, Petitioners *v.* California, et al. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2167. Chaim Babad, etc., Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6467. James L. Conley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6514. George Francis Vertz, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Thirteenth Supreme Judicial District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6546. Ismael Diaz, Petitioner *v.* Charles Scully, Superintendent and Robert Abrams, Attorney General of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6572. John Boudreaux, Jr., Petitioner *v.* Frank C. Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6575. Wilbur Junior Guthrie, Petitioner *v.* Dewey Sowders, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6603. Yakoub Rattib Azzouka, Petitioner *v.* Charles C. Sava, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6604. George Samuel Jonas, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6612. Juniper Lee Thompson, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6622. Davise J. Dukes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth

Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6627. Delores Brown, Petitioner *v.* Wesley Quaker Maid, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6637. Richard Leal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6646. Jay Burton Jackson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6653. Salvatore Russo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6654. Ivan Marra, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6680. Jack Clark, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6693. Terry Covington, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6704. Robert M. Weichert, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6715. Gamal H. Helmy, Petitioner *v.* Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6732. Harold Lee Hankins, Petitioner *v.* Emanuel L. Wicker. Petition for writ of certiorari to the United States Court of Appeals for

the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6752. Robert Wayne Brewer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6762. James Edward Brown, Petitioner *v.* W. E. Anderson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6768. Carlos Ramirez, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6769. James A. McNear, Petitioner *v.* Georgetown University Hospital. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6777. Joe Hayes, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6778. Nathaniel Porter, Petitioner *v.* Dale E. Foltz, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6781. Sheik Abdel Rahim Ahmad, Petitioner *v.* Walter W. Redman, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6791. Louis Hemphill, Petitioner *v.* Howard L. Lyles, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6793. Peter Goudy, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6796. Robert Shaffer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the

Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6797. Karen Craddock, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6815. Samuel Lockett, Petitioner *v.* Albert Montemango, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6816. Rafael A. Codinach, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6817. Gene Morris Dunn, Jr., Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6821. Robert W. Strange, Petitioner *v.* Local Union No. 79 of the International Association of Bridge, Structural and Ornamental Iron Workers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6832. Arnold Ray Huskey, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6835. Tony Maddox, Petitioner *v.* John L. Weldon, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6837. William Calvin Keaton, Petitioner *v.* Carmen Arredondo. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6842. Calvin Jones, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6847. Roman Casey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6873. Larry Williams, Petitioner *v.* South Carolina Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6878. Thomas Bruce Wilson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6882. Ronald D. Veteto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6883. Alvah Buckmore, Jr., Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6892. Chyke Ibemesi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6893. Gregory Babich, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6897. Jimmy Lee Clark, Petitioner *v.* R. C. Marshall, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6901. John Hall Thomas, Petitioner *v.* City of Dallas Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6903. Robert D. Barbour, Petitioner *v.* Manfred Holland, Warden, et al. Petition for writ of certiorari to the United States Court

of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6904. David Scott Strickler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6906. Robert Alfred Gauger, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6909. James E. Klaver, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6915. Leonard LaFiura, Petitioner *v.* Richard DeRobertis, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6916. Mack Williams, Jr., Petitioner *v.* Nello L. Teer Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6919. Robert Johnson, Petitioner *v.* Patrick J. Costa. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6920. Bryan E. Currey, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6921. Kim Warner Blakewood, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6926. Richard Becker, Petitioner *v.* Government of Brazil and United States Department of State. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6928. Roger Lee Clark, Petitioner *v.* Roscoe Bruce, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6929. Edward Muza, Petitioner *v.* Barbara Joan Muza, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6934. Albert R. Salman, Petitioner *v.* One Thirty-Three, Inc., dba Onslow Hotel/Casino, James D. Mack and Joan T. Jones. Petition for writ of certiorari to the Supreme Court of Nevada denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6937. Morris May, Petitioner *v.* International Business Associates, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6939. John Edgar Rankin, Petitioner *v.* Nathan A. Rice, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6940. Don V. Lee, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6941. Gene Basalyga, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6942. Eugene C. Gambrell, Petitioner *v.* Ford Motor Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6944. Earl Clark, Petitioner *v.* Ross Maggio, Jr., Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6945. Herbert Espey, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit

denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6946. Johnny L. Daniels, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6949. Lester Raymond Doss, Petitioner *v.* Laurence J. Reid, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6951. Paula M. Weller, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6953. John Hall Thomas, Petitioner *v.* United States Marshal, Lexington, Kentucky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6955. Herbert A. Terrell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6957. Richard Flowers, Petitioner *v.* Thomas A. Coughlin, Commissioner, New York State Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6959. Dennis Hallingstad, Petitioner *v.* Richard Harvey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6960. Richard Maxham, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6965. Michael Smith, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6966. Donald A. Crockett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6968. Edwin D. Kohr, Petitioner *v.* Thomas 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6969. Jane A. Azzolino, et al., Petitioners *v.* James R. Dingfelder, et al. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6972. Jane Read, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6976. Ellsworth Pendleton, Petitioner *v.* New York State Department of Correctional Services. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6980. Thomas M. Hart, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6981. Booker Roosevelt Goldsby, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6987. Clarence E. Blair, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6988. William R. Boshears, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6990. Dale H. Malquist, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the

Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6991. John Calvin Thompson, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6993. Drew Pennington, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6994. Willie L. Minick, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6997. Laura Yingling, Petitioner *v.* Diane Boyce and Griffin Boyce. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6998. Nathaniel Lee Torain, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7000. Jimmy Roy Davidson, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7001. Jerome Frost, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7002. Joseph H. Dawson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7003. LaVerne Koenig, Petitioner *v.* Huron Regional Correctional Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7004. Earl Paul Snyder, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7005. Anthony Crowell, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7007. Terence Finnan, Petitioner *v.* Ingrid Finnan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7009. Mildred Gutierrez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7011. John V. McCutcheon, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7012. Jay Roberts, Petitioner *v.* Alan A. Mackey, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7014. Johnny J. E. Meadows, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7015. Lester Reeves, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7018. Christopher E. Haines, Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7021. James C. Breckenridge, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7022. Jerome Allen Bragg, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7023. Andy Chavez, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7024. David Denson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7025. Wilbert E. Hollins, Petitioner *v.* Darlene R. Henkel. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7028. Morgan Dwight Brown, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7029. Kip Linthicum, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7030. Clarence Alphonso Rogers, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7033. Joseph John Viola, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7034. Donald R. Jermosen, Petitioner *v.* Thomas A. Coughlin, Commissioner, New York Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7035. Gerald W. Traunig, Petitioner *v.* Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7036. Corey W. Pirrotta, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7037. Billy Carl Turner, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7038. Orville Lewis, Jr., Petitioner *v.* John Lehman, Secretary of the Navy and Orville Lewis, Jr., Petitioner *v.* John Lehman, Secretary of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7039. Keith Gayle, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7040. Yvonne Cooks Johns, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7041. John T. Bonaparte, Petitioner *v.* Richard Hahn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7042. Gary E. Eitel, Petitioner *v.* Charles R. Baldwin. Petition for writ of certiorari to the Supreme Court of Alaska denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7043. Harry J. Harris, Petitioner *v.* J. G. W. Associates, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7044. Randolph Eugene Garaux, Petitioner *v.* Daniel Vasquez, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7045. Eddie Lee Mumford, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7047. Robert Doyle Colbert, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7048. Randy Wayne Bryner, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7049. Alphonso Provens, Petitioner *v.* Arthur M. Ney, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7051. Dennis L. Capps, Petitioner *v.* N. L. Baroid-NL Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7053. Aldo Mazzone, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7054. Veronice A. Holt, Petitioner *v.* Continental Group, Inc. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7056. Michael Eugene Colley, Petitioner *v.* George Sumner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7057. James Kenneth Roberts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7058. Ronald Mark Miller, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7059. Glen Murphree, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7061. Gregory B. Roberts, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7062. Robert E. Poles, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7064. Marvine Alice Comsia, Petitioner *v.* Thomas Burkhart, et ux. Petition for writ of certiorari to the Court of Appeals of Ohio, Mahoning County, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7065. Floyd Jackson, Jr., Petitioner *v.* District of Columbia Department of Employment Services. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7066. Edwin P. Wilson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7067. Jimmie Lee Allen, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7069. Tommy Lee Davis, Petitioner *v.* Henry Wade, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7072. Jack Chinn, Petitioner *v.* Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7073. Nicholas Albert Johnson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for

the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7074. Denver O'Dell, Petitioner *v.* Bradshaw Smith, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7075. Phillip Benjamin Perkins, Petitioner *v.* John E. Ellis, Judge, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition. | |

No. 85-7076. Richard Taylor Cardall, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7081. Franklin Rocque, Petitioner *v.* Raymond Lee, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7082. Charles V. Nichols, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7083. Charlotte Ann Coats Armstrong, Petitioner *v.* Superior Court of California, Orange County (William C. Armstrong, Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7084. Gregory Owens, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7085. Phillip E. Duckett, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7086. Edward N. Lawrence, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7090. Peter Filipas, Petitioner *v.* Akron General Hospital, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7091. Jessie M. Lopez, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7092. Raymond Rochon, Petitioner *v.* Frank C. Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7093. Joel Novak, Petitioner *v.* Illinois Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7095. Lennal Khabir Shabazz, Petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7096. Ralph Ranson, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7097. Ellison M. Stockton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7099. J. C. Vortis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7101. Nonna Osipova, Petitioner *v.* Home Energy Assistance Program, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7102. Wayne Randall Anglian, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7103. Marattize Coquillian, Petitioner *v.* Elie Jones, Superintendent, Stone Mountain Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7104. Diane McCrossen, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7105. Calvin Willie Wiggins, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7106. John Francis Walk, Petitioner *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7108. Stanley A. Radvan-Ziemnowicz, Petitioner *v.* Commission on Medical Discipline of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7109. Joseph Simmons, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7110. Arzella Akers Cordle, Petitioner *v.* Thelma Holcomb, etc., et al. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7112. Sherman Washington, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7113. Kenneth M. Snyder, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7114. Jeffrey Ripp, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7115. Victor Leonard Vesay, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7116. James J. Stawicki, Petitioner *v.* Thomas Israel, Superintendent and Bronson C. LaFollette, Attorney General of Wisconsin. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7118. Anant Kumar Tripathi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7119. Robert Rankel, Petitioner *v.* Harold J. Smith, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7120. Francisco C. Pelaes, Petitioner *v.* United States; and

No. 86-59. Enrique Jesus Osorno, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-7121. James Amar Davis, Petitioner *v.* Philip Coombe, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7123. Roy Brown, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7126. Matthew Tucker, Petitioner *v.* Ben C. Willis, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7127. Thomas Edward Thacker, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7130. Armando Valeriano, Petitioner *v.* Raymond M. Lopes, Commissioner, Connecticut Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7131. Robert Breest, Petitioner *v.* Michael Cunningham, Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7132. Robert L. Loggins, Petitioner *v.* Gerald T. Frey, Superintendent, Missouri Eastern Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7133. Merle Allan Jones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7134. Merle Douglas Barker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7135. Jerry Larry Collier, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7136. Clayton W. Kimble, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7137. David A. Cuvreau and Steven W. Hubert, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7138. Ira Abney, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7139. Svend Edvard Petersen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7140. James Hubert Taylor, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7143. Jackie Ray Shaw, Petitioner *v.* Jerry Johnson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7144. John Calvin Thompson, Petitioner *v.* Bill E. Owen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7145. Thomas R. Morke, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7146. Barbara S. Youngs-Settle, Petitioner *v.* Abner Anderson, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7147. Cathy Lynn Roderick, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7148. Lucius McKoy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7149. Ronnie E. Lane, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7151. Roy Hartman, Jr., Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7153. Dennis Eugene Friel, Petitioner *v.* Maine. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7155. LaVerne Koenig, Petitioner *v.* John B. Jones, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7157. Lary E. Grimes, Petitioner *v.* Department of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7158. James W. Hatton, Petitioner *v.* Gene Scroggy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7159. Mary T. Grace, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7160. James L. Jones, Petitioner *v.* Perry Johnson, Superintendent, Michigan Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7164. Ricky A. Knapp, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Third Judicial Department, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7166. Todd Cameron, Petitioner *v.* Pennington County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7167. Louis J. Damiani, Petitioner *v.* Michael Tomasky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7168. Alvin Frazin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7170. Clarence Walker, Petitioner *v.* John B. Groves and Louis O'Shea. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7172. Douglas C. Skinner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7173. Alphonso Provens, Petitioner *v.* Ronald C. Marshall, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7174. Howard Sampson, Petitioner *v.* Aileene Love, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7175. George Dan Poulos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7176. J. P. Haynes, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7177. Raymond Lee Booker, Petitioner *v.* Thomas R. Israel, Superintendent, Waupun Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7178. Preston Jenkins, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7180. Anthony Grandison, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7181. Reginald L. Lee, Petitioner *v.* Joe Hardage, et al. Petition for writ of certiorari to the United States Court of Appeals for the

Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7185. Jose Cruz, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7186. Dean R. Kibbe, Petitioner *v.* City of Port Huron. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7187. Bernardino L. Dellosso, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7192. Robert Leroy Goodrich, Petitioner *v.* Bank of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7193. Erdogan Berik, Petitioner *v.* United States; and

No. 85-7218. Unal Bakak, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-7194. Robert Howard, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7196. Mark Robert Wroblewski, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7197. Sarah Jane Williamson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7199. Robert Niles Walker, Petitioner *v.* Board of Education of the City of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7200. Harold Vernon Smith, Petitioner *v.* M. C. Hamby, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7201. Claudio Delgado Zaragoza, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7202. Robert Gary Mest, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7205. Richard Herron, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7207. Ricardo Frontela, Petitioner *v.* United States; and

No. 86-5128. Luis Manuel Diaz, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-7208. Milton J. Conklin, Jr., Petitioner *v.* Elijah Tard, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7209. Jay D. Breazeale, Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7210. Norman C. Allen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7211. Quintin Irving Brown, Petitioner *v.* R. H. Norwood, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7212. David Goins, Petitioner *v.* Michael Lane, Director, Illinois Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7213. Franklin D. R. Culbreth, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7214. Lavera Ann Hamilton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7219. Frederick E. Lamport, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7220. Virginia Dare, Petitioner *v.* Secretary of the Air Force, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7222. Jerry Larry Collier, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7223. Benjamin McWilson, Petitioner *v.* Dale E. Foltz, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7224. Michael A. Picciandra, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7226. Arrow Weinberger, Petitioner *v.* Henry Risley, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7227. Darcy Lowe, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7228. Carl Bradburn, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7229. Paul D. Koster, Petitioner *v.* Union Carbide Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7231. Esther V. Reigh and Ivery Mae Simpkins and Lenora C. Dannie, Petitioners *v.* Charles L. Schleigh, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7233. John Franklin Jones, Petitioner *v.* Clarence C. Newcomer, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7234. Carl Hall, Petitioner *v.* J. D. White, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7235. Arthur Fluke, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7237. Jacek Odoner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7238. Harold N. Abraham, Petitioner *v.* Lynne Myers. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7239. Trevor Brown, Petitioner *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-1. Suburban O'Hare Commission, et al., Petitioners *v.* Elizabeth Hanford Dole, Secretary of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Cir-

cuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-4. Jose G. Cantu and Shirley A. Fontenot, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5. Gregory R. Allustiarte, et al., Petitioners *v.* W. Austin Cooper, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-10. United Transportation Union, et al, Petitioners *v.* Maine Central Railroad Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-12. Douglas Esposito, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-13. Earl James O'Maley, et ux., Petitioners *v.* County of Baca, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-15. John Devine, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-16. William Truitt Easterling, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-17. City of Corona, etc., et al., Petitioners *v.* Superior Court of California, et al. Petition for writ of certiorari to the Supreme Court of California denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-18. Alan J. Stang, Petitioner *v.* United States District Court for the Central District of California (United States, Real Party in Interest). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-19. William M. Biermann, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-20. Acme Refrigeration of Baton Rouge, Inc., Petitioner *v.* Whirlpool Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-26. United Kingdom Mutual Steamship Assurance Association, (Bermuda) Limited, Petitioner *v.* State Establishment for Agricultural Product Trading. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-27. William J. Benson, Petitioner *v.* Robert H. Allphin and George T. Rummel; and

No. 86-29. Robert H. Allphin, et al., Petitioners *v.* William J. Benson. Petitions for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 86-30. Robert Mann and Sam Louis Loria, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-31. Jasper J. Tate, Petitioner *v.* Overseas Bulktank Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-32. Carl Widmer, Petitioner *v.* Raymond F. Widmer, Executor of the Estate of Walter Widmer, Deceased. Petition for writ of certiorari to the Court of Appeals of Arkansas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-33. CSX Corporation, Petitioner *v.* Oglebay Norton Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-34. Douglas Ganci, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-36. Harold N. Sisemore, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-37. Richard A. Hechenberger, Petitioner *v.* Western Electric Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-43. Drott Manufacturing Corporation, Petitioner *v.* Dan Davidson, et ux. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-46. Charles A. Weil, Petitioner *v.* Joseph T. McClough and Ermyn Stroud. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-52. Arthur Kungle, Jr., Petitioner *v.* St. John's College, et al. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-53. William A. Amodeo, et al., Petitioners *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-54. Shakir Wadi Al-Khafaji, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-60. Ronald Pooler and Ronnie Bradley, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-62. J. Jerome Prevatte, Petitioner *v.* Securities and Exchange Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-63. B.P. North America Petroleum, Inc., Petitioner *v.* Way Wiser Navigation Corp. Petition for writ of certiorari to the United

States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-64. Jack Marvin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-65. Richard J. McDonald, Petitioner *v.* Roscoe L. Egger, Jr., Commissioner of the Department of Internal Revenue, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-66. Kreeger Farms Home Dairy, Inc., et al., Petitioners *v.* John R. Block, Secretary of Agriculture of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-68. Glenn Moore Hawkins and Melvin Williams, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-70. Jerry Sage Sammons, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-73. Beulah W. Booker, Petitioner *v.* Evelyn Mobley. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-77. Arlene Nordgren, Petitioner *v.* Jerome Hafter, Chairman, Mississippi Board of Bar Admissions, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-79. Pine Street Baptist Church, et al., Petitioners *v.* Securities Investor Protection Corporation and Fred D. Bryan, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-81. George Lockett, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-82. Christopher F. Reckmeyer, II, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-83. Lorentz W. Hansen, Petitioner *v.* Prentice-Hall, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-89. Billy Gene Miller, Petitioner *v.* Mary Louise Miller. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-92. James Phillips Allen, Petitioner *v.* Donna McMullen Allen. Petition for writ of certiorari to the Court of Appeal of Louisiana, Third Circuit, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-95. Richard Runyan, Petitioner *v.* NCR Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-96. Eastman Kodak Company, Petitioner *v.* Polaroid Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-99. Irmgard Maria Hardie, Petitioner *v.* Philip William Hardie. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-101. David Harris, etc., et al., Petitioners *v.* Court of Appeals of Missouri, Western District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-110. Samuel Vretta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-112. Diane L. Mauriello, Petitioner *v.* The University of Medicine and Dentistry of New Jersey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-115. Denis R. O'Brien, Petitioner *v.* SHC Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-116. D. A. Rickards, et al., Petitioners *v.* Canine Eye Registration Foundation, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-118. Victor Khubani, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-119. Robert P. Scheinblum, Petitioner *v.* William J. Sullivan. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-125. Arthur J. Anderson, Petitioner *v.* United States Department of Agriculture. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-126. John R. Borsch, 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 Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-128. Ronald L. Florence, 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 Scalia took no part in the consideration or decision of this petition.

No. 86-131. Elizabeth Thornton, Petitioner *v.* Robert Wahl, Sheriff, LaSalle County, Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-132. Albert Neumann, et al., Petitioners *v.* Reinforced Earth Company. Petition for writ of certiorari to the United States Court of

Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-135. Richard A. Jarvis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-138. National Communication Systems, Inc., et al., Petitioners *v.* Michigan Public Service Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-140. Celotex Corporation and Carey Canada Inc., et al., Petitioners *v.* School District of Lancaster, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-141. Ralph J. Petrozziello, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-145. Dura Corporation, et al., Petitioners *v.* TWM Manufacturing Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-146. Gloria A. Irvin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-147. Home Warranty Corporation, et al., Petitioners *v.* Johnnie L. Caldwell, Insurance Commissioner of the State of Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-155. Emmet Riggs, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-156. Opry Felton Lowe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-157. James A. Baker, III, Secretary of the Treasury and James I. Owens, Acting Commissioner of Internal Revenue, Petitioners *v.* Abortion Rights Mobilization, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-159. Walter J. Graver, etc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-161. Black Cloud Building Corporation, Petitioner *v.* Robert G. Harman, etc., et al. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-164. Nella Loper Crabtree, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-165. Harriet Brooks and Jerome McNair, Petitioners *v.* Chrysler Corporation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-169. Harold J. Des Vignes, Petitioner *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-171. Donna Doty, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-174. Mahan & Rowsey, Inc., Petitioner *v.* Oklahoma Natural Gas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-176. Nick Kakavas, Petitioner *v.* Flota Oceanica Brasileira. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-178. John Forma, Petitioner *v.* Commodity Futures Trading Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-183. Sulaiman S. Abalkhail, Petitioner *v.* Claremont University Center, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-184. E. I. Du Pont De Nemours & Company, Petitioner *v.* Grasselli Employees Independent Association of East Chicago, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-185. Robert A. Heghmann, Petitioner *v.* Connecticut. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-188. George M. Simmons and Alan's Coal Sales, Petitioners *v.* Harrison Combs, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-191. Kenneth L. Thomas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-192. Victor Tate, Petitioner *v.* Fischer Steel Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-193. Kenneth L. Wronke, Petitioner *v.* John O. Marsh, Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-194. Henry Malachowski and Julia Malachowski, on behalf of the juvenile, Amy M., Petitioners *v.* New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-197. S. C. Sorensen and Sorensen Rambler, Inc., Petitioners *v.* Paul J. Carey and Marilyn Iren Carey Potter. Petition for writ of

certiorari to the Supreme Court of Nevada denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-198. Edward A. Haffer, Petitioner *v.* Action Manufacturing, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-199. John Helmick, Petitioner *v.* Robert Lauenders and Michael Doty. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-200. Eliot Cohen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-204. Advance Building Maintenance Company, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-206. William W. Martin, et al., Petitioners *v.* Gilbert Robinson, Trustee in Bankruptcy. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-207. Mark C. Bloome Co., Petitioner *v.* Superior Court of California, County of Los Angeles (Alanson Shepherd, et al., Real Parties in Interest). Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-214. Charles R. Kester, et al., Petitioners *v.* Constance Horner, Director, Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-235. John B. Bell, Petitioner *v.* New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-240. Terry May, Petitioner *v.* Transworld Drilling Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-242. Charles W. Smith, Petitioner *v.* Department of the Air Force. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-244. Marion Van Horn, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-248. James Jackson, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-258. Winslow Manufacturing, Inc., and Watsco, Inc., Petitioners *v.* Phillip Kain, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-266. Louisiana School of Professions, Inc., Petitioner *v.* William Bennett, Secretary of Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-290. Nikola Konstantinov, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-293. Daniel Thomas Reyes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-316. William Joseph Harvey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-320. Ross Prock, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-323. Chokwe Lumumba, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sec-

ond Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-325. Janet B. Watlington, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-331. Andrew Amplo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-350. Walter Reed Martindale, III, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-363. Irvin Freedman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-366. Thomas Norman Brooks, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5002. Earl Miles Buchanan, Petitioner *v.* Attorney General of Michigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5003. Doris Gambrell, Petitioner *v.* Harold A. Ackerman, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5004. Francis E. King, Petitioner *v.* Elizabeth H. Dole, Secretary of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5005. Otis W. Bogle, 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 Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5006. John Allen Jackson, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5008. Ed McCall, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5010. Walter Rojas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5011. Dickie Cokeley, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5012. Richard Wolfe, Petitioner *v.* Hunterdon County National Bank of Flemington. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5014. Roger de Ruggiero, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5015. Michael Dean Green, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5016. Douglas M. Krahn, Petitioner *v.* Bob McGill, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5018. James Allen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5019. Andre Deland, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5022. James Ellis, Petitioner *v.* United States Parole Commission, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5023. Harold Hooks, Petitioner *v.* Robert Graham, Governor of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5027. Frederick Silvestri, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5028. Chanai Phensoot, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5030. Lawrence A. Wilson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5031. Eric D. Stoner, Petitioner *v.* John D. Rees, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5034. Jesus Alberto Cabal, Petitioner *v.* Metromedia, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5035. John Allen Haynes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5036. Gregory Lee Hawkins, Petitioner *v.* H. L. Allsbrook, Superintendent, Odom, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5037. Anthony Crowell, Petitioner *v.* Warden, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Virginia denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5038. Tyrone Telephus Reid, Petitioner *v.* Washtenaw Circuit Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5040. Philip Willoughby, Petitioner *v.* Maine. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5041. Donald A. Valway, et ux., Petitioners *v.* Peter F. Kearns, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5043. William David Riccio, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5044. Richard L. Williams, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5045. Willie Smith, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5046. Joseph A. P. Farkas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5048. Glen E. Cole, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5049. David W. Eisenberg, Petitioner *v.* Brian Smith, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5050. Terry Patrick Landrum, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5051. Cecil Lawrence Phelps, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5052. David Wilkins, Petitioner *v.* Harold A. Kane, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5053. Enrique Pena-Perez, Petitioner *v.* Louisiana State Bar Association. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5055. Robert Eck, Petitioner *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5056. Peter R. Johl, Petitioner *v.* John H. Johl, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5057. John DeLeon, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5058. Dennis Eugene Binder, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5059. Arthur Brennan Malloy, Petitioner *v.* M. Lewis Gwaltney, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5060. William Bryan Jennings, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5062. Sandra Bennett, Petitioner *v.* Steve Charles, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5063. Donald J. Clausen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5064. Michael Cheeves, Petitioner *v.* Charles Montgomery. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5065. Maurice Gibbs, Petitioner *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5066. Robert Anderson, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5067. Carlos Wilfredo Cuevas Morales, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5069. Deshay D. Ford, Petitioner *v.* Ben Saltzman, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5070. Lamont R. Birden, Petitioner *v.* Officers Orlando and Ferguson of the Town of Dewitt, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5071. Emmanuel L. White, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5072. Archie Larry Thomas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5074. James Duke Creel, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to

the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5078. Samuel C. Streeter, Petitioner *v.* Jefferson County, Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5079. James W. McIntyre, Petitioner *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5080. Terry John Schatz, Petitioner *v.* Henry Risley, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5083. Mina B. Wright, Petitioner *v.* James Yackley. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5084. Joseph Barber, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5085. Allen Wayne Oliver, Petitioner *v.* Richard Dugger, Superintendent, Florida State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5086. Ivan Petric, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5087. Jerald H. Miller, Petitioner *v.* William F. Bolger, Postmaster General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5088. Kurt Max Miller, Petitioner *v.* William Webster, Director, Federal Bureau of Investigation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit

denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5089. Alfred Wright, Petitioner *v.* Firestone Tire and Rubber Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5091. John Knox, Petitioner *v.* National Bank of Commerce of Kerrville. Petition for writ of certiorari to the Supreme Court of Texas denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5092. John Hernandez, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Third Supreme Judicial District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5093. Darlo A. Tschetter, et ux., Petitioners *v.* Mitchell-Huron Production Credit Association. Petition for writ of certiorari to the Supreme Court of South Dakota denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5097. Vivian L. Jenson, Petitioner *v.* Gary McDougald. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5099. Muhammad Ali, Petitioner *v.* Buffalo Ford Stamping Division of the Ford Motor Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5101. Harry Tate, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5102. Maria Smith, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Summit County, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5103. Anthony T. Warner, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5104. Bennie Mitchell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the

Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5105. William J. Noll, Petitioner *v.* Joseph S. Petrovsky, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5106. George Osley, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5107. Ray Letcher Williams, Petitioner *v.* James H. Rose, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5110. Curtis Robert Richmond, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5111. Burton Linne, Petitioner *v.* United States Department of Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5112. Robert H. Fry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5113. Lorell Cherry, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5115. William Doffin, Jr., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5116. Nathaniel James, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5117. William A. Langley, Petitioner *v.* Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5119. Brice Glasgow, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5122. Michael George West, Petitioner *v.* Harold J. Smith, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5123. Arthur W. Carson, Petitioner *v.* Robert Martin, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5125. Mary Lee Robinson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5126. Jack H. Shrader, et al., Petitioners *v.* Nevada, et al. Petition for writ of certiorari to the Supreme Court of Nevada denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5129. Vyscheslav Lyubarsky, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5132. Lynda Gale Hampton, Petitioner *v.* K-Mart Corporation, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5133. Harold Richard Henager, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5136. Victoria Missirlian, Petitioner *v.* Huntington Memorial Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5138. Joseph John Viola, Petitioner *v.* Robert S. Kubitza, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5140. Willie E. Mobley, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5141. David C. Rodriguez, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Third Supreme Judicial District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5142. Joseph Raines, Petitioner *v.* C. E. Boutwell, Acting Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5144. Jimmie L. Miller, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5145. Marcus A. Thomas, Jr., Petitioner *v.* George Deukmejian, Governor of California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5146. Rosetta Mann, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5148. John B. Vester, Petitioner *v.* Wilson County Superior Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5149. Emma Rita Mihal, et al., Petitioners *v.* Harold T. Sargis, etc., et al. Petition for writ of certiorari to the Supreme Court of Ohio denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5150. Charles Anthony Durham, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5151. James Odell McLamb, Petitioner *v.* Morris Lee Thigpen, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5152. Willie Edward Sykes, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5153. James Hugh Ingle, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5155. Joseph F. Wollschlager, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5156. Morris May, Petitioner *v.* Equal Employment Opportunity Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5157. William Lanay Harvard, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5160. Deborah Simms Fewell, Petitioner *v.* Edward M. Fewell. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5161. Judith A. Brumbaugh, Petitioner *v.* Douglas K. Brumbaugh. Petition for writ of certiorari to the Supreme Court of Florida denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5162. William L. Clark, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5163. Fareed Hasan Ansari, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5164. John Allen Haynes, Petitioner *v.* Robert J. Verdeyen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5165. William Spiotto, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5166. Gus Alex Lira, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5167. Richard Perea, Petitioner *v.* Harvey Winans, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5168. Josephine Stivale, Petitioner *v.* Department of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5169. Tommie L. Toliver, Petitioner *v.* Community Action Commission to Help the Economy, Inc., (CACHE). Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5170. Hector R. Diaz, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5171. Roy Bales, Petitioner *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5172. Howard Perry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5174. Idella L. Skaggs, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the

Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5175. Le Royal Peterson, Petitioner *v.* Department of Public Welfare, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5176. Abdul Khalid Omar, aka Harold E. Sneed, Petitioner *v.* Michael Simpson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5177. Desa Mae Wells, Petitioner *v.* City of Houston, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5178. Arthur Brennan Malloy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5179. Vincent Oliva, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5180. Gordon M. Duke, Petitioner *v.* Charlotte S. Duke. Petition for writ of certiorari to the Supreme Court of Rhode Island denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5185. Saranelle Avedisian, Petitioner *v.* George C. Hubbard, et ux. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5186. Donald Peter Vilt, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5189. Joseph Lester Bumgarner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5190. Charles E. Saunders, Petitioner *v.* Ramon Chapa, et al. Petition for writ of certiorari to the United States Court of Appeals for

the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5191. Kenneth Simmons, Petitioner *v.* Tennessee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5194. William Wentworth Foster, Petitioner *v.* Lee Roy Black, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5195. Dohn Ardell Patterson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5196. Charles R. Calkins, Sr., 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5197. Luis Cabrera, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5199. John T. Turner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5200. Fred Mabery, Petitioner *v.* Mr. Holloway, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5203. William Comicz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5204. Derek A. Farmer, Petitioner *v.* Steve T. Dillion, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5205. William A. Johnson, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5208. Charlotte Ann Coats, Petitioner *v.* William Craig Armstrong. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5212. Richard Becker, Petitioner *v.* New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5213. Joseph F. Gahan, Petitioner *v.* American Red Cross, etc., et al. Petition for writ of certiorari to the Supreme Court of Virginia denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5214. Henry Francis Enriquez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5215. George David Kanuse, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5216. Herbert Adolph, Petitioner *v.* Lehman Brothers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5219. Charles Woods, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5220. John Michael Maslanka, Petitioner *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division II, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5221. Carl William Montgomery, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5222. D'Arthagan Sargent, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District,

denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5223. Leonard Seth Talley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5225. Mayrdawna Ane' Davis, Petitioner *v.* Children's Hospital of Northern California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5227. Arsenio Rivero, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5228. Willie Randolph, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5231. Charles Christopher Laning, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5232. Charles A. George, Petitioner *v.* Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5233. Mercedes Duvallon, Petitioner *v.* Florida. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5237. Robert Brian Crim, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5238. James T. Combs, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5239. Alfred J. Albritton, Petitioner *v.* C. H. Masland & Sons. Petition for writ of certiorari to the United States Court of

Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5240. Cecil R. Shows, Petitioner *v.* Alabama Power Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5244. Joseph Lynn Shifflett, Petitioner *v.* George E. Sullivan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5246. Harold Jankowski, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5247. Arnold Edward Burton, Petitioner *v.* Gene A. Scroggy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5248. Troy Dace, Petitioner *v.* South Dakota, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5249. Richard Becker, Petitioner *v.* Record World. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5250. Patrick O'Neil Garcia, Petitioner *v.* Eloy Mondragon, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5251. Penny K. Barnes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5252. Adal Dalcho Jones, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5253. Michael Knaubert, Petitioner *v.* Robert Goldsmith, Warden, et al. Petition for writ of certiorari to the United States Court

of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5254. John Jackson Harmon, Petitioner *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5258. Koichi Ishihara, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5259. Pasquale J. Coleman, Petitioner *v.* Perdue, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5260. Leland John Mosiman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5262. Stephen Craig Richardson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5263. Iveydale Virgil, Petitioner *v.* Marty Cole, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5264. Cecil R. Shows, Petitioner *v.* Ernestine Carroll. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5265. Jose Guadalupe Guillen-Silva, Petitioner *v.* United States Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5270. Judy L. Crewe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5278. Evangeline Samm, Petitioner *v.* Plaza West Cooperative Association, Inc. Petition for writ of certiorari to the District of

Columbia Court of Appeals denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5279. Willie J. Wilder, Petitioner *v.* City of Richmond, Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5286. Richard Fisher, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5288. Peggy Staton, Petitioner *v.* William L. Lukhard, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5293. David M. Martin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5313. Samir Saikali, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5315. Robert H. Burns, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5322. Julia Elizabeth Berry, Petitioner *v.* Board of Supervisors of Louisiana State University, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5325. Edward M. Benavides, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5331. Dennis Leo Lehman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5332. Edgar J. Spear, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the

Federal Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5335. Arlen O'Neil Barksdale, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5336. Ronald Gene Sears, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5339. Oakley Bernard Engesser, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5342. Francis Ferri, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5343. Charles Earl Price, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5349. Frederick Celani, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5353. Donald Ray Hughes, Petitioner *v.* George Bowen and Leon Davis. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5360. Arsenio Rivero, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5366. Theodore Roosevelt Mitchell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5372. Clifford Eugene Mikels, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for

the Eleventh Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5382. Lascell William Simmons, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1694. Louie L. Wainwright, Secretary, Florida Department of Corrections, Petitioner *v.* Willie Wesley Horace. 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 Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-1895. R. Allen Childress, Petitioner *v.* Thomas S., etc. 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. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-1928. Delaware, Petitioner *v.* Percy E. Wainwright. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Delaware denied. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-1978. Florida, Petitioner *v.* Urbano Torres. 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. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-1982. Chase Riveland, Executive Director, Colorado Department of Corrections, Petitioner *v.* Richard Lee Ball. 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 denied. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-2065. Florida, Petitioner *v.* Ramon R. Pina. 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, Fourth District, denied. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 86-123. Illinois, Petitioner *v.* Richard Stack. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition

for writ of certiorari to the Supreme Court of Illinois denied. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 86-196. C. J. Scully, Warden and Robert Abrams, Attorney General of New York, Petitioners *v.* Claude Holland. 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. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-1844. F. D., Petitioner *v.* Associated Catholic Charities of New Orleans, Inc., et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied. Justice Brennan would grant certiorari. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1862. James E. Graalman, 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. Justice White would grant certiorari. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1884. Hunt International Resources Corporation, et al., Petitioners *v.* W. C. and Kenneth Strey, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Blackmun and Justice Scalia took no part in the consideration or decision of this petition.

No. 85-1972. Edward Ronwin, Petitioner *v.* William A. Holohan, Jack D. H. Hays, James Duke Cameron and Stanley G. Feldman, Judges, Supreme Court of Arizona. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice O'Connor and Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2014. Michael Van McDougall, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Superior Court of North Carolina, Mecklenbury County, denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2027. Ronnie G. Milligan, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6424. Larry Norman Anderson, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6755. 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6831. David W. McKay, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6868. Curtis Lee Johnson, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6890. Robert A. Buell, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6933. Wardell Riley, Petitioner *v.* Louie L. Wainwright, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6950. Michael Wayne Green, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6958. Robert Echols, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-6970. Willie James Gladden, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7017. James Cook, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7026. Raymond Landry, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7050. Eli Beck, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7063. Thomas Wayne Crump, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7070. Edward R. Byrne, Jr., Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7088. Richard Zeitvogel, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7089. George Bernard Davis, Jr., Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7141. Thomas L. Ward, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7236. Kenneth Wayne O'Quinn, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-106. William Harold Kelley, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissent-

ing statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5007. Benjamin Brewer, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5109. David Eugene Matthews, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5127. John Michael Davis, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5206. 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5280. Leonard Marvin Laws, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Justice Brennan and Justice Marshall dissent. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5300. Gerald Armond Gallego, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2023. Zapata Offshore Company, et al., Petitioners *v.* Timco, Inc., et al. The motion of Amoco Production Company, et al. for leave to file a brief as *amici curiae*, out-of-time, is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-2089. Kiowa Tribe of Oklahoma, Petitioner *v.* Robert Lewis, et ux.; and

No. 86-51. Robert Lewis, et ux., Petitioners *v.* Kiowa Tribe of Oklahoma. The motion of Cherokee Nation, et al. for leave to file a brief as *amici curiae* in No. 85-2089 is granted. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice Scalia took no part in the consideration or decision of this motion and these petitions.

No. 85-2102. Montauk-Caribbean Airways, Inc., dba Long Island Airlines, Petitioner *v.* Judith Hope, et al. The motion of Regional Airline 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 Second Circuit denied. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-2110. Walter Kelly, Superintendent, Attica Correctional Facility, et al., Petitioners *v.* Chester Matusiak. The petition for writ of certiorari to the United States Court of Appeals for the Second Circuit is dismissed in light of the suggestion of death of the respondent. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2128. Florida, Petitioner *v.* Kevin Richard Cross. The petition for writ of certiorari to the Supreme Court of Florida is dismissed in light of the suggestion of death of the respondent. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2141. Florida Literary Distributing Corporation, Petitioner *v.* City of Miami. Petition for writ of certiorari to the Supreme Court of Florida denied. Justice Brennan and Justice Marshall would grant the petition for a writ of certiorari and reverse the judgment. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2164. Walter D. Ames and Marion L. Ames, Petitioners *v.* Standard Oil Company. The motion of respondent for award of double costs and attorney's fees is denied. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-7010. Derrick King, Petitioner *v.* Illinois. The motion of petitioner to consolidate the petition for a writ of certiorari with No. 84-6075, *Tison v. Arizona*, is denied. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 85-7125. George R. Phillips, Petitioner *v.* Michael 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. Justice Marshall would grant certiorari. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7152. Charles A. Foster, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting statement by Justice Brennan. Justice Marshall would grant

the petition for writ of certiorari and set the case for oral argument. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7165. Anthony Grandison, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-7195. David A. Plummer, et ux., Petitioners *v.* Pennsylvania Department of Public Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit, before judgment, denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-3. Suzanne Lindley Daly, Petitioner *v.* Nan Toews Daly. The motion of Women Lawyer's Association of Los Angeles for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of Nevada denied. Justice Scalia took no part in the consideration or decision of this motion and this petition.

No. 86-25. Burggraf Corporation, etc., et al., Petitioners *v.* Good-year Tire & Rubber Company, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit and/or petition for mandamus denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-127. Ralph Sherlock, Petitioner *v.* Merced Union High School District. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Powell would grant certiorari. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-149. Frank Patroff, 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 conviction. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-211. Anna Piccinin, Petitioner *v.* A. H. Robins Company, Incorporated, et al.; and

No. 86-216. Committee of Representatives of Dalkon Shield Claimants, Petitioner *v.* A. H. Robins, Incorporated. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Powell and Justice Scalia took no part in the consideration or decision of these petitions.

No. 86-5500. John William Rook, Petitioner *v.* Nathan A. Rice, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit is dismissed as moot. Justice Scalia took no part in the consideration or decision of this petition.

#### COMMON LAW CERTIORARI DENIED

No. 85-2082. In Re Robert K. Grace, Petitioner; and

No. 85-7191. In Re David A. Plummer, et ux., Petitioners. Petitions for writs of certiorari denied. Justice Scalia took no part in the consideration or decision of these petitions.

#### HABEAS CORPUS DENIED

No. 85-6982. In Re Roger Beach, Petitioner;

No. 85-7027. In Re Vernon C. Weygandt, Petitioner;

No. 85-7060. In Re Calvin Edgar Sizemore, Petitioner;

No. 85-7225. In Re Jessie D. McDonald, Petitioner;

No. 86-5075. In the Matter of Gale Bailey, Petitioner;

No. 86-5351. In Re Bobby C. Bryant, Sr., Petitioner; and

No. 86-5401. In Re R. H. Mandeville, Petitioner. The petitions for writs of habeas corpus are denied. Justice Scalia took no part in the consideration or decision of these petitions.

#### MANDAMUS DENIED

No. 85-1891. In Re Don Ray Phinney, Petitioner;

No. 85-1991. In Re Earlene Polyak, Petitioner;

No. 85-2081. In Re Robert K. Grace, Petitioner;

No. 85-2171. In Re Henry G. Bartsch and Wilma M. Bartsch, Petitioners;

No. 85-6723. In Re Isiah James, II, Petitioner;

No. 85-6983. In Re Joseph H. Dawson, Petitioner;

No. 85-6986. In Re Michael Clark, Petitioner;

No. 85-7077. In Re Darryl Walden, Petitioner;

No. 85-7079. In Re William Franklin Cuzick, Petitioner;

No. 86-217. In Re Patton L. Smith, et al., Petitioners;

No. 86-5032. In Re Harold Eugene Wilson, Petitioner;

No. 86-5042. In Re William Singleton, Petitioner;

No. 86-5139. In Re William Mark Rubin, Petitioner;

No. 86-5217. In Re Glen David Meadows, Petitioner; and

No. 86-5267. In Re Dale F. Cook, Petitioner. The petitions for writs of mandamus are denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-6938. In Re Elijah Stargell, Petitioner;

No. 85-6952. In Re Leo Zurkowsky, Petitioner;

No. 85-7098. In Re Duane Nelson, Petitioner; and

No. 85-7117. In Re William J. Noll, Petitioner. The petitions for writs of mandamus and/or prohibition are denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 86-162. In Re James A. Baker, III, Secretary of the Treasury and James I. Owens, Acting Commissioner of Internal Revenue, Petitioners. The petition for a writ of mandamus and/or prohibition is denied. Justice Scalia took no part in the consideration or decision of this petition.

#### PROHIBITION DENIED

No. 85-6935. In Re Henry James Wright, et ux.; and

No. 85-7215. In Re William F. Wendt, Jr., Petitioner. The petitions for writs of prohibition are denied. Justice Scalia took no part in the consideration or decision of these petitions.

#### REHEARINGS DENIED

No. 85-1584. Peter S. Niedzwiecki, Appellant *v.* Circuit Protective Devices, etc.;

No. 85-5432. Violette Goldblatt, Petitioner *v.* Elaine and Martin Vogel, et al.; and

No. 85-6676. Johnny Neal, Jr., Petitioner *v.* Illinois. The petitions for rehearing are denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 85-5942. Gloria Cotton, Petitioner *v.* Federal Land Bank of Columbia; and

No. 85-6527. Malcolm Gray, III, Petitioner *v.* W. J. Michael Cody, Attorney General of Tennessee, et al. The motions for leave to file petitions for rehearing are denied. Justice Scalia took no part in the consideration or decision of these motions.

#### ALLOTMENT ORDER

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the circuits, pursuant to

Title 28, United States Code, Section 42 and that such allotment be entered of record, viz: For the District of Columbia Circuit, William H. Rehnquist, Chief Justice, For the First Circuit, William J. Brennan, Jr.; Associate Justice, For the Second Circuit, Thurgood Marshall, Associate Justice, For the Third Circuit, William J. Brennan, Jr., Associate Justice, For the Fourth Circuit, William H. Rehnquist, Chief Justice, For the Fifth Circuit, Byron R. White, Associate Justice, For the Sixth Circuit, Antonin Scalia, Associate Justice, For the Seventh Circuit, John Paul Stevens, Associate Justice, For the Eighth Circuit, Harry A. Blackmun, Associate Justice, For the Ninth Circuit, Sandra Day O'Connor, Associate Justice, For the Tenth Circuit, Byron R. White, Associate Justice, For the Eleventh Circuit, Lewis F. Powell, Jr., Associate Justice, For the Federal Circuit, William H. Rehnquist, Chief Justice.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Albert Adams	Fort Washington, MD	Gary Ross Alexander
J. Wayne Anderson	New Orleans, LA	Andrew P. Carter
David Love Armstrong	Louisville, KY	Griffin B. Bell
Herbert J. Arnold	Baltimore, MD	Norris Wilson Tingle
Patricia Kling Ballman	Milwaukee, WI	Elwin J. Zarwell
Theodore William Barudin	Albuquerque, NM	L. Lamar Parrish
Ernest C. Baynard III	Washington, DC	John Edward Holtzinger Jr.
Richard Rudolph Beauchemin	Baltimore, MD	Norris Wilson Tingle
Lowell H. Becraft Jr.	Huntsville, AL	George Allen Moore
Geoffrey James Coleman Boyd	Baltimore, MD	Norris Wilson Tingle
Wm. Glenn Burns	New Orleans, LA	Andrew P. Carter
Robert G. Burton	Richmond, IN	James C. Puckett
Karen Ashcraft Byrne	Cheyenne, WY	Charles Stuart Brown
Michael Jon Cantor	Southfield, MI	William Willison Watkinson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Anne J. Castle	Denver, CO	Patrick M. Westfeldt
Michael Cato	Houston, TX	Ronnie G. Harrison
Fay Clayton	Chicago, IL	Lowell E. Sachnoff
Loren H. Cohen	Miami, FL	Barry E. Witlin
Clyde Mabry Collins Jr.	Jacksonville, FL	Judge Howell Webster Melton
David E. Cowen	Houston, TX	Douglas Wayne Poole
Robert James D'Anniballe Jr.	Weirton, WV	William Ernest Galloway
James Lloyd Dawson	San Jose, CA	Nordin F. Blacker
Dustin Douglass Deissner	Spokane, WA	W. Russell Van Camp
Morris H. Deutsch	Washington, DC	David V. Bernal
Michael Drell	Los Angeles, CA	Janis Anne Rader
Philip Durst	Austin, TX	David Read Richards
Burch Fitzpatrick	San Francisco, CA	Harry Daniel Miller
David J. Frizell	Metuchen, NJ	Harry S. Pozycki Jr.
Richard Lee Fuqua II	Houston, TX	Billy Ray Bludworth
Bruce D. Gallant	New York, NY	Neil P. Forrest
Edward M. George	Montgomery, AL	Jeffery Alan Foshee
R. Steven Geshell	Honolulu, HI	Harold W. Goble
David Harris Goldman	Des Moines, IA	John Gates Black
Joan Carol Goodrich	Washington, DC	Diana Lois Stone Peters
Hugh Q. Gottschalk	Denver, CO	Gordon G. Greiner
Larry Stuart Greenfield	Los Angeles, CA	Steven Jeffrey Miller

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William J. Griset Jr.	Boston, MA	Stewart Abercrombie Baker
Robert S. Groban Jr.	New York, NY	James A. Moss
John Locke Harvey	Baltimore, MD	Edward S. Digges Jr.
Charles Evans Herring Jr.	Bastrop, LA	Stephen J. Katz
David Herskovitz	Los Angeles, CA	David Alan Gill
Linda Denise Hopkins	St. Croix, VI	Judge Eileen R. Petersen
Andrew McKay Hull	Phoenix, AZ	George M. Sterling Jr.
John Thomas Jacobs	Los Angeles, CA	Joseph A. Yanny
Elliott Bruce Jacobson	New York, NY	Rudolph William Giuliani
Peter Edward Koenig	Cincinnati, OH	Charles Gottlieb Atkins
Robert D. Larson	Alton, IL	Donald Edward Groshong
Michael B. Latti	Boston, MA	Stewart Abercrombie Baker
Robert Todd Lawley	Springfield, IL	Melvin N. Routman
John B. Lay	Fort Worth, TX	Dan S. Boyd
Deborah LaBelle	Detroit, MI	Carole L. Chiamp
Larry Dean Lee	Englewood, CO	John Albert Criswell
Otis L. Lee Jr.	Philadelphia, PA	Joseph M. Gontram
Nancyann Pacheco Leeder	Reno, NV	Virgil H. Wedge
Jeffrey Barton Levens	Springfield, IL	John Henry Long
Meldon Edises Levine	Los Angeles, CA	Martin Lobel
Alan S. Levins	San Francisco, CA	Robert M. Lieber
Thomas Otto Lind	New Orleans, LA	Andrew P. Carter
Dennis R. Lopach	Helena, MT	John Michael McGrath

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
L. Ames Luce	Anchorage, AK	Robert H. Wagstaff
Darrell K. McAlexander	Houston, TX	J. Mack Ausburn
William Earl McDaniel II	Washington, DC	John Paul Bokal
James A. McDowell	St. Louis, MO	William A. McDowell Jr.
Mary Beth McNamara	Baltimore, MD	Alfred George Lowe
D. Stuart Meiklejohn	New York, NY	John L. Warden
Alison Parker Mellor	Santa Ana, CA	Richard A. Dinnebier
Peter Donald Menk	Staunton, VA	Paul Edward Pysell
Clint Miller	Little Rock, AR	Mary Beth Sudduth
Richard Goodwin Moon	Portland, ME	Owen W. Wells
Eric Y. Munson	Stamford, CT	Mark P. Stone
Donald Martin Nethery	Palm Springs, CA	Richard A. Cross
Randall Deane Noel	Memphis, TN	Walter P. Armstrong Jr.
Jonathan P. Nye	Albany, NY	Michael Whiteman
Carole O. O'Blenes	New York, NY	Sara S. Portnoy
Roberta Joan O'Neale	Las Vegas, NV	Raymond Dale Jeffers
William H. Oldaker	Albuquerque, NM	Thomas John McBride
Lissa J. Paris	Hartford, CT	John C. Yavis Jr.
Robert L. Parks	Miami, FL	Aaron Samuel Podhurst
Richard Lloyd Pipkins	Las Vegas, NV	Richard H. Bryan
Stephen H. Pugh Jr.	Chicago, IL	Richard A. Makarski
Alice Ann Ratliff	Durham, NC	Michael David Calhoun
Daniel K. Rester	Baton Rouge, LA	James H. Gill Jr.
Jeffrey Iven Richards	Columbus, IN	Gerald J. Thain

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Albert A. Riederer	Kansas City, MO	Franklin Russell Millin
Peter Tatian Roach	Garden City, NY	Bruce J. Bergman
Robert S. Robbins	Philadelphia, PA	Carmen C. Nasuti
Rohn M. Roberts	Eugene, OR	Edward V. O'Reilly
Daniel G. Rodgers	Anchorage, AK	Phillip James Eide
Richard Bruce Rosenblatt	Baltimore, MD	Stephen H. Sachs
Frank C. Rothrock	Newport Beach, CA	Angelo J. Palmieri
Michael K. Ruberg	Covington, KY	Arnold Taylor
David Julian Schuman	Woodbridge, NJ	Jack Schuman
Arthur M. Shara	West Orange, NJ	Emerson L. Darnell
Mitchel H. Sheinoff	Philadelphia, PA	Leonard M. Sagot
Patricia A. Shiu	San Francisco, CA	Robert Barnes
Paul Alexander Shneyer	New York, NY	Richard F. Bellman
Edward M. Sills	New York, NY	Robert L. Conkling
Donald L. Simkin	Richmond, IN	James C. Puckett
Denver C. Snuffer Jr.	Salt Lake City, UT	Rex E. Lee
William Arthur Snyder	Irvine, CA	Jess J. Araujo
Berry Dan Spears	Austin, TX	Paul Joseph Van Osselaer
James B. Speed III	Little Rock, AR	Eugene Gilbert Sayre
Gordon Allen Stemple	Los Angeles, CA	Richard Franklin Gerry
Michael John Tallon	Rochester, NY	Frederick C. Emery Jr.
Kenneth Joseph Vandavelde	Washington, DC	James G. Hergen
Ronald J. Wheeler	Huron, SD	Michael F. Pieplow

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Boyd Lewis Wright	Grand Forks, ND	Gary R. Thune
S. Paul Zumbakis	Chicago, IL	Charles W. Nixon

#### ADMISSIONS TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Catherine Rosemary Romano	Washington, DC	Francis John Lorson

#### ORAL ARGUMENTS

No. 85-637. Donald P. Hodel, Secretary of the Interior, Appellant *v.* Mary Irving, et al. Argued by Mr. Edwin S. Kneedler for the appellant and by Ms. Yvette Hall War Bonnett for the appellees.

No. 85-1021. R. J. Reynolds Tobacco Company, Appellant *v.* Durham County, North Carolina and Forsyth County, North Carolina and Its Affected Municipalities; and

No. 85-1022. R. J. Reynolds Tobacco Company, Appellant *v.* Durham County, North Carolina and Forsyth County, North Carolina and Its Affected Municipalities. Argued by Mr. Erwin N. Griswold for the appellant and by Mr. Rex E. Lee for the appellees.

No. 85-5915. Brenda E. Wright, Geraldine H. Broughman and Sulvai P. Carter, Petitioners *v.* City of Roanoke Redevelopment and Housing Authority. Argued by Mr. Henry L. Woodward for the petitioners and by Mr. Bayard E. Harris for the respondent.

No. 85-473. Cargill, Inc. and Excel Corporation, Petitioners *v.* Monfort of Colorado, Inc. Argued by Mr. Ronald G. Carr for the petitioners, by Mr. Louis R. Cohen for the United States Federal Trade Commission, as *amicus curiae*, in support of the petitioners, by special leave of Court, and by Mr. William C. McClearn for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Carl Alfred Lindstrom Jr.	San Jose, CA	Don Edwards
Robert Jeffery Bux	Medina, OH	Thomas Samuel Moore
Danielle D. Ruttman	Denver, CO	William Edward Morgan
Arthur Robert Weiss	Topeka, KS	Kenneth Urban Benjamin Jr.
Matthew B. Works	Topeka, KS	Kenneth Urban Benjamin Jr.
Josephine Wang	New York, NY	Robert E. Duncan
William Stanton Busker	Alexandria, VA	Daniel R. Barney
Catherine C. Lassiter	Little Rock, AR	Jack T. Lassiter
Robert Martin Wilson Jr.	Little Rock, AR	Jack T. Lassiter
Geogee Lopuszynski	Chicago, IL	Graham B. Purcell Jr.
Alan Kenneth Brubaker	San Diego, CA	Charles David Ablard
James A. Hamilton	Los Angeles, CA	Raphael V. Lupo

## ORAL ARGUMENTS

No. 85-782. Immigration and Naturalization Service, Petitioner *v.* Luz Marina Cardoza-Fonseca. Argued by Mr. Lawrence G. Wallace for the petitioner and by Ms. Dana Marks Keener for the respondent.

No. 85-656. Ralph Munro, Secretary of State of Washington, Appellant *v.* Socialist Workers Party, et al. Argued by Mr. James M. Johnson for the appellant and by Mr. Daniel Hoyt Smith for the appellees.

No. 85-767. North Carolina Department of Transportation, et al., Petitioners *v.* Crest Street Community Council, Inc., et al. Argued by Mr. Lacy H. Thornburg for the petitioners, by Mr. Richard J. Lazarus for the United States, as *amicus curiae*, in support of the petitioners,

by special leave of Court, and by Mr. Michael David Calhoun for the respondents.

No. 85-701. Federal Election Commission, Appellant *v.* Massachusetts Citizens for Life, Inc. Argued by Mr. Charles N. Steele for the appellant and by Mr. Francis H. Fox for the appellee.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Carolyn Gail Mark	Washington, DC	Kenneth Paul Freiberg
Albert Peter Lenge	Hartford, CT	Elliot Francis Gerson
James Melvin Dunn	Fort Smith, AR	John Patrick Baker

## ORAL ARGUMENTS

No. 85-494. Ansonia Board of Education, et al., Petitioners *v.* Ronald Philbrook, et al. Argued by Mr. Theodore B. Olson for the petitioners and by Ms. Marian M. Johnston for the respondents.

No. 85-660. Colorado, Petitioner *v.* Francis Barry Connelly. Argued by Mr. Nathan B. Coats for the petitioner, by Mr. Andrew J. Pincus for the United States, as *amicus curiae*, in support of the petitioner, by special leave of Court, and by Mr. Thomas M. Van Cleave, III, for the respondent.

No. 85-766. Julia H. Tashjian, Secretary of State of Connecticut, Appellant *v.* Republican Party of Connecticut, et al. Argued by Mr. Elliot F. Gerson for the appellant and by Mr. David S. Golub for the appellees.

No. 85-1033. John J. Kelly, Connecticut Chief State's Attorney, et al., Petitioners *v.* Carolyn Robinson. Argued by Mr. Carl J. Schuman for the petitioners and by Mr. Francis X. Dineen for the respondent.

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Adjourned until Tuesday, October 14, 1986 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-269. Carlos DeLuna, Applicant v. Texas. The application for stay of execution of the sentence of death presented to Justice White 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 Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 85-1886. National Association of Retired Federal Employees, et al., Appellants *v.* Constance J. Horner, Director, Office of Personnel Management, et al. Appeal from the United States District Court for the District of Columbia. The judgment is affirmed.

No. 86-236. Antonio Mareno, Appellant *v.* Lillian Roberts, etc. Appeal from the Appellate Division, Supreme Court of New York, Third 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.

No. 86-257. William P. Pointon, Jr., dba Sierra Pointon Fund, Inc., Appellant *v.* Fidelity National Bank, N.A. Appeal from the Court of Appeals of Oklahoma, First 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. 86-302. Lavell Chisum, Appellant *v.* Leroy Ravine and Sandra Ravine. Appeal from the Supreme Court of Alaska. 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. 86-5358. Ernst Perkins, Appellant *v.* Neil Hartigan, Attorney General of Illinois, et al. Appeal from the United States Court of Appeals for the Seventh 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. 86-265. G & M Richmond, Appellant *v.* City of Richmond Heights, Ohio. Appeal from the Court of Appeals of Ohio, Cuyahoga County. The appeal is dismissed for want of a substantial federal question.

No. 86-5329. Kalonji Saadiq, Appellant *v.* Iowa. Appeal from the Supreme Court of Iowa. The appeal is dismissed for want of a substantial federal question.

No. 86-287. Crown Oil Corporation, et al., Appellants *v.* Lapidus Popcorn, Inc. Appeal from the Court of Appeal of California, First Appellate District. The motion of Atlantic Richfield Co., et al. for leave to file a brief as *amici curiae* is granted. The appeal is dismissed for want of jurisdiction.

#### CERTIORARI—SUMMARY DISPOSITION

No. 86-288. Rhode Island, Petitioner *v.* Stephen R. Mattatall. On petition for writ of certiorari to the Supreme Court of Rhode Island. 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 Supreme Court of Rhode Island for further consideration in light of *Kuhlmann v. Wilson*, 477 U.S. — (1986).

#### ORDERS IN PENDING CASES

No. A-202. Cyrus H. Khabiri, et al., Applicants *v.* John S. Toll, et al. The application for an injunction and other relief addressed to Justice Stevens and referred to the Court is denied.

No. 106, Original. State of Illinois, Plaintiff *v.* Commonwealth of Kentucky. The motion for leave to file a bill of complaint is granted. Defendant is allowed 60 days within which to file an answer.

No. 85-781. Frank G. Burke, Acting Archivist of the United States and Ronald Geisler, Executive Clerk of the White House, Petitioners *v.* Michael D. Barnes, et al. The motion of respondents for divided argument is denied. Justice Scalia took no part in the consideration or decision of this motion.

No. 85-1329. Gerald J. Young, George Cariste, Sol N. Klayminc and Nathan Helfand, Petitioners *v.* United States, ex rel. Vuitton et Fils S.A., et al.; and

No. 85-6207. Barry Dean Klayminc, Petitioner *v.* United States ex rel. Vuitton et Fils S.A., Louis Vuitton S.A. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 85-5939. Eulogio Cruz, Petitioner *v.* New York. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 85-1384. William R. Turner, et al., Petitioners *v.* Leonard Safley, et al. The motion of The Correctional Association of New York for leave to file a brief as *amicus curiae* is granted. The motion of Prisoners' Legal Services of New York, Inc., et al. for leave to file a brief as *amici curiae* is granted. The motion of Guadalupe Guajardo, Jr., et al. for leave to file a brief as *amici curiae* is granted.

No. 85-1589. Iowa Mutual Insurance Company, Petitioner *v.* Edward M. LaPlante, 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. 86-279. Basic Incorporated, et al., Petitioners *v.* Max L. Levinson, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States. The Chief Justice took no part in the consideration or decision of this order.

No. 86-5306. Nathaniel C. Willis, Sr., Petitioner *v.* Donald E. Lane, etc., et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 4, 1986, 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 POSTPONED

No. 85-673. Neil F. Hartigan, Attorney General of the State of Illinois, etc., et al., Appellants *v.* David Zbaraz and Allan G. Charles, etc. 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 which is limited to Question 1 presented by the jurisdictional statement.

#### CERTIORARI GRANTED

No. 85-1772. Utah Division of State Lands, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 85-1835. California, Petitioner *v.* Peter Rooney. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, granted.

No. 85-1722. Edward O'Lone, etc., et al., Petitioners *v.* Estate of Ahmad Uthman Shabazz and Sadr-Ud-Din Nafis Mateen. 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 is granted.

No. 86-108. Gary Hilton, Superintendent, New Jersey State Prison, et al., Petitioners *v.* Dana Braunskill. 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 is granted.

No. 85-6725. William John Bourjaily, Petitioner *v.* United States. The motion of petitioner 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 is granted limited to the following questions: 1. Whether, in order to admit an alleged co-conspirator's declarations against a defendant under Federal Rule of Evidence 801(d)(2)(E), the court must determine by independent evidence a) that a conspiracy existed, and b) that the declarant and the defendant were members of this conspiracy. 2. Assuming that the court must make these determinations, upon what quantum of independent proof they be based? 3. Whether, as a requirement for the admission of a co-conspirator's statement against a defendant, the court must assess the circumstances of the case to determine whether the statement carries with it sufficient indicia of reliability.

No. 86-5020. John Booth, Petitioner *v.* Maryland. The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Appeals of Maryland is granted limited to Question 3 presented by the petition.

#### CERTIORARI DENIED

No. 85-1869. Frank L. Hook, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-1883. Thomas E. Marotta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 85-1974. Richard A. Whittington and W. Lewis DeMoss, Jr., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85-2134. Estate of Patricia E. Gilmore, by Joseph P. Gilmore, Executor, Petitioner *v.* John J. Buckley, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 85-2157. Aluminum Association, Inc., and National Association of Recycling Industries, Petitioners *v.* Norfolk & Western Railway Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 85-6884. Jubal Rahman, et al., Petitioners *v.* Douglas C. Grey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 85-7124. Herman Carey, Petitioner *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 85-7128. David R. Taylor, Petitioner *v.* J. Marquez, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-8. Giovanni Masi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-9. William Joseph Quinn, Petitioner *v.* Glen E. Robinson, United States Marshal for Northern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-24. Telford S. Eggleston, et al., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-28. Norfolk Dredging Company, Petitioner *v.* Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-38. Richard L. Neal, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-41. William G. LaChance and William F. Zimmerli, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-42. G. D. Searle & Company, Petitioner *v.* Susan Cohn, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-47. Uniglass Industries, etc., Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-50. William Janklow, Petitioner *v.* Newsweek, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-74. Gulf Oil Corporation, Petitioner *v.* Danos & Curole Marine Contractors, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-91. Jack Jersawitz, Petitioner *v.* William Noonan, Warden and United States Bureau of Prisons. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-93. Cassandra M. Menoken, 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. 86-102. Mark Lewis Singer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-105. James Foster, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-148. Jeremiah Benzvi, et al., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-166. Frank August Sylvia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-167. American Cast Iron Pipe Company, Petitioner *v.* Annette Cox, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-186. Day & Zimmermann, Inc., Petitioner *v.* International Chemical Workers Union, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-210. W. M. Spector, 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. 86-215. J. A. Laporte, Inc., Petitioner *v.* Norfolk Dredging Co. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-220. James E. Waldron, et al., Petitioners *v.* Marcus Collins. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-221. Township of Clay, Petitioner *v.* Seaway Drive-In, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-229. Robert L. Brooks, Petitioner *v.* Ebony Oil Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-230. Linda Nicholson, et al., Petitioners *v.* Nandy H. King. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 86-232. Kenneth W. Behrend and Elizabeth M. Behrend, Petitioners *v.* Donald Ziegler and Craig McKay. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-233. City of Lawton, Oklahoma, etc., et al., Petitioners *v.* Solomon Lusby, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-237. Richard F. Koehnke, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin denied.

No. 86-245. Humboldt Bay Municipal Water District, Petitioner *v.* Louisiana-Pacific Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-247. General Signal Corporation, Petitioner *v.* Allied Tube and Conduit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-249. Michael R. Atracchi and Irene S. Atracchi, Petitioners *v.* Four Unknown Agents of the Federal Bureau of Investigation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-255. Michael A. Kuzmiak, Petitioner *v.* Patricia Kuzmiak. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-269. Alan J. White, Petitioner *v.* Office of Personnel Management, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-273. Texas, Petitioner *v.* Thomas Edgar Daniels, aka Thomas Edgar Austin. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 86-274. George Sarkisian, et al., Petitioners *v.* Travelers Indemnity Company, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-292. Steven E. Donley, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-297. Richard Russell, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourth Supreme Judicial District, denied.

No. 86-299. O. Lloyd Hutchison, Petitioner *v.* James S. Thomas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-301. Harriet M. Liedtke, Petitioner *v.* Thomas Bujold, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-305. Richard Reynolds, Petitioner *v.* Ingalls Shipbuilding Division, Litton Systems, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-309. Bailus Walker, Jr., et al., Petitioners *v.* Huron Valley Hospital, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-317. Charles E. N. Rosene, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-324. Arthur Amador, Petitioner *v.* Department of Transportation, FAA. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-333. Jim Barber, et al., Petitioners *v.* American Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-346. William I. Kaufman, Petitioner *v.* Berkman, Ruslander, Pohl, Lieber & Engel, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-383. Pacifico Creative Services, Inc., dba Jalpak, et al., Petitioners *v.* Thomas J. Hennegan and Gloria E. Hennegan. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-398. George Gebrayel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-413. Thomas Sikes and John Crosby Bertelsen, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-429. Daniel Finn Bloch, Petitioner *v.* Mountain Mission School, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-432. Charles J. Miller, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5009. Otis Franklin Spence, III, Petitioner *v.* Charles Toole. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5068. Jefferson W. Davis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5094. Mary Alice Carter, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5281. Tommie Burks, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-5283. Edward Dock Bennett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5285. Robert C. Hemphill, Jr., Petitioner *v.* Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5294. James Edward Clanton, Petitioner *v.* Michael Dutton, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5295. Robert S. Ryder, Petitioner *v.* Jessup & Beecher, etc., et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-5298. Johnny D. Jimenez, 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. 86-5301. Jerry Larry Collier, Petitioner *v.* Lanson Newsome, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5302. Ronald Holmes, Petitioner *v.* Howard A. Taylor, et al. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 86-5303. Charles E. Brent, Petitioner *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5304. Stephen A. Watkins, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied.

No. 86-5305. John Clements Walter, Petitioner *v.* Ruben M. Torres. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5308. Jimmie Rogers, III, Petitioner *v.* Robert Redman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5311. Ceasar Cisneros, Petitioner *v.* Colorado. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 86-5316. Victor L. Vesay, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5317. Bruce Thomsen, Petitioner *v.* Leonard W. Levine, Commissioner, Department of Human Services. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 86-5318. Vernon E. Rodman, Petitioner *v.* Norris McMackin, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5319. Joyce H. Gibson, Petitioner *v.* Charles Kivett, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5323. Landis Dillard, Jr., Petitioner *v.* Idaho. Petition for writ of certiorari to the Court of Appeals of Idaho denied.

No. 86-5326. Carl C. McClure, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 86-5330. Clarence Matthew Otworth, Petitioner *v.* Southern Pacific Transportation Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5333. Ray Donald Pratt, Petitioner *v.* John Ignacio. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5334. Glenn Roberts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5338. Leonard Lacy, Petitioner *v.* Joseph Gardino, Superintendent, Northeastern Correctional Center, Concord. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5340. Glenn Patton, Petitioner *v.* James Thieret, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5346. Frank A. Miesbauer, Petitioner *v.* Kansas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5347. Peter Thier Kay, Petitioner *v.* City of Oakland, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5348. Donald W. Anderson, Petitioner *v.* Vantage Press, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5350. Arthur Leroy Wandle, Petitioner *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 86-5352. Sherman S. Weber, Petitioner *v.* Robert R. Willard, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5354. Henry V. Geurin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5355. James Russell, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-5359. George F. Dedic, Jr., Petitioner *v.* Illinois Human Rights Commission, et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-5383. Gary L. Boitz, Petitioner *v.* Arco Alaska Inc., et al. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 86-5384. Margaret L. Bonin, Petitioner *v.* T. L. James & Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5385. David M. Williams, Petitioner *v.* Alabama Department of Pensions and Security, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5398. Anne C. Voss, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5399. Richard J. Bauer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5400. Howard A. Zwick, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5402. Victor Benson, Petitioner *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5406. Charles Weber, Petitioner *v.* Kathleen Hogue, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5416. Gilbert Torres, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5417. Brian Jenkins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5423. Rick White, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5427. Istvan Mak, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5429. James Earl Kelly, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5441. Theodore James Cook, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5461. Karl F. Fessler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5462. Luis M. Boschetti, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5506. Lucius Williams, 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. 85-1731. Automobile Club of Michigan, et al., Petitioners *v.* Clifford Roberts, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied. Justice Brennan and Justice Marshall would grant certiorari.

No. 85-7230. Rafael Ferrer-Mazorra, et al., Petitioners *v.* Edwin C. Meese, Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan and Justice Marshall would grant certiorari.

No. 85-1915. Construction Laborers Pension Trust for Southern California, Petitioner *v.* Augustine Ponce, 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 Ninth Circuit denied.

No. 85-2031. United States, Petitioner *v.* Sol C. Schwartz and Raymond F. Lane. The motion of respondent Raymond F. Lane 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. The Chief Justice took no part in the consideration or decision of this motion and this petition.

No. 85-2071. Oklahoma, Petitioner *v.* James Lester Post, Jr. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-315. James R. Ricketts, Director, Arizona Department of Corrections, et al., Petitioners *v.* Randy Greenwalt. 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. 85-2133. Crounse Corporation, et al., Petitioners *v.* Interstate Commerce Commission, et al.; and

No. 86-134. Patrick W. Simmons, Petitioner *v.* Interstate Commerce Commission, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 86-5269. Marcos Cadavid, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 85-2168. James N. Fleming, Petitioner *v.* W. Bedford Moore, III. The motion of Philadelphia Inquirer, et al. for leave to file a brief as *amici curiae* is granted. The motion of National Association for the Advancement of Colored People for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 85-6753. Joel Lee Compton, Petitioner *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 85-7122. Edward Kennedy, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5021. Marselle Jerome Bowers, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5327. Fred Marion Gilreath, Petitioner *v.* Ralph Kemp, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 85-6889. Donald William Dufour, Petitioner *v.* Mississippi. The petition for a writ of certiorari to the Supreme Court of Mississippi is denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 85-6964. Theodore Robert Bundy, Petitioner *v.* Florida. The petition for a writ of certiorari to the Supreme Court of Florida is denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 85-6977. Anthony Porter, Petitioner *v.* Illinois. The petition for a writ of certiorari to the Supreme Court of Illinois is denied. Dissenting opinion by Justice Marshall with whom Brennan joins.

No. 85-7071. Janice Marie Buttrum, Petitioner *v.* Gary Black, Warden. 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. 85-7087. William Theodore Boliek, Jr., Petitioner *v.* Missouri. The petition for a writ of certiorari to the Supreme Court of Missouri is denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 85-7189. William Wiley, Petitioner *v.* Mississippi. The petition for a writ of certiorari to the Supreme Court of Mississippi is denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 85-7204. Nollie Lee Martin, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. The petition for a writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Blackmun would grant the petition for writ of certiorari limited to Question 1 presented by the petition.

No. 86-67. Rath Packing Company Creditors' Trust, etc., Petitioner *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Justice White would grant certiorari.

No. 86-268. Richard B. Scholes, Petitioner *v.* Lue J. Allred, et al. The petition for a writ of certiorari and/or prohibition to the Court of Appeal of California, First Appellate District, is denied.

No. 86-272. Medical Incorporated, Petitioner *v.* Regents of the University of Minnesota. 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. 86-5098. Velleeta Jackson, 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.

No. 86-5291. Enrique Arabi and Sandra Fisher, Petitioners *v.* Pennsylvania, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied. Justice Brennan would grant certiorari.

## COMMON LAW CERTIORARI DENIED

No. 86-5290. In Re David Plummer, et ux., Petitioners. The petition for a writ of certiorari is denied.

## HABEAS CORPUS DENIED

No. 86-5363. In Re Bonnide W. Johnson, Petitioner;

No. 86-5502. In Re James David Morrow, Petitioner; and

No. 86-5531. In Re Phillip Douglas Jacobs, Petitioner. The petitions for writs of habeas corpus are denied.

## MANDAMUS DENIED

No. 86-5284. In Re William M. Henkel, Petitioner; and

No. 86-5357. In Re Salvador E. Owens, Petitioner. The petitions for writs of mandamus are denied.

## REHEARING DENIED

No. 71-288. Melvin R. Laird, Secretary of Defense, et al., Petitioners v. Arlo Tatum, et al. The motion for leave to file a second petition for rehearing is denied.

## RECESS ORDER

The Court will take a recess from Monday, October 20, 1986, until Monday, November 3, 1986.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John V. Adams Jr.	Pittsburgh, PA	Edward G. Shoemaker
Sandra H. Adler	Philadelphia, PA	Gregory Stuart Rubin
William T. Allison	Shreveport, LA	John Michael Lawrence
Frank Willett Armstrong III	Gainesville, GA	J. Douglas Stewart
John David Roy Atchison	Gulfport, MS	Curtis E. Anderson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ted D. Backer	Danbury, CT	A. Searle Pinney
Randall L. Basinger	Ottawa, OH	Stewart W. Savage
Alfred J. Bennington Jr.	Northfield, NJ	Thomas J. Vesper
Deborah Hill Biggers	Tuskegee, AL	Milton Carver Davis
William H. Blalock Jr.	Gainesville, GA	J. Douglas Stewart
Richard L. Bode	Pierre, SD	Mark Roberts Smith
R. Michael Bolen	Baldwyn, MS	Judge David Winston Houston III
James M. Breen	Chicago, IL	Richard A. Makarski
Barry Stewart Brown	Los Angeles, CA	Philip W. Boesch Jr.
Patricia Louise Brown	Washington, DC	Robert Whitney Barker
David Harold Bruneau	Port Angeles, WA	Kenneth O. Eikenberry
Charles K. Brunn	Modesto, CA	Timothy Thomas Flynn
Jim Bullock	Jackson, MS	Crane D. Kipp
David Wayne Burton	Corbin, KY	David Stetson
Evelyn Omega Cannon	Baltimore, MD	Stephen H. Sachs
Jack Patton Caolo	Dallas, TX	David William Buckley
Anthony M. Cardinale	Boston, MA	Kenneth J. Fishman
Francis Thomas Carr	New York, NY	Kenneth Edward Madsen
Frank L. Christian III	Fairfax, VA	Herbert Wiley Louthian
David Collins	San Francisco, CA	Burton J. Goldstein
Marlin G. Costello	Fresno, CA	Mary Louise Frampton

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Brian C. Cuff	Los Angeles, CA	Anthony Murray
Roy Michael D'Aquila	Kenner, LA	Jerome M. Volk Jr.
Lawrence Ulysses Davidson III	Charlotte, NC	Linwood O. Foust
Robert A. Denson	Kerrville, TX	Lavern Dale Harris
Sharon Couch DeBonis	Albany, NY	Leslie F. Couch
Henry L. DeGive Jr.	Atlanta, GA	Robert H. Stroup
Stephen P. Dillon	Houston, TX	Michael J. Kator
Dennis J. Dlugokinski	Detroit, MI	Dorean M. Koenig
Peter Brown Dolan	Los Angeles, CA	Gregory Alan Long
Shirley A. Ehrlich	San Antonio, TX	Peter Torres Jr.
Freece R. Elliott	Crosby, TX	Walter Roderick Johnson
Maureen Walsh Fairchild	Chicago, IL	Richard A. Makarski
Milo Joseph Fleming	Watseka, IL	Ralph J. Swanson
Raymond Lawrence Flume	San Antonio, TX	James Hildred Pearl II
William James Foster IV	New York, NY	Loretta A. Preska
Howard L. Ganz	New York, NY	Edward Silver
John M. Garic	Kenner, LA	Jerome M. Volk Jr.
Bruce Charles Gerrity	Augusta, ME	Michael J. Gentile
Daniel R. Gerschutz	Ottawa, OH	Clyde Albert Schroeder
Warren Leigh Gilbert	Los Angeles, CA	Michael W. Bolechowski
Richard B. Glickman	San Francisco, CA	Alan B. Morrison
Arturo C. Gonzalez	Del Rio, TX	Thomas Franklin Lee
Carl Hardy Green	El Paso, TX	H. Keith Myers
John Henry Green Jr.	Odessa, TX	Royal Caswell
Patricia Grace Griffith	Atlanta, GA	Jefferson D. Kirby III

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Theodore Haar	St. Louis, MO	Alan Charles Kohn
Sylvia Lee Hackl	Cheyenne, WY	A. G. McClintock
Cynthia O. Hamilton	Cambridge, MA	Stephen Howes Oleskey
William Travis Harbison II	Tulsa, OK	Patrick Arthur Williams
Teresa Diane Harper	Indianapolis, IN	Linda Rodriguez- Torrent
Patricia M. Haugh	Stamford, CT	Richard Anthony Silver
Richard W. Hay	Somerset, KY	Jerry William Gilbert
J. Walker Henry	Detroit, MI	John C. Donnelly
Leora Herrmann	Stamford, CT	Richard Anthony Silver
Patricia Herzog	Corona del Mar, CA	Keith C. Monroe
Michael Frederick Higgins	Newark, OH	Steven T. Greene
H. Leon Holbrook III	Jacksonville, FL	H. Leon Holbrook
Thelma Frances Clarke Holsomback	Houston, TX	Thomas Franklin Coleman Jr.
Richard B. Jacobson	Madison, WI	David James Hanson
Judith A. Johnson	Boston, MA	Richard P. Ward
William Scott Julian	Arapaho, OK	Patrick Charles Jackson
Robert Joseph Kaler	Boston, MA	Paul F. Hannah
Larry Steven Kaplan	Oklahoma City, OK	Jim T. Priest
Robert R. Killian	Canton, OH	Philip Edgren Howes
Stephen Edgar Kirk	Morrilton, AR	Nathan G. Gordon
Daniel Eric Knee	Flemington, NJ	Edward N. Lippincott
Bernice J. Koplin	Philadelphia, PA	Phyllis E. Hartsock

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Shelley Ann Kramer	San Francisco, CA	Charles P. Carlstroem
David Alan Lash	Los Angeles, CA	Paul S. Ablon
Jerome L. Levine	Los Angeles, CA	Valerie Vanaman
Alvin A. LeBlanc Jr.	Kenner, LA	Jerome M. Volk Jr.
Peter H. Loewy	Los Angeles, CA	Alfred J. Del Rey Jr.
Minnie Loo	San Francisco, CA	Louise H. Renne
Thomas Jasper Lowe Jr.	Jackson, MS	Bowman Stirling Tighe
Stephen F. Lungen	Monticello, NY	Michael R. Gottlieb
William Lurye	New Orleans, LA	Jerry L. Gardner Jr.
Catherine MacPherson	Rawlins, WY	John A. MacPherson
Daniel Martin	South Somerville, NJ	Michael D'Alessio Jr.
James M. McCann Jr.	Miami, FL	William J. Dunaj
Robert Michael McCarthy	Bethesda, MD	Louis S. Lear
Paul Stewart McConnell	Virginia Beach, VA	Robert Kenneth Skolrood
Stephen P. McCue	Albuquerque, NM	Tova M. Indritz
Michael James McGurn	Rochester, NY	Louis Michael LaBella
Carol Weber Medaris	Madison, WI	Thomas Alfred Lockyear
Lauren Evert Merriam III	Ocala, FL	Leonard Hjalma Johnson
Mark R. Miller	Minneapolis, MN	Harold J. Soderberg
Carol Morava	Los Angeles, CA	Gary Scott Meade
John C. Morrell	Las Vegas, NV	Mark Bruce Segal
Michael Douglas Mosher	New York, NY	Randolph S. Sherman
Patrick J. Murphy	Cleveland, OH	John T. Corrigan
William Mason Oldham	Akron, OH	Richard A. Chenoweth

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Nestor L. Olesnycky	Maplewood, NJ	Donald J. Williamson
David Alwin Paige	Tucson, AZ	Judge Michael Anthony Lacagnina
K. William Pergande	Los Angeles, CA	David Bruce Bloom
Michael Perzin	Stamford, CT	Richard Anthony Silver
Melvin John Peterson Jr.	Minneapolis, MN	Frank J. Brixius
Carolyn A. Pickard	Miami, FL	William J. Dunaj
James Richard Piedimonte	Independence, MO	Joe F. Willerth
Charles C. Postlewaite	Columbus, OH	Paul Allen Scott
Robert R. Prince	New Canaan, CT	Anthony Raymond Mansfield
Kathleen J. Purcell	San Francisco, CA	James C. Purcell
Carlos E. Rodriguez Quesada	San Juan, PR	Reina Colon de Rodriguez
Richard Eugene Rader	Santa Barbara, CA	Edward Leonard Lascher
Dolores J. Ramaker	Torrance, CA	William Emmett Hill
James Marcus Rice	Phoenix, AZ	Carm Robert Moehle
Nancy R. Rice	Boston, MA	Richard P. Ward
Daniel Wesley Richey	Vidalia, LA	Norman Magee
David Hansen Robertson	Stone Mountain, GA	Charles B. Graham Jr.
Donald H. Robertson	Flint, MI	Robert Louis Segar
Christopher Stallings Rooney	Staten Island, NY	Roger D. Smith
Joseph I. Rosenzweig	New York, NY	William Donald Kirchhofer
Bruce Russell	Clayton, GA	Frank Sutton
James Bradley Russell	Charleston, WV	Silas Bent Taylor

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Salvatore S. Russo	Brooklyn, NY	Charles F. Carnesi
Larry L. Saret	Chicago, IL	Charles Alan Laff
Laurence M. Scoville Jr.	Detroit, MI	John C. Donnelly
Michael Edward Seigler	Smyrna, GA	Robert L. Barr Jr.
Ronald L. Slater	Erie, PA	Richard William Perhaps
John J. Stumreiter	Beverly Hills, CA	Allen Edmund Susman
John Joseph Sullivan	Indianapolis, IN	John Muller
Thomas J. Suszek	Clarksdale, MS	Ralph E. Chapman
Peter Denis Sutherland	Brussels, Belgium,	Edward A. McDermott
Steven Frank Swanson	Los Angeles, CA	Otto Frank Swanson
Grover Paris Sykes Jr.	Atlanta, GA	Jefferson D. Kirby III
Ernest F. Teitell	Stamford, CT	David S. Golub
Edward Stephen Temko	San Diego, CA	Ellen Geis
Mark Jacquot Tempest	Houston, TX	Barton D. Whitman
Harry Raymond Terpstra II	Cedar Rapids, IA	Harry Raymond Terpstra
Robert LeGrande Thompson	Atlanta, GA	David M. Vaughan
Paul J. Thran	Washington, DC	David Busby
Rachel B. Trinder	Washington, DC	Raymond J. Rasenberger
Anne Marie Vandenweghe	Kenner, LA	Jerome M. Volk Jr.
Pete Samuel Visnic	Weirton, WV	Leonard Zola Alpert
Jeter Marvin Watson	Richmond, VA	Patrick Michael McSweeney
John Faulkner Weaber	Emmaus, PA	Anthony Russell Thompson
William G. Willard Jr.	Clarksdale, MS	Ralph E. Chapman

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Lawrence Winingham	San Francisco, CA	Charles P. Carlstroem
Bernard Nathan Wolf	San Francisco, CA	James J. Dowgialo
William Steven Wolfson	Flemington, NJ	John E. Weinhofer
Isabel Dalila Rojas Wood	New York, NY	Robert Weller Holland
Dan Zeidman	El Cajon, CA	Craig Eliot Weinerman
John M. Zukowski	Houston, TX	Maurice Bresenhan Jr.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert A. Gensburg	St. Johnsbury, VT	Allan I. Mendelsohn
Jon Loren Gant	Washington, D.C.	Edward J. Liebman
Maurice M. Spracker	Milwaukee, WI	Nancy Lillian Buc
Stanley M. Spracker	Washington, D.C.	Nancy Lillian Buc

#### ORAL ARGUMENTS

No. 85-558. Robert E. O'Connor, et ux., Petitioners *v.* United States;

No. 85-559. Paul H. Coplin, et ux., Petitioners *v.* United States; and

No. 85-560. Jack R. Mattox, et ux., Petitioners *v.* United States. Argued by Mr. Carter G. Phillips for the petitioners and by Mr. Jerrold J. Ganzfried for the respondent.

No. 85-495. Ansonia Board of Education, et al., Petitioners *v.* Ronald Philbrook, et al. Argued by Mr. Thomas N. Sullivan for the petitioners, by Mr. Robert F. McWeeny for the respondent, Ansonia Federation of Teachers, in support of the petitioners, by special leave of Court, by Mr. David N. Rosen for the respondents, and by Mr. Solicitor General Charles Fried for the United States and Equal Employment Opportunity Commission, as *amici curiae*, in support of the respondents, by special leave of Court.

No. 85-5221. Randall Lamont Griffith, Petitioner *v.* Kentucky. Argued by Mr. J. Vincent Aprile, II, for the petitioner and by Mr. Paul W. Richwalsky, Jr., for the respondent.

No. 85-5731. Willie Davis Brown, aka Will Brown, Petitioner *v.* United States. Argued by Mr. Fred Haddad for the petitioner and by Mr. William C. Bryson for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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No. 86-567. J. Frank Curry, et al., Petitioners *v.* John Baker, Chairman, Alabama State Democratic Committee, et al. The application for stay addressed to the Chief Justice and referred to the Court is denied. The motion of petitioners to expedite consideration of the petition for a writ of certiorari is denied.

No. 86-569. Charles Graddick, etc., Appellant *v.* Jerry Henderson, et al. The motion of appellant to expedite consideration of the statement as to jurisdiction is denied.

# SUPREME COURT OF THE UNITED STATES

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

The Chief Justice said:

"Before we commence the formal business of the Court this morning, it gives me great pleasure on behalf of my colleagues to observe that today, October 15, 1986, is the thirtieth anniversary of the commissioning of William J. Brennan as an Associate Justice of this Court. Bill, your colleagues join with your friends, family, Bench and Bar generally in saluting you on this occasion."

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Randolph Weckerle Merrill Linehan	Long Beach, CA	John F. Lillard
Robert S. Mahler	Raleigh, NC	Barry Nakell

## ORAL ARGUMENTS

No. 84-6811. Warren McCleskey, Petitioner *v.* Ralph Kemp, Superintendent, Georgia Diagnostic and Classification Center. Argued by Mr. John Charles Boger for the petitioner and by Ms. Mary Beth Westmoreland for the respondent.

No. 85-6756. James Ernest Hitchcock, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Argued by Mr. Craig S. Barnard for the petitioner and by Mr. Sean Daly for the respondent.

No. 85-530. Dennis M. O'Connor, et al., Petitioners *v.* Magno J. Ortega. Argued by Mr. Jeffrey T. Miller for the petitioners and by Mr. Joel I. Klein by invitation of the Court, as *amicus curiae*, in support of the judgment.

No. 85-5. Pennsylvania, et al., Petitioners *v.* Delaware Valley Citizens' Council for Clean Air, et al. Reargued by Mr. Jay C. Waldman for the petitioners, by Mr. Donald B. Ayer for the United States, as *amicus curiae*, in support of the petitioners, by special leave of Court, and by Mr. James D. Crawford for the respondents.

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Adjourned until Monday, October 20, 1986 at 10 o'clock.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 85-7068. Dorothy M. Barnes, Appellant *v.* Department of Revenue, Division of Motor Vehicles. Appeal from the Supreme Court of Kansas. The appeal is dismissed for want of a substantial federal question. Justice Stevens would note probable jurisdiction and set the case for oral argument.

No. 86-306. Stuart Green, et ux., Appellants, *v.* Department of Human Services of West Virginia. Appeal from the Circuit Court of Jefferson County, West 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. A-195. Mecislovas Mikutaitis, Applicant *v.* United States, et al. The application for stay presented to Justice Stevens and by him referred to the Court is denied. The stay heretofore entered by Justice Stevens is vacated.

No. D-559. In the Matter of Disbarment of Norman Edmund Burke. Disbarment order entered.

No. D-560. In the Matter of Disbarment of Fred Peter Heyser. Disbarment order entered.

No. D-578. In the Matter of Disbarment of Edward C. Alker. It is ordered that Edward C. Alker, of Folsom, 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. D-579. In the Matter of Disbarment of David Franklin Betz. It is ordered that David Franklin Betz, of Ludington, Michigan, be sus-

pended 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-580. In the Matter of Disbarment of Mary Neal Sisk. It is ordered that Mary Neal Sisk, 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 her to show cause why she should not be disbarred from the practice of law in this Court.

No. 85-937. West Virginia, Petitioner *v.* United States. The motion of California for leave to file a brief as *amicus curiae*, out-of-time, is denied.

No. 85-1129. Paul E. Johnson, Petitioner *v.* Transportation Agency, Santa Clara County, California, et al. The motion of American Federation of Labor and Congress of Industrial Organizations for leave to file a brief as *amicus curiae*, out-of-time, is granted.

No. 85-6790. Waldo E. Granberry, Petitioner *v.* Jim W. Greer, Warden. 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 petitioner in this case.

No. 86-5430. James P. Benvenuti, Petitioner *v.* Department of Defense, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 10, 1986, 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. 86-133. James Patrick Nollan, et ux., Appellants *v.* California Coastal Commission. Appeal from the Court of Appeal of California, Second Appellate District. In this case probable jurisdiction is noted.

#### CERTIORARI GRANTED

No. 86-270. San Francisco Arts & Athletics, Inc. and Thomas F. Waddell, Petitioners *v.* United States Olympic Committee and International Olympic Committee. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 85-2068. Walter H. Rankin, etc., et al., Petitioners *v.* Ardith McPherson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 86-337. Burlington Northern Railroad Company, Petitioner *v.* Oklahoma Tax Commission, et al. The motion of Association of American Railroads 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 granted.

## CERTIORARI DENIED

No. 85-6918. Harold Raymond Hooks, et al., Petitioners *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 85-7161. Lewis Hamilton Bradley, Petitioner *v.* Raymond D. Massey, Superintendent, Union Correctional Institution, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 85-7169. Eunice Marie Oliver, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 85-7183. Ira Martin Amazon, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-23. James Edward Garvin, Jr., et ux., Petitioners *v.* Alumax of South Carolina, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-45. Ronald Eppinga, Petitioner *v.* Jim Edgar, Secretary of State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-103. Arlington Hotel Company, Inc., Petitioner *v.* National Labor Relations Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-113. American Baptist Churches in the U.S.A., et al., Petitioners *v.* Ronald W. Reagan, President of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-114. Melissa Johnson, an infant, by Barbara Johnson, her mother and natural guardian, and Barbara Johnson, Petitioners *v.*

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

No. 86-117. Rajinder Singh Sachdev, Petitioner *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-120. Otis R. Bowen, Secretary of Health and Human Services, et al., Petitioners *v.* Dorothy Ellender, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-144. George L. Carson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-190. Richard Turzai, Petitioner *v.* Pennsylvania Liquor Control Board. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. 86-222. John Batterton, et al., Petitioners *v.* Texas General Land Office and Garry Mauro. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-264. John Alfarone, et al., Petitioners *v.* Bernie Wolff Construction Corp., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-296. Rod Balko, et al., Petitioners *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 86-300. Jimmy E. Frost, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-307. City of Paducah, et al., Petitioners *v.* Investment Entertainment, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-313. Grecia Gonzalez, Petitioner *v.* Public Health Trust, aka Jackson Memorial Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-318. Clarence B. Bailey, Petitioner *v.* Federal Intermediate Credit Bank of St. Louis. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-332. Louis A. Mooney, dba Bethel Steel Co. and Jean Mooney, Petitioners *v.* Greater New Castle Development Corporation. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 86-335. Mary Baumgartner, Executor of the Estate of John Baumgartner, Deceased, etc., Petitioner *v.* First Church of Christ, Scientist, etc., et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-338. Cherry Berry, etc., et al., Petitioners *v.* Aetna Casualty and Surety Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-339. National Gypsum Company, et al., Petitioners *v.* School District of Lancaster, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-343. Jerry Young, et ux., et al., Petitioners *v.* Seaboard System Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-348. Assigned Container Ship Claims, Inc., Petitioner *v.* American President Lines, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-349. Richard P. Kuntz, et al., Petitioners *v.* Nat J. Reese, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-355. Klaus J. Porzig and Ellen Porzig, Petitioners *v.* M. Nolden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-360. First Trust & Savings Bank of Kankakee, etc., et al., Petitioners *v.* Commonwealth Edison Company. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 86-395. Kostanenos Nick Hronopoulos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-402. Berlin B. Johnson, 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 Sixth Circuit denied.

No. 86-412. Copley Press, Inc., et al., Petitioners *v.* William D. Smith. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 86-414. St. Cyprian's Chapel, Inc., Petitioner *v.* Fraternity of the Apostles of Jesus and Mary, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-418. Allan R. Brakke and Mark J. Sellner, Petitioners *v.* Department of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-423. Peter Porcaro, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-427. Clyde L. Butler, Petitioner *v.* Department of Agriculture. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-438. Ronald M. Roberts, Petitioner *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-455. John R. Masy, et al., Petitioners *v.* New Jersey Transit Rail Operations, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-458. Bruce Edward Parr, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5183. William L. Shaffer, Petitioner *v.* Gary Stewart and Alan Bukowski. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5226. John Russell Marks, Petitioner *v.* United States District Court for the Middle District of Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5236. Dennis Nelson Fixel, Petitioner *v.* United States District Court for the District of Nevada, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5367. Joe A. Aqui and Bonita Gobel, Petitioners *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 86-5371. Peter Thier Kay, Petitioner *v.* Oakland, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5376. Julia Kay Rorrer, Petitioner *v.* Stafford G. Bullock, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5380. Berton Dulce, Petitioner *v.* Larry Goldstein, et ux. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5408. Edward J. Brennan, Jr., *Petitioner v. Bob Graham, Governor of Florida, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5424. Jirik Perez, *Petitioner v. James P. Hogan, et al.* Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-5435. James Barksdale, *Petitioner v. James R. Thompson, Governor of Illinois, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5450. Rick Alan Pavelski, *Petitioner v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5464. Frederick Day, *Petitioner v. City of Los Angeles, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5468. John P. Martin, *Petitioner v. United States.* Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-5471. Stephen Gillis, *Petitioner v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5513. *In Re Angela Lucas, Petitioner.* Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-5520. Shirley Rosenthal, *Petitioner v. Alvin Rosenthal.* Petition for writ of certiorari to the Court of Appeals of Wisconsin, District I, denied.

No. 85-2034. Paul Kramer, *Petitioner v. Frank E. Horton, etc., et al.* Petition for writ of certiorari to the Supreme Court of Wisconsin denied. Dissenting opinion by Justice White.

No. 85-2115. Whittaker Corporation, *Petitioner v. Perry D. Jenkins.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting opinion by Justice White with whom the Chief Justice joins.

No. 85-6956. Levis Leon Aldrich, *Petitioner v. Louie L. Wainwright, Secretary, Florida Department of Corrections.* The petition for a writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 85-7013. James R. Stringer, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5192. Michael Wayne Evans, Petitioner *v.* O. L. McCotter, 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. 86-5297. Albert Lee Jefferson, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall. | |

No. 86-5362. Kenneth F. Nuckols, Petitioner *v.* Oklahoma, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5369. 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. 86-5381. Jerry Lee Hogue, 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. 86-5452. Robert Driscoll, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-84. National Bancard Corporation, Petitioner *v.* Visa U. S. A., Inc. 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.

No. 86-85. Louis Kenneth Risken, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting opinion by Justice White with whom Justice Brennan joins.

No. 86-90. San Luis Obispo Mothers for Peace, et al., Petitioners *v.* United States Nuclear Regulatory Commission and United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Blackmun and Justice Scalia took no part in the consideration or decision of this petition.

No. 86-158. County of Wayne, et al., Petitioners *v.* Timothy Carroll. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Dissenting opinion by Justice White.

No. 86-172. Gregorio Araneta, III, et ux., Petitioners *v.* United States. The application for stay presented to the Chief Justice and by him referred to the Court is denied. The stay heretofore entered by Chief Justice Burger is vacated. The petition for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit is denied. Justice Brennan, Justice White and Justice Marshall would grant certiorari.

No. 86-278. Frederick G. Jensen, Petitioner *v.* United States. The motion of petitioner for accounting is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-310. Rob Warden, et al., Petitioners *v.* Robert A. Nolan, Judge, Circuit Court of DuPage County, Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Justice Brennan would grant certiorari.

No. 86-312. Lillian Wiggins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-329. Cory Gardiner, et al., Petitioners *v.* Sea-Land Service, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White would grant certiorari.

#### HABEAS CORPUS DENIED

No. 86-5550. In Re Melvin James Dixon, Petitioner. The petition for writ of habeas corpus is denied.

#### MANDAMUS DENIED

No. 86-5451. In Re Bal K. Thaper, Petitioner. The petition for writ of mandamus is denied.

#### PROHIBITION DENIED

No. 86-356. In Re Donald G. Tracy, Petitioner. The petition for writ of prohibition is denied.

#### REHEARINGS DENIED

No. 85-890. Frank B. Hubby, Petitioner *v.* Historic Savannah Foundation, et al. The petition for rehearing is denied.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Yvonne Aguilu-Rodriguez	San Juan, PR	Antonio Fernos-Lopez-Cepero
Peter Alliman	Madisonville, TN	Dean Hill Rivkin
Doris Applebaum	Bensalem, PA	Robert Furman Ruehl
Anthony G. Arnone	Detroit, MI	Jeremiah J. Kenney
John Marion Ashcraft III	Allentown, PA	Edward J. Zamborsky
Fred F. Bell Sr.	Montgomery, AL	Thomas Russell Allison
Joseph Gerard Bruckmann	Trumbull, CT	Jon C. Blue
Wynne S. Carvill	San Francisco, CA	Paul R. Haerle
Frederick G. Cass	Providence, RI	Arlene Violet
Kenneth H. Colley	Corvallis, OR	Joseph Parker Morray
T. Relan Colley	Corvallis, OR	Robert Thomas Chandler
Thomas Michael Crowley	Harrisburg, PA	Gregory R. Neuhauser
Richard Domenick Custureri	Ocala, FL	Judge Thomas H. Barkdull Jr.
Frederick J. Dorey	San Francisco, CA	David Gray Boutte
Frederick David Dorsey	Washington, DC	Frederick Bruce Abramson
Kevin F. Duffy	Columbus, OH	John R. Burton
Ronald Eisenberg	Philadelphia, PA	Eric B. Henson
Peter Daubert Fischer	Chicago, IL	Joan Susan Cherry
James B. Ford	Kalamazoo, MI	James F. Bauhof
Kenneth Paul Frankel	Avon Lake, OH	- Kreig J. Brusnahan
Thomas Vincent Gainer Jr.	Chicago, IL	Joan Susan Cherry
Michael F. Gehrig	Cincinnati, OH	Cedric W. Vogel

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael J. Gibbens	Tulsa, OK	William J. Holloway Jr.
Matthew Gilmartin	Cleveland, OH	Jack Mitchel Schulman
Michael L. Goldberg	Washington, DC	George H. Cohen
Neal M. Goldberg	Chicago, IL	Jerome Feldman
Neil C. Hall III	Metairie, LA	Thomas McKenzie Willmott
Philip W. Harvey	Modesto, CA	Timothy Thomas Flynn
Kenneth J. Heinz	St. Louis, MO	William Stix
John William Hempelmann	Seattle, WA	John N. Sylvester
Randy Malcolm Hess	San Jose, CA	Catherine L. DiCamillo
Blair Duncan Howard	Alexandria, VA	Plato Cacheris
Marilyn L. Huff	San Diego, CA	David E. Monahan
David Arthur Hurlburt	Lafayette, LA	John K. Hill Jr.
Richard K. Ingolia	Metairie, LA	Michael Hudson Ellis
Alan Jay Kaufman	Farmington Hills, MI	Ronald Yale Gutman
Donald Stanley Klein	New Orleans, LA	Paul B. Deal
Marc O. Knisley	Austin, TX	Shannon H. Ratliff
Kevin Charles Knowlton	Lakeland, FL	James Hardin Peterson Jr.
Stanley Ira Laughlin	North Babylon, NY	Robert Logue Folks
Brainerd W. LaTourette Jr.	St. Louis, MO	Albert Michael Schlueter
Charles Henry Lee	Orland, CA	Donald Cole Byrd
William Gregory Lockeby	Orlando, FL	Johnie Allen McLeod
Joseph C. Long	Norman, OK	Robert E. L. Richardson
Robert D. Maack	Salt Lake City, UT	Calvin L. Rampton

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Fletcher Mabon Seth L. Marvin	Doylestown, PA New York, NY	William B. Eagan Justice Alan D. Marrus
Robert A. Mazzoni	Scranton, PA	Cody Hamilton Brooks
Verne L. Nazarek	Santa Rosa, CA	Robert William Sinai
Charlene E. Novick Christopher Olan Parker William T. Payne	St. Louis, MO Little Rock, AR Atlanta, GA	Rex Carr A. T. Goodloe II Ronald Lamar Hilley
Robert F. Peck Charles J. Porter Robert Franklin Prince	La Grange, IL Clarkston, MI Tuscaloosa, AL	Sheldon Gardner Jon H. Kingsepp Ralph Irving Knowles Jr.
Michael James Radford	San Diego, CA	Robert James Berton
Jed S. Rakoff	New York, NY	Howard Warren Goldstein
David Glenn Reynolds Louis L. Robein Jr.	Albuquerque, NM New Orleans, LA	Marian Matthews Jerry L. Gardner Jr.
Jonathan Schochor William M. Shurling III	Baltimore, MD Macon, GA	John J. Kenny Robert Ellsworth Herndon
Sally A. Shushan	New Orleans, LA	Curtis Rich Boisfontaine
Marlena Siegel	Philadelphia, PA	Lawrence Jay Beaser
Keith Allen Teel	Washington, DC	Theodore L. Garrett
Samuel G. Thompson	Raleigh, NC	John H. Anderson Jr.
Mark David Tucker Robin Kenton Vinson	Miami, FL Raleigh, NC	L. Norton Preddy John H. Anderson Jr.
Michael Thomas Wharton	Annapolis, MD	Edward S. Digges Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mark Stephen Williams	Arlington, VA	Eugene Albert Steffen
Edward A. Williamson	Philadelphia, PA	Herman Woodrow Alford
Arthur Dale Wilson	San Antonio, TX	Ralph George Langley
Beverly Jean Wolfe	Minneapolis, MN	Vernon Ernest Bergstrom
Wesley Eldon Wright	Houston, TX	Terry G. Collins

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lawrence Tunncliffe Jones	Hempstead, NY	Carroll Hudson T. Jones
Edward Baxter Lemmond	Alexandria, VA	Walter Scott Street III
Jeff S. Westerman	Los Angeles, CA	Marianna S. Smith
James Clayton Midgett Jr.	Nashville, TN	Roy A. Miles Jr.
Michael Newton Widener	Phoenix, AZ	Bonnie Susan Blair
Jerome F. Crotty	Chicago, IL	Robert A. Clifford
Ronald P. Duplack	Chicago, IL	Robert A. Clifford
Thomas W. Rieck	Chicago, IL	Robert A. Clifford
Edward J. Carroll	San Francisco, CA	A. Albert Balavage
Mark Walter Braswell	Washington, DC	Ferd Leary Davis Jr.
David Gardner Hammock	Savannah, GA	Ferd Leary Davis Jr.
Kyle Nelson Brown	Newport, NC	Ferd Leary Davis Jr.
M. Jean Calhoun	Raleigh, NC	Ferd Leary Davis Jr.
Mark Timothy Calloway	Raleigh, NC	Ferd Leary Davis Jr.
Daniel L. Hawkins	Graham, NC	Ferd Leary Davis Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Randolph Ingram II	Cary, NC	Ferd Leary Davis Jr.
Clara Delores King	Roanoke Rapids, NC	Ferd Leary Davis Jr.
Lawrence F. Mazer	Raleigh, NC	Ferd Leary Davis Jr.
Cynthia Lynn McNeill	Jefferson, NC	Ferd Leary Davis Jr.
Deborah Ann Shandles	Raleigh, NC	Ferd Leary Davis Jr.
Philip Summa	Charlotte, NC	Ferd Leary Davis Jr.
Ann Callison Taylor	Dunn, NC	Ferd Leary Davis Jr.
Joseph Philip Abbenda	Garden City, NY	Andrew J. Simons
Edward Alan Argue	East Hills, NY	Andrew J. Simons
Joel Kenneth Asarch	Baldwin, NY	Andrew J. Simons
Jack A. Bennardo	Merrick, NY	Andrew J. Simons
James A. Bradley	New York, NY	Andrew J. Simons
David Brown	Westbury, NY	Andrew J. Simons
Stephen Allan Bucaria	Garden City, NY	Andrew J. Simons
Thomas F. Byrd Jr.	Westbury, NY	Andrew J. Simons
William F. Chimeri	Freeport, NY	Andrew J. Simons
Stephen Civardi	Mineola, NY	Andrew J. Simons
Thomas Costello	Mineola, NY	Andrew J. Simons
Jeffrey C. Daniels	Wantagh, NY	Andrew J. Simons
Edward Joseph Donlon	Rockville Centre, NY	Andrew J. Simons
John P. Flaherty Jr.	New York, NY	Andrew J. Simons
Lester Forest Jr.	Nassau County, NY	Andrew J. Simons
Claire Smith Furlong	Floral Park, NY	Andrew J. Simons
Amy Cobert Haber	Roslyn, NY	Andrew J. Simons
Eugene Haber	Roslyn, NY	Andrew J. Simons
William T. Hentrich	New York, NY	Andrew J. Simons
Carol M. Hoffman	Garden City, NY	Andrew J. Simons
Robert W. Hollweg	Halesite, NY	Andrew J. Simons
Michael Harold Holohan Jr.	Mineola, NY	Andrew J. Simons

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ezra Huber	New York, NY	Andrew J. Simons
Robert Hart Jewell	Mineola, NY	Andrew J. Simons
Isa Doppelt Kantor	Woodbury, NY	Andrew J. Simons
Joan Erdey Keppler	Great Neck, NY	Andrew J. Simons
Michael L. Kohl	Massapequa, NY	Andrew J. Simons
Barbara H. Kopman	Woodbury, NY	Andrew J. Simons
Morris Krapes	Syosset, NY	Andrew J. Simons
Cheryl Leslie Kreger	Garden City, NY	Andrew J. Simons
David Scott Kulakoff	Massapequa Park, NY	Andrew J. Simons
Patrick Lanigan	Coram, NY	Andrew J. Simons
Marilyn Kulek Litt	Rockville Centre, NY	Andrew J. Simons
John G. Marks	Garden City, NY	Andrew J. Simons
Thomas Joseph Mason	Mineola, NY	Andrew J. Simons
James Francis Matthews	Garden City, NY	Andrew J. Simons
Morris E. Matza	New York, NY	Andrew J. Simons
Elaine Grant Miller	Great Neck, NY	Andrew J. Simons
Neil Ted Miller	Garden City, NY	Andrew J. Simons
Richard M. O'Callaghan	Garden City, NY	Andrew J. Simons
Maryanne Barbera Orenstein	New York, NY	Andrew J. Simons
Arlynn Beyer Palmer	Jericho, NY	Andrew J. Simons
Ruth Marie Pollack	Carle Place, NY	Andrew J. Simons
Theodore Charles Richman	Merrick, NY	Andrew J. Simons
Irvin H. Rosenthal	New York, NY	Andrew J. Simons
Barbara Gruberg Sugin	Hempstead, NY	Andrew J. Simons
John R. Treutlein	Bethpage, NY	Andrew J. Simons
Robert F. Van der Waag	East Williston, NY	Andrew J. Simons
John S. Wojak	Manhasset Hills, NY	Andrew J. Simons
Melvin B. Zahler	New York, NY	Andrew J. Simons
Arlene Zalayet	Garden City, NY	Andrew J. Simons
David Mitchell Ardam	Commack, NY	Robert Logue Folks
John E. Baisley	Huntington, NY	Robert Logue Folks

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul J. Baisley Jr.	Huntington, NY	Robert Logue Folks
Erin M. Benesch	Holbrook, NY	Robert Logue Folks
Joyce D. Cain	Huntington, NY	Robert Logue Folks
Thomas Alexander Capasso	Coram, NY	Robert Logue Folks
Philip P. Costigan	Merrick, NY	Robert Logue Folks
Harold Anthony Craig Jr.	Hauppauge, NY	Robert Logue Folks
Barbara Delaney	Blue Point, NY	Robert Logue Folks
Edward P. Donnellan	Lake Grove, NY	Robert Logue Folks
Frederick Eisenbud	Fort Salonga, NY	Robert Logue Folks
Steven Ershowsky	Hauppauge, NY	Robert Logue Folks
Nicholas A. Gabriele	W. Babylon, NY	Robert Logue Folks
Carlos G. Garcia	Bay Shore, NY	Robert Logue Folks
Peter R. Gorczynski	Central Islip, NY	Robert Logue Folks
Edward John Gutleber	East Setauket, NY	Robert Logue Folks
Richard Hamburger	Northport, NY	Robert Logue Folks
James K. Hogan	Patchogue, NY	Robert Logue Folks
James S. Kats	West Islip, NY	Robert Logue Folks
Barbara Joan Kenny	Shoreham, NY	Robert Logue Folks
Vincent F. King	Southampton, NY	Robert Logue Folks

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lynne Adair Kramer	Fort Salonga, NY	Robert Logue Folks
Howard W. Lange	Bay Shore, NY	Robert Logue Folks
Robert Thomas Lee	Huntington, NY	Robert Logue Folks
Caroline Levy	Commack, NY	Robert Logue Folks
Ralph A. Lopez III	Bay Shore, NY	Robert Logue Folks
Thomas Maligno	Bay Shore, NY	Robert Logue Folks
Jayne Anne McPartlin	Syosset, NY	Robert Logue Folks
Adrienne M. Mirro	Commack, NY	Robert Logue Folks
Francis P. Murphy	Sayville, NY	Robert Logue Folks
Jeb Alan Niewood	Coram, NY	Robert Logue Folks
Daniel S. Padow	East Northport, NY	Robert Logue Folks
Alan Pressman	Central Islip, NY	Robert Logue Folks
Stephen Paul Rathjen	Hauppauge, NY	Robert Logue Folks
Philip William Rogers	Patchogue, NY	Robert Logue Folks
Benjamin D. Russo	Patchogue, NY	Robert Logue Folks
Edith C. Ryskyk	Patchogue, NY	Robert Logue Folks
David William Sackman Jr.	Commack, NY	Robert Logue Folks
Susan Joyce Saltz	Huntington, NY	Robert Logue Folks
Vanessa M. Sheehan	Patchogue, NY	Robert Logue Folks

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Theodore David Sklar	East Setauket, NY	Robert Logue Folks
Lita J. Smith-Mines	Commack, NY	Robert Logue Folks
Linda Ann Spahr	Hauppauge, NY	Robert Logue Folks
Stephen Mark Spahr	Hauppauge, NY	Robert Logue Folks
Gerald Kent Speal	Hauppauge, NY	Robert Logue Folks
Thomas Vincent Svogun	Huntington, NY	Robert Logue Folks
William J. Upton	Greenlawn, NY	Robert Logue Folks
William Alexander Whitman	Selden, NY	Robert Logue Folks
Mary-Ellen Worden	Huntington, NY	Robert Logue Folks
Robert P. Worden Jr.	Huntington, NY	Robert Logue Folks

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Adjourned until this afternoon at 3 o'clock.

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The Chief Justice said:

“The Court is in special session this afternoon to receive the resolutions of the Bar of the Supreme Court in tribute to our former colleague and friend, the late Justice Stewart.

The Solicitor General is recognized at this time for the purpose of presenting those resolutions which were adopted by the Bar. Mr. Solicitor General.”

Mr. Solicitor General Fried addressed the Court as follows:

“Mr. Chief Justice, and may it please the Court:

The members of the Bar of the Court met this day and have adopted resolutions in honor of Justice Stewart. And I would ask leave of the Court to present those resolutions at this time.

## RESOLUTIONS

We have convened today in this Temple of Justice where the late Associate Justice Potter Stewart served with the highest distinction to give formal expression to the esteem and affection in which we held this able and devoted lawyer and jurist.

He was born January 23, 1915 in Jackson, Michigan, the birthplace, also, of the political party with which he was affiliated before he began his judicial career; but he grew up in Ohio, the family home, where the Stewarts had for many years contributed signally to the development and governance of the Buckeye State. He was the son of Harriet Potter Stewart and James Garfield Stewart, a fabled orator who included among his achievements service for several terms as mayor of Cincinnati and later as Justice of the Supreme Court of Ohio. Potter Stewart attended Cincinnati's University School, Hotchkiss School, and Yale College, where he graduated *cum laude*, was elected to Phi Beta Kappa, and served as Chairman of the *Yale Daily News*. After a year at Cambridge on a Henry fellowship, he entered the Yale Law School. He received his J. D. degree from Yale in 1941 after a brilliant academic career that included an editorship of the *Yale Law Journal*. These were the days when the validity of much of the New Deal Legislation was challenged in the Court and Yale Law School was in the van of the legal realism movement. Professor Jerold Israel, who served as one of his law clerks, has speculated that these debates may have had a significant impact upon the development of Justice Stewart's legal philosophy.<sup>1</sup>

His initial employment with a Wall Street law firm was interrupted in its first year when our nation entered World War II. He served more than three years on active duty in the United States Naval Reserves as a deck officer on oil tankers in what he called the "dungaree navy." He concluded his naval service with three battle stars, and after a brief period with the Wall Street firm, returned to Cincinnati to join a leading firm in the general practice of law.

He and Mary Ann Bertles had married on April 24, 1943, and they both settled down to the challenging and rewarding life of a promising young lawyer in the Queen City. His ability was recognized in his service in many charitable and civic community organizations, and he was elected in 1950 to the Cincinnati City Council. He was reelected in 1952, and was serving as vice-mayor when President Dwight D. Eisen-

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<sup>1</sup>Israel, *Justice Potter Stewart*, in IV *The Justices of the Supreme Court* (L. Friedman and F. Israel, eds, 1969).

hower appointed him, although only thirty-nine years of age, to the United States Court of Appeals for the Sixth Circuit on June 1, 1954. This appointment afforded the young judge an excellent opportunity to acquire a wide range of judicial experience.

As Justice Stewart was to observe later, "The Sixth Federal Judicial Circuit is a cross section of the nation. Extending from the tip of Michigan's upper peninsula to the Mississippi border, it spans the heartland of our country. So it is that the United States Court of Appeals for the Sixth Circuit is not a regional court but in every sense a national one. Its workload reflects the pluralism and diversity of our national life. To it for decision came admiralty cases from the Great Lakes, moonshine cases from Appalachia, labor cases from Cleveland, patent cases from Detroit, tax cases from Memphis—criminal cases and civil cases of every conceivable kind from almost everywhere within the Circuit's broad borders."<sup>2</sup>

In his four years as the junior judge of the Sixth Circuit Court of Appeals, Justice Stewart quickly earned the reputation of a careful, learned, and industrious judge. When Justice Harold Burton, a fellow Ohioan announced his retirement in the fall of 1958, it surprised no one that President Eisenhower turned to the talented and energetic young Cincinnati judge from the Sixth Circuit.

Professor Israel has written, ". . . on October 7, 1958, [when] President Eisenhower formally announced the appointment, [t]he selection of Stewart was highly praised by the bar, although there was some southern opposition to the appointment of a 'northern integrationist'. (One of Stewart's few major constitutional decisions on the Court of Appeals had been a school segregation case in which the court ordered almost immediate integration, *Clemons v. Board of Education of Hillsboro*, 228 F. 2d 853 [6th Cir. 1956].) Only forty-three at the time of his appointment, Stewart became the second youngest Supreme Court Justice since the pre-civil war period."<sup>3</sup>

Many observers of and commentators on the business of the Court frequently try to identify an ideological division between the justices and attempt to explain the decisions of the Court as reflecting the philosophical predispositions of their authors. When Stewart took his seat, the Court was popularly viewed as evenly divided between an activist or liberal group of four Justices and a passivist or conservative

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<sup>2</sup> Stewart, J. Preface, *The Sixth Circuit Review 1968-69*, 1970 U. Tol. L. Rev. 49.

<sup>3</sup> Israel, *supra* note 1.

group of an equal number. Stewart was asked by a journalist how he classified himself. His response came as no surprise to those who knew him, "I like to be thought of as a lawyer."

Dean Terrance Sandalow, Justice Stewart's first law clerk on the Court, has written, "Justice Stewart never confused cases with causes or ideology. The responsibility of the judge, in his view, is to decide the former, not to promote the latter."<sup>4</sup>

Professor Laurence H. Tribe, another Stewart law clerk, also recognized this approach of the Justice to the decisional process, "He was less interested in pursuing a unified philosophical vision than in determining what the law, as he understood it, required in the case at hand. And his most consistent philosophy was his skepticism about the virtues of apparently consistent philosophies. Never an ideologue, Justice Stewart found himself at the Court's 'center' not out of political predilection, but because his habit of mind was to start from a position of equipoise, and from there to assess the competing arguments of the parties before him. What the particular parties in a case had to say mattered greatly to this Justice; he saw the Court's business as that of deciding cases, not of arbitrating causes. Thus he was ever the careful student of the briefs and, during oral argument, one of the most active Justices—which is to say, from the perspective of one who has argued before him, one of the most relentless and demanding."<sup>5</sup>

His personal relationships with his judicial brethren and with the lawyers who came before the Court was one of unflinching courtesy and consideration, and he always manifested the greatest respect for the traditions of the legal profession and the Court. Once, an over zealous lawyer during a question period at a Sixth Circuit Conference asked Justice Stewart about an opinion of "Wiley Rutledge." Justice Stewart looked at the lawyer quizzically and inquired, "Were you personally acquainted with Mr. Justice Rutledge?"

But Justice Stewart was not without passion. Manifest injustices could evoke from him the scathing denunciation of an Old Testament prophet. Shortly before he retired, with hands almost trembling as he suppressed his outrage, he read from the bench a dissenting opinion in which he refused to accord absolute judicial immunity to a state judge who had, *ex parte*, at the request of the parents of a fifteen year old girl, authorized her sterilization without her knowledge. "A Judge is

<sup>4</sup>Sandalow, *Potter Stewart*, 95 Harv. L. Rev. 6 (1980).

<sup>5</sup>Tribe, *Tribute to Potter Stewart*, 95 Yale L. J. 1328 (1986).

not free like a loose cannon," he said, "to inflict damage whenever he announces that he is acting in his judicial capacity."<sup>6</sup>

Although the Court was its professional centerpiece, it was not all of Justice Stewart's life, and at the end of the term in 1981 he decided to retire at age 66 to permit him to spend more time with his beloved Andy, their children and grandchildren.

His retirement plans included making recordings for talking books for the blind and serving on public and private boards and commissions where he might share some of the rich experiences and wisdom that he had acquired in his eventful life. He achieved many of these goals when, in the fullness of his involvement with life, he left it on December 7, 1985.

He wrote a short concurring opinion in *Jacobellis v. Ohio*<sup>7</sup> that was reconstructed by the press into an epigram that received such currency that he feared that it might become his epitaph. A rephrasing of that apothegm would make it read more appropriately, "He may not have been able to define justice, but he knew it when he dispensed it."

Wherefore, it is accordingly

RESOLVED, that we, the Bar of the Supreme Court of the United States, express our lasting and great appreciation for the exemplary service rendered by Potter Stewart during his long public career, as Cincinnati councilman, as Judge of the Court of Appeals, and then as a distinguished Associate Justice of this Court, and later as a retired Associate Justice; that we record with great affection and esteem for him, and our admiration for the qualities of wise judgment, of diligent and perceptive craftsmanship, and of personal generosity and gentlemanliness which enabled him to be so effective in contributing to the progress of the law and to the betterment of our Nation; and it is further

RESOLVED, that the Solicitor General be asked to present these Resolutions to the Court and that the Attorney General be asked to move that they be inscribed upon the Court's permanent record.

SUBMITTED BY THE COMMITTEE ON RESOLUTIONS: E. Edward Bruce, Lloyd N. Cutler, Esq., Paul M. Dodyk, Esq., John Lloyd Evans, Jr., Esq., Erwin N. Griswold, Esq., Benjamin W. Heineman, Jr., Esq., Professor Jerold H. Israel, Professor Thomas E. Kauper, Robert T. Keeler, Esq., Richard A. Moore, Esq., Hon. William H.

<sup>6</sup> *Stump v. Sparkman*, 435 U.S. 349, 364 (1978).

<sup>7</sup> 378 U.S. 184, 197 (1964).

Orrick, Jr., W. Carey Parker, Esq., Professor Thomas D. Rowe, Jr., Dean Terrance Sandalow, Professor Richard B. Stewart, Professor Laurence H. Tribe, Professor Harry Wellington, Hon. Wade H. McCree, Jr., Chairman.”

The Chief Justice said:

“Thank you, Mr. Solicitor General. The Court now recognizes the Attorney General of the United States.”

Mr. Attorney General Meese addressed the Court as follows:

“Mr. Chief Justice, and may it please the Court:

As you have heard from the Solicitor General, the Bar of this Court met today to honor the memory of Potter Stewart, Associate Justice of the Supreme Court from 1958 to 1981. It is my privilege on behalf of the Supreme Court Bar to present a few remarks about this distinguished jurist and to offer a motion before the Court.

Justice Stewart was only 43 years old when President Eisenhower appointed him to this Court. But while he came to the Court relatively young in age, Potter Stewart brought with him a highly developed sense of our system of governance and a finely tuned appreciation for the purposes and vision of the written Constitution that structures that system. As part of that appreciation, he had a particularly keen understanding of the role of a judge in our constitutional republic.

Justice Stewart began learning about our constitutional system of governance at an early age. His father was a mayor and, later, a judge on the Ohio Supreme Court. Justice Stewart learned about the legal system from his father and then followed his father's path in law, government, and the judiciary. He studied jurisprudence at Cambridge and Yale Universities, practiced law in New York and Cincinnati, served as a member of the city council and as a vice-mayor of Cincinnati, and sat as a federal judge on the Sixth Circuit Court of Appeals. Thus, by the time he came to this Court, Potter Stewart had the seasoning of first-hand experience with almost every aspect of the legal system and the institutions that function within it.

These experiences profoundly shaped Justice Stewart's view of the function of this Court in interpreting the Constitution and laws of our country. Having served in a war, in local elective office, and on the federal appellate bench, Justice Stewart had a particularly keen understanding of the role played by each of the different branches of govern-

ment in our constitutional system. He appreciated, as did the founding fathers, the importance of a separation of powers, of federalism, and of an independent judiciary to the preservation of liberty. Justice Stewart realized that reposing unchecked authority in *any* branch of government is the antithesis of what our constitutional system is about.

It has been often noted that Justice Stewart avoided unnecessarily far-reaching pronouncements and paid unusually careful attention to the facts of the cases before him. At oral argument he always wanted advocates to be attentive to the facts that produced and shaped a particular dispute. He repeatedly stressed that the heart of a case could be found in its facts, and he was not satisfied to proceed on less than a full understanding of those facts. His opinions typically reflect the same focus: they carefully document the events that brought a particular controversy to the Court, examine the various arguments that the parties could make in advocating a particular result, and then, applying Occam's razor, answer the question presented—and no more. Justice Stewart's public performance thus exemplified his conviction that the Court is on the surest and most proper ground when it acts not as a philosophical or political body, but rather as a legal, institution.

Whether one agreed or disagreed with his opinions in particular cases, Justice Stewart's lawyerly approach, good judgment, and elegant prose always brought great credit to this Court. His jurisprudence shows a reverence for the basic tenets of our constitutional tradition—free speech, religious liberty, protection of civil rights, and reliance on the representative processes of government.

For example, in cases involving speech and religion, Justice Stewart urged the Court to champion "a society of free choice." [*Ginsberg v. New York*, 390 U.S. 629, 648 (1968) (Stewart, J., concurring).] He believed, as he said, that "those who wrote our First Amendment . . . put their faith, for better or worse, in the enlightened choice of the people, free from interference of a policeman's intrusive thumb or a judge's heavy hand." [*Ginzburg v. United States*, 383 U.S. 463, 498 (1966) (Stewart, J., dissenting).] Thus, he wrote for the Court in *Edwards v. South Carolina* that a State could not "make criminal the peaceful expression of unpopular views," [*Edwards v. South Carolina*, 372 U.S. 229, 237 (1963),] and he dissented when the Court allowed a State, in his view, to force an individual "to choose between his religious faith and his economic survival." [*Braunfeld v. Brown*, 366 U.S. 599, 616 (1961) Stewart, J., dissenting.] To Justice Stewart, the First Amendment was the "foundation" on which our constitutional system is built. [See *Bates v. Little Rock*, 361 U.S. 516, 522–523 (1960).]

Justice Stewart understood that our Constitution guarantees more than just orderly processes. He deeply believed, for example, that the Constitution—without exception—guarantees equal treatment for people of *all* races. He wrote that the Constitution does not allow “the criminality of an act [to] depend upon the race of the actor,” [*McLaughlin v. Florida*, 379 U.S. 184, 198 (1964) (Stewart, J., concurring); see also *Loving v. Virginia*, 388 U.S. 1, 13 (1967),] and he dissented in a case involving a race-conscious program sponsored by the Federal Government, stating that the “equal protection standard of the Constitution had one clear and central meaning—it absolutely prohibits invidious discrimination by government.” [See *Fullilove v. Klutznick*, 448 U.S. 448, 523 (1980).] Justice Stewart believed that our Constitution has promised equal opportunity to all, and all institutions of government are duty bound to enforce that promise.

Justice Stewart also believed that the Constitution preserved various powers for the states. For example, though he agreed that the Eighth Amendment’s prohibition against capital punishment was substantial, he believed that the states were entitled to enact death penalty statutes with appropriate safeguards. [See *Gregg v. Georgia*, 428 U.S. 153 (1976).] Similarly, though he believed Congress had substantial power to regulate interstate commerce, he believed strongly that the regulation of “wholly local activities” was reserved to the states. [*Perez v. United States*, 402 U.S. 146, 157 (1971) (dissenting opinion).]

Justice Stewart viewed as a pervasive theme of our Constitution a deep faith that each individual in our society is capable of intelligent choice. This conviction in the ability of individuals rationally to choose underlay his pronouncement for the Court that the Sixth and Fourteenth Amendments give a criminal defendant the right “to proceed *without* counsel when he voluntarily and intelligently elects to do so.” [*Faretta v. California*, 422 U.S. 806, 807 (1975) (emphasis in original).] It similarly underlay his positions, albeit in dissent, that public school students should be allowed to engage in voluntary non-denominational prayer, [see *Engel v. Vitale*, 370 U.S. 421, 444–445 (1962) (Stewart, J., dissenting)]; and that criminal suspects should be allowed to respond to questions without first being warned of their privilege against self-incrimination and of the consequences of foregoing it, [see *Miranda v. Arizona*, 384 U.S. 436, 504–545 (1966) (dissenting opinion); see also *Orozco v. Texas*, 394 U.S. 324, 331 (1969) (Stewart, J., dissenting).]

Concomitantly, Justice Stewart appreciated that “the essence of judicial duty [required him] to subordinate [his] own personal views \* \* \*,” [*Griswold v. Connecticut*, 381 U.S. 479, 530–531 (1965) (Stewart, J.,

dissenting),] and that the Court should not normally substitute its judgment for that of elected legislative bodies. Thus, in an equal protection opinion, he forcefully articulated for the Court the proposition that "the intractable economic, social, and even philosophical problems presented by public welfare assistance programs are not the business of this Court," [*Dandridge v. Williams*, 397 U.S. 471, 487 (1970),] and he found especially troubling cases which called upon the Court to address claims not expressly governed by the text or the history of the Constitution itself. [See *Griswold v. Connecticut*, 381 U.S. at 530-531.] However, in cases where the Constitutional text and history is clear, Justice Stewart was properly forceful and vigilant in safeguarding fundamental civil rights. [As evidenced by his opinion for the Court in *Alied Structural Steel Co. v. Spannaus*, 438 U.S. 234 (1978).]

In remembering Justice Stewart's work and career, we should also remember his unusual personal qualities of character, integrity, and intelligence. Justice Stewart had a quick wit that cut through cant or hypocrisy and he learned early on not to take himself too seriously. While a student at Hotchkiss he was elected class wit with 43 votes. The next closest wit got only 4. I personally learned of Potter Stewart's sense of humor and good fellowship when the two of us joined William Buckley and Walter Cronkite in a humorous skit on the stage of the Bohemian Grove.

Those of us who had the privilege to know him will always remember Justice Stewart's love for politics, the Cincinnati Reds, and most of all his family. For Justice Stewart was a husband, father, and grandfather who savored his private life as much as his public service. Many public men and women often find it difficult in the midst of attention and honors to keep their eye on what T. S. Eliot called "the permanent things." Justice Stewart knew his priorities. He always put his family first.

Mr. Chief Justice, in the name of the lawyers of this nation and, in particular, of the Bar of this Court, I respectfully request that the resolutions presented in honor and celebration of the memory of the late Justice Potter Stewart be accepted by you, and that they, together with the chronicle of these proceedings, be ordered kept for all time in the records of this Court."

The Chief Justice said:

"Mr. Attorney General and Mr. Solicitor General, the Court thanks you on behalf of the Bar for your presentations today in memory of our late colleague and friend, Justice Stewart.

We ask that you convey to Chairman McCree and the members of the Committee on Resolutions our profound appreciation for these very appropriate resolutions. Your motion that these resolutions be made a part of the permanent record of the Court is hereby granted.

Potter Stewart was many things besides a judge.

He was an avid fan of the Cincinnati Reds baseball team. Those of us who served with him at the time can still remember his intense interest in that great seven-game world series of 1975 between the Cincinnati Reds and the Boston Red Sox, and his delight with the Reds' triumph in four games over the New York Yankees in the World Series of 1976.

He was a fisherman. In fact, he was one of the very few fishermen I have ever known who didn't like to get up early in the morning.

He was a patriot, not in the sense often attributed to Stephen Decatur—"my country, right or wrong,"—but in the sense that many of his contemporaries were, contemporaries who had served creditably and honorably in the Armed Forces in the second World War and who still many years later got goose bumps when they saw the flag passing by on a ceremonial occasion.

He was also something of a mentor to me, although he may not have realized it. He was not the sort of a fellow to ostentatiously take a neophyte under his wing, and show him how the land lay. But a number of his very preceptive observations made to me—and doubtless made to others who had joined the Court after he had—gave me a feel for the way the institution worked.

I remember his telling me that he felt he would never know more about a case than when he left the bench after hearing the case orally argued. Over a period of time I tested out this bit of wisdom which he had imparted, and came to agree with him completely.

Justices of this Court rightly prize their complete independence, not only from authority in the other branches of government, but from their colleagues; no member of this Court is bound to surrender his opinion on a particular matter even though eight colleagues totally disagree with him. Potter Stewart cherished this independence in the same way that all of us do, but he was also constantly mindful that even on an Article III court such as ours, a judge is a member of an organization. The organization has no claim on the judgment of a Justice, but it does have a claim of a smaller order—that the judge manage his own work in such a way as to assist his eight colleagues in getting their work done. Potter Stewart managed as well as any colleague I have known to balance the demands of the collegiate institution against the need for

full development and exposition of ones own opinions in cases before the Court.

He was a superb craftsman of the written opinion. His opinions were short, lucid, and to the point. His father, James Garfield Stewart, had been active in elective politics in the state of Ohio, and was in fact serving on the Supreme Court of Ohio when Potter Stewart was appointed to this Court. Potter retained a lively spectator's interest in electoral politics for all of his life, but like all good judges he refrained from mixing partisan politics with judging. When his opinions had finished dealing with the legal questions involved, they ended; he was content to be a judge, and did not aspire to be a robed statesman. His discussion of cases at the conferences of the Court followed the same model: lucid, analytical, and to the point.

During the time he served with Chief Justice Burger, Potter Stewart was on occasion referred to as one of the "swing" votes on the Court, which is an appellation apparently reserved for those who are somewhere in the middle of the ideological spectrum of the Court as constituted at a particular time. If this classification be thought to suggest that he had no established constitutional hierarchy of his own, it could not be more mistaken. During his period of service with Chief Justice Warren, he was often in dissent in some of the Warren Court's decisions about the constitutional rights of criminal defendants. During his service with Chief Justice Burger, he was more often with the majority in cases such as this. But it was not he who altered his views; it was the cases coming before the Court and the personnae of the Court which had changed.

Many of the questions which perplexed the Court during the twenty-three years during which he served have not been finally resolved, nor will they be resolved in our time. They embody the issues on which judges of different philosophies can and do often disagree; the judicial quest is not to finally put at rest the claims of government against the claims of the individual, the need for order against the desire for liberty; that is too much to ask of any judges who are, after all, human. The quest is rather to draw the boundaries in each succeeding case, knowing that our efforts are apt to be as transient as those of our predecessors, and very likely those of our successors.

But in this often baffling endeavor, those of us who knew Potter Stewart, and particularly those of us who served with him on this Court, know how fortunate it was that during these twenty-three years there sat upon this bench a judge of keen and penetrating intellect and unwavering devotion, not simply to the exposition of his own ideas, but

to the work of the Court as a court. He devoted a large part of his life to that endeavor, and this Court, the Bar, and his country are the better for his efforts.”

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Adjourned until Monday, November 3, 1986 at 10 o'clock.

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No. A-296. Louie L. Wainwright, Secretary, Florida Department of Corrections, Applicant *v.* Willie Jasper Darden. 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 Powell and by him referred to the Court is denied.



# SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. 86-604. S. L. Townley, et al., Petitioners *v.* James T. Clark. The application for stay presented to the Chief Justice and by him referred to the Court is denied.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell Justice Stevens, 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."

## OPINION PER CURIAM

No. 85-1388. Carrie Rose, etc., Petitioner *v.* Arkansas State Police. On petition for writ of certiorari to the Court of Appeals of Arkansas. The petition for writ of certiorari is granted. The judgment is reversed and the cause is remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Dissenting opinion by Justice Marshall. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. 85-7217. LaVonne Gibson, Appellant *v.* Michigan Department of Social Services. Appeal from the Court of Appeals of Michigan. The appeal is dismissed for want of a substantial federal question.

No. 86-261. Garfield Trust Company, Appellant *v.* Director, Division of Taxation of New Jersey. Appeal from the Supreme Court of New Jersey. The appeal is dismissed for want of a substantial federal question.

No. 86-263. Roy M. Miyamoto, Appellant *v.* Office of Disciplinary Counsel of the Supreme Court of Hawaii. Appeal from the Supreme Court of Hawaii. The appeal is dismissed for want of a substantial federal question.

No. 86-308. Adam G. Nunez, Appellant *v.* Wainoco Oil & Gas Company, et al. Appeal from the Supreme Court of Louisiana. 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. 86-5501. Mitchell McLeod, Appellant *v.* Florida. Appeal from the District Court of Appeal of Florida, 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. 86-5509. Victor Allen Woods, Appellant *v.* Keebler Company. Appeal from the United States Court of Appeals for the Eleventh Cir-

cuit. 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. 86-369. Bruce E. Babbitt, Governor of Arizona, et al., Appellants *v.* Planned Parenthood of Central and Northern Arizona, etc., et al. Appeal from the United States Court of Appeals for the Ninth Circuit. The judgment is affirmed. The Chief Justice, Justice White and Justice Scalia would note probable jurisdiction and set the case for oral argument. Justice O'Connor took no part in the consideration or decision of this case.

No. 86-378. Planned Parenthood of Central and Northern Arizona, etc., et al., Appellants *v.* Bruce E. Babbitt, Governor of Arizona, et al. Appeal from the United States Court of Appeals for the Ninth Circuit. The cross-appeal is dismissed. Justice O'Connor took no part in the consideration or decision of this case.

#### ORDERS IN PENDING CASES

No. —. Steven C. Parro, et al., Petitioners *v.* Department of Transportation, Federal Aviation Administration. The motion of petitioners to dispense with printing portions of the appendix to the petition for writ of certiorari is granted.

No. A-271. Church of Scientology of California, Applicant *v.* Larry Wollersheim. The application for stay presented to Justice O'Connor and by her referred to the Court is granted and the order entered by Justice O'Connor on October 8, 1986, is continued pending the timely filing and disposition of a petition for writ of certiorari. Justice Brennan took no part in the consideration or decision of this order.

No. A-307. Stephen A. Koczak, et al., Applicants *v.* G. Dallas Dixon, Chairman, Mercer County Democratic Committee, etc., et al. The application for stay and other relief addressed to the Chief Justice and referred to the Court is denied.

No. D-581. In the Matter of Disbarment of Adolph Allison Hybsha. It is ordered that Adolph Allison Hybsha, of Wichita, Kansas, 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-582. In the Matter of Disbarment of Harold Goodstein. It is ordered that Harold Goodstein, of Commack, 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-583. In the Matter of Disbarment of Alphonse C. Gonzales. It is ordered that Alphonse C. Gonzales, 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-584. In the Matter of Disbarment of Michael K. Fawell. It is ordered that Michael K. Fawell, of Wheaton, 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-585. In the Matter of Disbarment of John Francis Reynolds. It is ordered that John Francis Reynolds, of Oak Brook, 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-586. In the Matter of Disbarment of Stanley L. Seligman. It is ordered that Stanley L. Seligman, of Hollywood, 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-587. In the Matter of Disbarment of George E. Litterer. It is ordered that George E. Litterer, of Media, 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. 85-558. Robert E. O'Connor, et ux., Petitioners *v.* United States;

No. 85-559. Paul H. Coplin, et ux., Petitioners *v.* United States; and

No. 85-560. Jack R. Mattox, et ux., Petitioners *v.* United States. The motion of petitioners for leave to file a supplemental brief after argument is granted.

No. 85-608. Illinois, Petitioner *v.* Albert Krull, George Lucas and Salvatore Mucerino. The motion of petitioner for leave to file reply brief, out-of-time, is granted.

No. 85-1277. School Board of Nassau County, Florida and Craig Marsh, Individually and as Superintendent of Schools of Nassau County, Florida, Petitioners *v.* Gene H. Arline. The motion of respondent

ent for divided argument to permit American Public Health Association to argue as *amicus curiae* is denied.

No. 85-1708. California, et al., Appellants *v.* Cabazon Band of Mission Indians, et al. The motion of appellees for divided argument is denied. Justice Blackmun would grant this motion.

No. 85-2039. United States, Petitioner *v.* Frieda Joyce Johnson, Personal Representative of the Estate of Horton Winfield Johnson, Deceased, etc., et al. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 85-2067. United States, Petitioner *v.* Jose Mendoza-Lopez and Angel Landeros-Quinones. The motion of the Solicitor General to dispense with printing the joint appendix is granted. The motion of respondents for leave to proceed further herein *in forma pauperis* is granted.

No. 85-2099. Pennsylvania, Petitioner *v.* Dorothy Finley. The motion for appointment of counsel is granted and it is ordered that Catherine M. Harper, Esq., of Lansdale, Pennsylvania, is appointed to serve as counsel for the respondent in this case.

No. 85-5221. Randall Lamont Griffith, Petitioner *v.* Kentucky. The motion for appointment of counsel is granted and it is ordered that J. Vincent Aprile, II, Esquire, of Frankfort, Kentucky, is appointed to serve as counsel for the petitioner in this case.

No. 86-5479. Curtis L. Wrenn, Petitioner *v.* Ohio Department of Mental Health. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 24, 1986, 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. 86-5678. Raymond Wayne Hill, Appellant *v.* City of Houston, Texas. The motion of appellant to expedite consideration of the appeal is granted.

#### APPEALS—JURISDICTION POSTPONED

No. 86-179. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, et al., Appellants *v.* Christine J. Amos, et al.; and

No. 86-401. United States, Appellant *v.* Christine J. Amos, et al. Appeals from the United States District Court for the District of Utah. Further consideration of the question of jurisdiction is postponed to the hearing of the cases on the merits. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 86-421. Board of Directors of Rotary International, et al., Appellants *v.* Rotary Club of Duarte, et al. Appeal from the Court of Appeal of California, Second Appellate District. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. Justice Blackmun and Justice O'Connor took no part in the consideration or decision of this case.

#### CERTIORARI GRANTED

No. 86-88. Citicorp Industrial Credit, Inc., Petitioner *v.* William E. Brock, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 86-177. Anthony R. Tanner and William M. Conover, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit granted.

No. 86-87. United States, Petitioner *v.* Anthony Salerno and Vincent Cafaro. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. The motion of the Solicitor General to expedite is granted. The Solicitor General's opening brief is due November 18, 1986. The respondents' brief is due December 18, 1986. The case is set for oral argument during the January Session.

No. 86-5375. Christopher A. Burger, Petitioner *v.* Ralph Kemp, Warden. Motion of petitioner for leave to proceed *in forma pauperis* granted. The petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit granted.

#### CERTIORARI DENIED

No. 85-2015. Southern Pacific Transportation Company, Petitioner *v.* Harcon Barge Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85-2019. Charles H. Reardon, Sheriff of Essex County, Petitioner *v.* Neil R. Cola. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 85-7078. Roy Lee Ammons, et al., Petitioners *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 85-7154. Hamid Bahramnia, 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. 85-7162. Ronnie D. Brown, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 85-7188. Ronald Neyland, Petitioner *v.* Frank Blackburn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85-7198. Samuel Lee McSwain, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85-7221. Booker Tee Gary, Petitioner *v.* Ray Wilkes, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-78. Ethel A. Roberts, Personal Representative of the Estate of Arthur N. Roberts, Deceased, Petitioner *v.* James Spalding, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-137. Carol Amend, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-163. Charles Briggins, Petitioner *v.* Police Department of the City of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-180. Ryan Krebs, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-189. George F. Metz and Ingrid Metz, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-212. Daniel Erwin Davis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-227. Victor Ridley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-252. Aloha Airlines Inc., Petitioner *v.* International Association of Machinists and Aerospace Workers, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-256. John Doe, Petitioner *v.* A Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-289. Daisey Ealey, Personal Representative of J. C. Ealey, Jr., Deceased, et al., Petitioners *v.* City of Detroit, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-342. Sulochana Mandhare, Petitioner *v.* W. S. LaFargue Elementary School, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-368. Milo I. Raffaelli, Jr., Petitioner *v.* Board of Fire and Police Commissioners of the Village of Justice, Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-371. Johnny M. Irvin and David L. Irvin, Petitioners *v.* Rabun County, Georgia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-373. Steven P. Flanagan, et al., Petitioners *v.* Prudential-Bache Securities, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-374. Florida, Petitioner *v.* Joel Adolph Scott. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 86-385. Daig Corporation, Petitioner *v.* Medtronic, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-387. Howard Electrical and Mechanical, Incorporated, Petitioner *v.* Baker Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-392. Eli Gordon, et al., Petitioners *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-394. Citizens for Decency Through Law, Inc., Petitioner *v.* Oak Industries, Inc. and Oak Media Development Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-400. Trailways, Inc., Joint Council of the Amalgamated Transit Union, AFL-CIO, CLC, Petitioner *v.* Trailways Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-403. Richard Earl Cribbs, Sr., and Sue S. Cribbs, Petitioners *v.* Stewart Arnold Hill and Ann Elizabeth Hill. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-406. Keystone Consolidated Industries, Inc., Petitioner *v.* International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW and Local 449. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-408. John Donald Massoud, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 86-410. Randall Frint and Yhonis Frint, Petitioners *v.* Texaco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-425. Joseph O. Obiaya, Petitioner *v.* Commissioner of Patents and Trademarks. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-426. Richard M. Maddox, Vickie Ellen Callahan and Gary Dean Gillum, Petitioners *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-436. Walter L. Jones, Petitioner *v.* Niagara Frontier Transportation Authority, et al.; and Walter L. Jones, Petitioner *v.* Siegfried Construction Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-446. Flynt Distributing Co., Inc., Petitioner *v.* Jackie Collins Lerman. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-466. King Corcoran, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-470. Seattle Totems Hockey Club, Inc., et al., Petitioners *v.* National Hockey League, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-474. Alice Clissuras, Petitioner *v.* City of New York Teachers' Retirement Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-477. Richard H. Schurman, John W. Schurman, Richard W. Clark and Steven M. Reiter, Petitioners *v.* United States Patent and Trademark Office. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-479. Bill J. Cory, Petitioner *v.* Uniroyal, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-500. Russell J. Leonard, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-504. Stafford Missick, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-506. Lawrence Williams, Petitioner *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 86-514. Paul Silverstein, Petitioner *v.* Joseph Barnes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-527. Jane R. Ferguson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-538. Ann Hockersmith, Petitioner *v.* Partner Publishing Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-551. Douglas M. Wright, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-582. Donnie Waites, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5124. Thomas Edward Brownscombe, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-5154. Marilyn C. Roberts, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5182. Michael Veatch, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5188. James Howard Turner, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division denied.

No. 86-5202. Wendell Butler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5243. Jerry Miller, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5245. David Harding Roberts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5272. David Taylor, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5386. Mark Matthew White, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5390. Robert Charles Miller, 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. 86-5392. John David Bartlett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5396. Charles Ray Mason, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 86-5397. John Boston Hill, Petitioner *v.* E. P. Perini, Superintendent, Marion Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5403. Mirella Landi Adelman, Petitioner *v.* Roland J. Carlson, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5404. Nick J. Crusos, Petitioner *v.* United Transportation Union, Local 1201, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5405. Kathryn LaGrange, Petitioner *v.* Herman Jones, Judge. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5407. Michael McCloud, Petitioner *v.* John Loyalley, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5410. Samuel Singleton, Petitioner *v.* Gerald T. Frey, Superintendent, Missouri Eastern Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5411. Thearity White, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-5412. Krystyna Grubowski, Petitioner *v.* Albert Grubowski. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-5413. Eileen Bradley D'Zesati, Petitioner *v.* California State University, Sacramento, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5415. Frederick Spalla, Petitioner *v.* Dale Foltz, Administrator, Michigan Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5421. Joyce Ann Dixson, Petitioner *v.* Denise Quarles, Superintendent, Huron Valley Women's Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5422. George Smith, Petitioner *v.* Cliff Hensel, Supervisor, Office of Probation and Parole for Whatcom County, Washington, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5425. Darl "Hunk" Havens, Petitioner *v.* Indiana, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5428. Albert Alvin Williams, Petitioner *v.* Daniel Vasquez, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5433. Hughes Anderson Bagley, Jr., Petitioner *v.* Iowa. Petition for writ of certiorari to the Court of Appeals of Iowa denied.

No. 86-5437. Ellen L. Clinton, Petitioner *v.* Georgia Ports Authority. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5438. James Warren, Petitioner *v.* Clarence Allgood, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5440. Joseph Alves, Petitioner *v.* Hamilton, Fulton and Montgomery Counties Boces, et al. Petition for writ of certiorari to the

Appellate Division, Supreme Court of New York, Third Judicial Department, denied.

No. 86-5446. Eddie Lee Tucker, Petitioner *v.* Larry Spears, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5447. Willard J. Fegley, Petitioner *v.* David McClain, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5449. Jerry Lynn Young, Petitioner *v.* Donald A. Cabana, Superintendent, Mississippi State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5454. Filimon Castillo Perez, Petitioner *v.* George E. Sullivan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5458. Kenneth R. Edaburn, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District III, denied.

No. 86-5459. Laura D. Berger, Petitioner *v.* Joseph M. Nadler, Judge. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5460. Paula Centeno, Petitioner *v.* Thrifty Drug Stores, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5463. Jerry Hall, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5467. Agustin Vazquez, et al., Petitioners *v.* Pennsylvania Department of Public Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5472. Roy Rogers Creasey, 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. 86-5473. David Lee Carr, Petitioner *v.* David Parks, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5474. David Carr, Petitioner *v.* Circuit Court of Kanahwa County, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5475. Harry E. Lewis, Petitioner *v.* Joe Martin, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5478. Phillip Perkins, Petitioner *v.* Donald Cabana, Superintendent, Mississippi Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5480. Donny Joel Harvey, Petitioner *v.* McLennan County Jail, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5484. James D. Ellison, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5486. Ignacio F. Jaramillo, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5487. James Duvall, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-5489. Jimmy Doyle Hindman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5490. Thomas A. Johnson, 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. 86-5491. Dong Joon Ahn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5493. Adib Zaky, Petitioner *v.* United States Veterans Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5494. Henry Clay Barber, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5497. James Saunders, Petitioner *v.* Norris McMacken, Superintendent, Hocking Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5498. Isaac J. Taylor, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-5505. Danny Dean Thomas, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5507. Joseph Bourgeois, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 86-5511. Jose R. Ramirez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5512. John Henry Johnson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5516. James Joseph Lizotte, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5519. Richard Chira, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5523. Jimmy Don Toney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5525. Thomas J. Cleary, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5536. Richard Joseph Campo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5543. Robert G. Miller, Petitioner *v.* Charles F. Beorn, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5552. Eugene T. Nelson, Petitioner *v.* James Thieret, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5556. Thomas Ralph Farese, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5563. Stephen J. Jones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5575. Norris Lee Smith, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5577. Brett C. Kimberlin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5578. Alberto Brinas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5583. 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. 85-1962. Paul R. Riddick, Jr., et al., Petitioners *v.* School Board of City of Norfolk, et al. The motion of Lawyers' Committee for Civil Rights Under Law, 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. Justice White would grant certiorari.

No. 86-326. Board of Education of the Oklahoma City Public Schools, etc., Petitioner *v.* Robert L. Dowell, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice White would grant certiorari.

No. 86-380. Michigan Beer & Wine Wholesaler Association, Petitioner *v.* Attorney General of Michigan and Michigan Liquor Control Commission. Petition for writ of certiorari to the Court of Appeals of Michigan denied. Justice White would grant certiorari.

No. 86-389. City of Birmingham, Petitioner *v.* American Civil Liberties Union, 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. 85-7111. David Peek, Petitioner *v.* Ralph Kemp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Blackmun would grant the petition for a writ of certiorari and set the case for oral argument. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-48. Clement A. Messino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Dissenting opinion by Justice White.

No. 86-5114. Joseph W. Hlavach, et al. Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Dissenting opinion by Justice White.

No. 86-5120. Thomas Covello, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Dissenting opinion by Justice White.

No. 86-5277. Antoine A. Turner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Dissenting opinion by Justice White.

No. 86-152. Investment Company Institute, Petitioner *v.* Robert L. Clarke, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-153. Investment Company Institute, Petitioner *v.* Robert L. Clarke, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-154. Investment Company Institute, Petitioner *v.* Robert L. Clarke, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-195. Arkon Shipping Agency, Inc., et al., Petitioners *v.* Amalia Kassapas, etc., et al. The motion of Maritime Law Association for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fifth Circuit, denied.

No. 86-223. Robert Neapolitan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice White and Justice Marshall would grant certiorari.

No. 86-367. New Mexico Taxation and Revenue Department, Petitioner *v.* Ramah Navajo School Board, Inc. and Lembke Construction Company, Inc. Petition for writ of certiorari to the Court of Appeals of New Mexico denied. Justice White and Justice Marshall would grant certiorari.

No. 86-376. Connecticut, Petitioner *v.* Earl Badgett. 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. 86-448. Connecticut, Petitioner *v.* Charles M. Gray. 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. 86-5029. Bernard Wilson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice Brennan would grant certiorari.

No. 86-5234. David J. Brown, Petitioner *v.* North Carolina. The petition for a writ of certiorari to the Supreme Court of North Carolina is denied. Concurring opinion by Justice O'Connor. Dissenting opinion by Justice Brennan with whom Justice Marshall joins.

No. 86-5310. Roy Roberts, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5482. Hugh Marlowe, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5499. Delbert H. Reidt, Petitioner *v.* United States. The petition for a writ of certiorari before judgment is denied.

#### MANDAMUS DENIED

No. 86-5414. In Re Velma L. Magoon, Petitioner;

No. 86-5448. In Re Dorothy Parrish, Petitioner; and

No. 86-5481. In Re Thomas Jefferson Currey, Petitioner. The petitions for writs of mandamus are denied.

#### PROHIBITION DENIED

No. 86-5442. In Re Gary W. Baronowski, Petitioner; and

No. 86-5496. In Re Georgiann Paskalik, Petitioner. The petitions for writs of prohibition are denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jas. Jeffrey Adams	Portland, OR	Gordon Marts Acker Jr.
John Julian Aldridge III	Kinston, NC	Ferd Leary Davis Jr.
Stanley Lee Allen	Madison, NC	Ferd Leary Davis Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles H. Andrew Jr.	Vidalia, GA	Marvin Hartley Jr.
Howard Glenn Arnett	Bend, OR	Dennis C. Karnopp
Michael K. Bailey	Orlando, FL	Sidney Howard Parrish
Charles M. Baird	Irving, TX	Kenneth Alan Garner
Thomas Stanford Baker Jr.	Columbus, OH	Robert Clair Paxton II
Gary Ganesh Bala	Philadelphia, PA	Joseph R. Thompson
David Barmak	Washington, DC	Peter R. Sherman
Julie Elaine Bates	Oklahoma City, OK	William Robert Burkett
Edward J. Bauer	Decatur, GA	William T. Cahill
David Arthur Belofsky	Los Angeles, CA	John Carpenter Otto
Robert S. Belovich	Parma, OH	Lloyd Jerry Ramsey
Kenneth J. Berke	New Orleans, LA	Leopold Stahl
Charles Francis Bloodgood	Sacramento, CA	E. Richard Walker
Paul M. Bohannon	Midland, TX	Thomas Louis James
Billy Burton Bowman	Greenwood, MS	Hardy Lott
Brian Jay Bradigan	Columbus, OH	R. William Meeks
Carol Ann Newell Breit	Richmond, VA	Sylvia Clute
William H. Card Jr.	Mobile, AL	Joseph Jerome Boswell
Timothy Ellard Carr	San Francisco, CA	William Edward Mussman
Patrick Daniel Costello	Boise, ID	C. Ben Martin
William Francis Costigan	New York, NY	John J. Kirby Jr.
James Luther Cotton Jr.	Oneida, TN	Thomas Wade Phillips

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jerome Ernest Crawford	Detroit, MI	William L. Johnson
Bill W. Crecelius Jr.	Decatur, GA	A. Joseph Nardone Jr.
Peter S. Cremer	Newport Beach, CA	George Miron
D. Kerry Crenshaw	Grosse Pointe, MI	John C. Donnelly
Joyce Patricia Davis	Columbia, MD	Robert John David Reilly
William Robert Denning III	Raleigh, NC	Ferd Leary Davis Jr.
John Joseph Doherty	Los Angeles, CA	Philip Russell Cosgrove
David W. Dow	Phoenix, AZ	David L. Haga, Jr.
David Joseph Duez	Springfield, IL	Don S. Harnack
Peter D. Durney	Reno, NV	Thomas Richard Brennan
Bradley Arthur Elliott	Roanoke Rapids, NC	William Lunsford Crew
William O. Fisher	San Francisco, CA	Walter Robert Allan
Douglas Burt Fraser	Austin, TX	James Albon Mattox
Stanley R. Geary	Pittsburgh, PA	Thomas Clayton Reed
Kevin M. Gillis	Portland, ME	John W. Chapman
Herbert V. Giobbi	Easton, PA	Charles Slack Smith
Gary Lee Graff	San Francisco, CA	Edward Lee Gilmore
Michael Charles Greenbaum	Arlington, VA	Michael Stephen Horwatt
Lawrence C. Gunn Jr.	Hattiesburg, MS	Dorrance Aultman
Ilse A. Harle	Santa Ana, CA	John Carpenter Otto

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gerard E. Harper	New York, NY	Simon H. Rifkind
C. Lash Harrison	Atlanta, GA	Paul David Jones
Diane Marie Helland	Minneapolis, MN	Vance Keith Opperman
Michael Guy Hogan	Los Angeles, CA	Eugene Robert Grace
Samuel L. Holmes	San Francisco, CA	Moses Lasky
Kimberly Homan	Boston, MA	Norman Stanley Zalkind
Margaret Garvin Horenstein	Pontiac, MI	L. Brooks Patterson
Joel M. Howard III	Albany, NY	Leslie F. Couch
Michael P. Jacobs	Sioux City, IA	Maurice B. Nieland
Joseph Dahr Jamail III	Houston, TX	Joseph D. Jamail
William J. Judge	Chicago, IL	Daniel C. Meenan Jr.
Christopher Kent Kay	Orlando, FL	Richard Rockwell Swann
Joseph R. Kernan Jr.	Minneapolis, MN	Vance Keith Opperman
David A. King	Ann Arbor, MI	Lynwood Edward Noah
Henry Spencer King III	Spartanburg, SC	Frank A. Lyles
John Anthony Kington	Columbus, OH	John Jonas Chester III
Wallace Angus Kitchen	Columbus, GA	Danny Lawrence Dupree
Wallace Anthony Kitchen	Columbus, GA	Danny Lawrence Dupree
Jeffrey S. Klein	Los Angeles, CA	William A. Niese
Arnold D. Kolikoff	New York, NY	Joseph Lesser
John Landers Krauss	Indianapolis, IN	Cleon H. Foust Jr.
Wray Frank Ladine	Modesto, CA	Michael Harold Krausnick
Ronald D. Libkuman	Honolulu, HI	William Milton Swope

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stephen S. Licker	Los Angeles, CA	Albert Harold MacKenzie
Joan H. Lowenstein	Ann Arbor, MI	E. Edward Hood
Daniel Lucid	Los Angeles, CA	David Alan Gill
Neil Jay Marcus	Monongahela, PA	Geoffrey Scott Black
Arthur J. Matusow	Philadelphia, PA	Stephen H. Serota
John Patrick Mazzitelli	Minneapolis, MN	Rick E. Mattox
John Thruston McCully	Dallas, TX	Emanuel Rohan
F. P. Kimberly McFadden	Easton, PA	Charles Slack Smith
Linda D. McGill	Portland, ME	Owen W. Wells
Malcolm David Minnick	Los Angeles, CA	John C. McHose
Clay Mock	Cleveland, OH	R. Crawford Morris
Arthur B. Muchin	Chicago, IL	Alan M. Levin
Charles Negley	San Francisco, CA	Peter W. Fisher
Maren E. Nelson	Los Angeles, CA	John Cramer
Norton N. Newborn	Cleveland, OH	William Grattan Mahoney
William V. O'Connor	Los Angeles, CA	Ralph Stuart LaMontagne Jr.
Ansel Darwyn Orander Jr.	Easley, SC	Robert Murray Hughes III
James Morgan Painter	Boca Raton, FL	Edna Louise Caruso
Robert Pass	Tampa, FL	Sylvia H. Walbolt
Earl Arthur Pauley	Charleston, WV	Brooks Braddock LaGrua
William Michelson Pavlov	Houston, TX	George Arthur Sellnau
C. Jack Pearce	Washington, DC	Robert John Flynn Jr.
Robert Anthony Perry	Sacramento, CA	Jo Anne M. Bernhard
Robert J. Piampiano	Portland, ME	John W. Chapman

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leonard Pilzer	Westhampton, NY	Robert Logue Folks
Carlo Ettore Poli	Chicago, IL	Allen Channon Engerman
James Powers	Phoenix, AZ	Philip Ernst von Ammon
Daniel J. Radin	Seattle, WA	Sylvia U. Siegel
William J. Rawlings	Sioux City, IA	Maurice B. Nieland
Michael E. Riskin	Bethlehem, PA	Milton B. Riskin
Robert D. Rivkind	Houston, TX	Philip J. Kleiner
Marc A. Roda	Harrisburg, PA	Thomas Y. Au
David Frank Rodriguez	Visalia, CA	Richard Basil Isham
Ricardo Aldelmo Roman	San Antonio, TX	Bill McKee
Ben Sarrett	Austin, TX	Douglass Dodson Hearne
Zephia Brown Scarborough	Richmond, VA	Sylvia Clute
Barry Raymond Schirm	Los Angeles, CA	John Carpenter Otto
Renee Schwartz	New York, NY	Richard Ayres Givens
Mary Anne Sedey	St. Louis, MO	Toby Haight Hollander
Eugene I. Selker	Cleveland, OH	Marvin A. Sicherman
Walter Share	Anchorage, AK	Robert Boochever
Thomas Edward Sisco II	West Palm Beach, FL	John Cater Randolph
George Prescott Slover	Dallas, TX	Robert M. Parker
Howard S. Slusher	Beverly Hills, CA	Douglas Guy Houser
Nancy Carol A. Slutter	Alexandria, VA	Regis E. Slutter
E. Scott Smith	Atlanta, GA	Jefferson D. Kirby III
Justice D. Smyth III	Montgomery, AL	Vaughan Hill Robison

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frank M. Staggs Jr.	Houston, TX	Joseph D. Jamail
Thomas Warwick Steed III	Raleigh, NC	William S. Patterson
Martin L. Stern	Chicago, IL	Charles Alan Laff
Roger A. Stetter	New Orleans, LA	Clement Murphy Moss Jr.
Garrett W. Swenson Jr.	Huntington Station, NY	Robert Logue Folks
Ariadne Joanne Elizabeth Symons	Washington, DC	Elliot L. Richardson
Roger M. Synenberg	Cleveland, OH	John Rocco Climaco
Thomas Alan Teodosio	Akron, OH	Sotir Samuel Nukes
Dale Henry Thayer	Modesto, CA	Timothy Thomas Flynn
Reid Alexander Threlkeld	Vidalia, GA	Marvin Hartley Jr.
Thomas Anthony Trapani	San Francisco, CA	Peter W. Fisher
John Raymond Turner Trapnell	Atlanta, GA	David M. Vaughan
C. Warren Tripp Jr.	Jacksonville, FL	John Andrew DeVault III
Otis Marvin Underwood Jr.	Oxford, MI	L. Brooks Patterson
James B. Vessey	Minneapolis, MN	Michael James Wahoske
Glenn Jerrold Waldman	Miami, FL	Robert L. Shevin
Wayne S. Wallace	Woodbridge, NJ	Cornelius Walter Daniel III
John W. Watson Jr.	Oxford, NC	Ferd Leard Davis Jr.
Roderick Harrison Willcox	Columbus, OH	John Jonas Chester III
Mark K. Wilson	Detroit, MI	Thomas E. Coulter

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Terry L. Winborn	Dallas, TX	Hubert D. Johnson
Frederick E. Wollett	Berkeley, CA	Donald H. Wollett
Diane W. Wong	Honolulu, HI	William Milton Swope
Joseph Lawrence Woytowitz	Baltimore, MD	Harry L. Chase
Steven F. Wright	Auburn, ME	Charles H. Abbott

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Donald Dana Adler	New York, NY	Alan S. Kisseloff
Jay Richard Goldman	Rockville, MD	Donald Edward Sinrod
Anthony R. Gallagher	Baltimore, MD	Stephen J. Cribari

ORAL ARGUMENTS

No. 85-732. Western Air Lines, Inc., et al., Appellants *v.* Board of Equalization of the State of South Dakota, et al. Argued by Mr. Raymond J. Rasenberger for the appellants and by Mr. Mark V. Meierhenry for the appellees.

No. 84-6075. Ricky Wayne Tison and Raymond Curtis Tison, Petitioners *v.* Arizona. Argued by Mr. Alan M. Dershowitz for the petitioners and by Mr. William J. Schafer, III, for the respondent.

No. 84-2022. 324 Liquor Corp., dba Yorkshire Wine & Spirits, Appellant *v.* Thomas Duffy, et al. Argued by Mr. Bertram K. Kantor for the appellant, by Mr. W. Stephen Cannon for the United States, as *amicus curiae*, supporting the appellant, by special leave of Court, and by Mr. Christopher Keith Hall for the appellees.

No. 85-971. Robert L. Clarke, Comptroller of the Currency, Petitioner *v.* Securities Industry Association; and

No. 85-972. Security Pacific National Bank, Petitioner *v.* Securities Industry Association. Argued by Mr. Charles A. Rothfeld for the petitioner in No. 85-971, by Mr. William T. Coleman, Jr., for the petitioner in No. 85-972, and by Mr. James B. Weidner for the respondent in both cases.

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Adjourned until tomorrow at 10 o'clock.

# SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-558. Robert E. O'Connor, et ux., Petitioners v. United States;

No. 85-559. Paul H. Coplin, et ux., Petitioners v. United States; and

No. 85-560. Jack R. Mattox, et ux., Petitioners v. United States. On writs of certiorari to the United States Court of Appeals for the Federal Circuit. Judgment affirmed. Opinion by Justice Scalia.

No. 85-767. North Carolina Department of Transportation, et al., Petitioners v. Crest Street Community Council, Inc., 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 O'Connor. Dissenting opinion by Justice Brennan with whom Justice Marshall and Justice Blackmun join.

## ADMISSION TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Merideth Wright	Montpelier, VT	Emily J. Joselson

## ORAL ARGUMENTS

No. 85-1217. City of Springfield, Massachusetts, Petitioner v. Lois Thurston Kibbe, Administratrix of Estate of Clinton Thurston. Argued by Mr. Edward M. Pikula for the petitioner and by Mr. Terry Scott Nagel for the respondent.

No. 85-1088. Burlington Northern Railroad Company, Petitioner v. Alan Woods and Cara Woods. Argued by Mr. L. Vastine Stabler, Jr., for the petitioner and by Mr. James O. Haley for the respondents.

No. 85-1233. International Paper Company, Petitioner v. Harmel Ouellette, et al. Argued by Mr. Roy L. Reardon for the petitioner, by Mr. Peter F. Langrock for the respondents, and by Mr. Lawrence G. Wallace for the United States, as *amicus curiae*, by special leave of Court.

No. 85-781. Frank G. Burkner, Acting Archivist of the United States and Ronald Geisler, Executive Clerk of the White House, Petitioners *v.* Michael D. Barnes, et al. Argued by Mr. Richard K. Willard for the petitioners and by Mr. Morgan J. Frankel for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORAL ARGUMENTS

No. 85-608. Illinois, Petitioner *v.* Albert Krull, George Lucas and Salvatore Mucerino. Argued by Mr. Michael J. Angarolá for the petitioner, by Mr. Paul J. Larkin, Jr., for the United States, as *amicus curiae*, in support of the petitioner, by special leave of Court, and by Ms. Miriam F. Miquelon for the respondents.

No. 84-1947. Vincent T. Cerbone, Justice of the Village Court, Village of Mt. Kisco, New York, et al., Petitioners *v.* Lynn H. Conway. Argued by Mr. Michael F. Close for the petitioner and by Mr. George Russell Miller for the respondent.

No. 85-759. Maryland, Petitioner *v.* Harold Garrison. Argued by Mr. Stephen H. Sachs for the petitioner and by Mr. Gerald A. Kroop for the respondent.

No. 85-693. Asahi Metal Industry Co., Ltd., Petitioner *v.* Superior Court of California, Solano County, etc. Argued by Mr. Graydon Shaw Staring for the petitioner and by Mr. Ronald R. Haven for the respondent.

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Adjourned until Monday, November 10, 1986 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-424. Rodney F. Stich, Appellant *v.* Emma W. Stich. 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. 86-5537. Sam Michael Ferris, Appellant *v.* California. Appeal from the Court of Appeal of California, Sixth 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. 86-5593. George W. Nicholas, Appellant *v.* United States. 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. 86-5559. Asberry B. Butler, Appellant *v.* Texas. Appeal from the Court of Appeals of Texas, Third District. The appeal is dismissed for want of a substantial federal question.

## ORDERS IN PENDING CASES

No. —. Mechanical Technology, Inc., Petitioner *v.* Ryder Truck Lines, Inc. The motion of respondent, Ryder Truck Lines, Inc., to direct the Clerk not to file the petition for writ of certiorari for failure to comply with Rule 33.7 is denied.

No. A-283. Richard R. Sykes, Applicant *v.* John R. Van de Water, et al. The application for stay addressed to Justice White and referred to the Court is denied.

No. 86-5545. Gerard A. Preiser, Petitioner *v.* Department of Transportation, et al. The motion of petitioner for leave to proceed *in forma*

*pauperis* is denied. Petitioner is allowed until December 1, 1986, 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. 86-251. Rockford Life Insurance Company, Appellant *v.* Illinois Department of Revenue, et al. Appeal from the Supreme Court of Illinois. In this case probable jurisdiction is noted.

No. 86-341. Fort Halifax Packing Company, Inc., Appellant *v.* P. Daniel Coyne, Director, Bureau of Labor Standards of Maine, et al. Appeal from the Supreme Judicial Court of Maine. In this case probable jurisdiction is noted.

No. 86-357. American Trucking Associations, Inc., et al., Appellants *v.* James I. Scheiner, Secretary, Department of Revenue, et al. Appeal from the Supreme Court of Pennsylvania, Middle District. In this case probable jurisdiction is noted.

#### CERTIORARI GRANTED

No. 86-130. Vickie Lorene Rock, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas granted.

No. 86-228. Juozas Kungys, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 86-461. Board of Pardons and Henry Burgess, Petitioners *v.* George Allen and Dale Jacobsen, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. 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.

#### CERTIORARI DENIED

No. 85-1986. Theron W. Anderson, Petitioner *v.* Alaska. Petition for writ of certiorari to the Court of Appeals of Alaska denied.

No. 85-2049. Choon Young Chung, Petitioner *v.* NANA Development Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 85-7031. Keith Stanley Young, Petitioner *v.* Alan Schmidt. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 85-7203. Michael L. Reeves, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-22. Michigan, Petitioner *v.* James Raydee Parham. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-205. Howard Trucking Company, Inc., Petitioner *v.* John A Stassi, II, et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 86-259. City of Des Moines, Iowa, et al., Petitioners *v.* Robert L. Willson. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 86-399. Edward P. Hamill, Petitioner *v.* Department of Justice. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-430. Trans World Airlines and Insurance Company of North America, Petitioners *v.* Elizabeth Dissell. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 86-433. Mutual Life Insurance Company of New York, Petitioner *v.* Julie D. Knowles. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-435. Stowe-Woodward Company, Petitioner *v.* Carl W. Viock, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Erie County, denied.

No. 86-437. Juana Dabish, Executrix of the Estate of Sam Dabish, Jr., Petitioner *v.* Charter Arms Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-439. Century Brass Products, Inc., Petitioner *v.* International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-441. Chicago Systems Software, et al., Petitioners *v.* Evans Newton, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-447. Dawn Developers, Inc., et al., Petitioners *v.* Real Estate Corporation of Florida, N.V. Petition for writ of certiorari to the District Court of Appeal of Florida, Fifth District, denied.

No. 86-449. City of Wildwood, Petitioner *v.* Antoinette Connie Anela, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-452. C. K. Dixon, Jr., Petitioner *v.* Federal Deposit Insurance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-454. MCI Telecommunications Corporation, Petitioner *v.* S. Kellerman, etc., et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-456. Fazal Ahmad, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 86-457. William B. Richardson, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 86-462. Kaiser Cement Corporation, Petitioner *v.* Fischbach & Moore, Inc. and Howard P. Foley Co. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-463. Frank Fiorello, Dave Cooper, Norman T. Gray, Tony Laddis and Arthur S. Swaney, Petitioners *v.* Eaton Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-464. Martori Bros. Distributors, et al., Petitioners *v.* Jyrl James-Massengale, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-467. Carl E. Langley and Wilbur E. Bond, Petitioners *v.* John B. Young. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-469. Flowrean Orange, Petitioner *v.* Phil K. Bomersheim, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-480. Darby Dental Supply Company, Inc., et al., Petitioners *v.* Premier Dental Products Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-502. Cumberland Oil Corporation, et al., Petitioners *v.* James Thropp, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-507. Trans International Airlines, Petitioner *v.* Virginia Newsome, et al. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-513. Ortho Pharmaceutical Corporation, Petitioner *v.* Katie Laurel Wells, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-524. P. M. Bergh, et al., Petitioners *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-540. Geodeckie Quillen, 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 Sixth Circuit denied.

No. 86-587. Albert Samuel Fortna, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-596. Glen Sutherland, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5073. James Charles Abbott, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-5076. Randolph Gerard Curnew, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5096. Tyrone Blackston, Petitioner *v.* Secretary of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5108. Solomon Webb, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5130. Ronald Haynes, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-5159. Scott Freeburg, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5218. Maurice L. Porter, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 86-5256. Lee Kennedy, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-5356. Smith Xavier Jackson, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5439. Ronald A. Yates, Petitioner *v.* Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5444. Mohamad Abushaar, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5457. Franklin D. R. Culbreth, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5466. Jerry Wayne Rector, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5469. Earl E. Wright, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5477. Kenneth Lee Donaldson, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-5485. Harvey Johnpoll, Petitioner *v.* Norman Carlson, Director, United States Bureau of Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5488. In Re Dennis Lamar Bryant, Petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5492. Stratton Kearney, Petitioner *v.* Herman C. Davis, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5515. Rolly O. Kinnell, Petitioner *v.* Herb Maschner, Director, Kansas State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5517. Robert Holt, Petitioner *v.* John L. Weldon, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5521. Vernon E. Rodman, Petitioner *v.* Terry Taylor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5522. Frederick M. Minis, Petitioner *v.* Ohio Unemployment Compensation Board of Review. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-5528. Quinton Irving Brown, Petitioner *v.* Timothy F. Seawell, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5529. Olivia Chambers, Petitioner *v.* Industrial Commission of Illinois, et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-5534. Lawrence Eugene Beeman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5535. Martin D. Herzog, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5538. Hugh Kyle Bell, Petitioner *v.* Lee Dan Stone, III. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5546. Johnny Charles Brown, 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. 86-5553. Johnnie F. Riley, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, First District, denied.

No. 86-5603. James J. Bittner, Petitioner *v.* United States Parole Commission. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5615. Lewis James Cole, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5628. Eugene Ellsworth Elkins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5630. George Heath, Petitioner *v.* United States Parole Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5659. Vijay Gupta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 85-1922. Louie L. Wainwright, Secretary, Florida Department of Corrections, Petitioner *v.* Richard Raymond DeAngelo. 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. 86-445. New York, Petitioner *v.* John Smith. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-143. Karim Abdul Mustafa, aka Joseph N. Brown, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied. Dissenting opinion by Justice White with whom Justice Brennan joins.

No. 86-386. United States Steel Corporation, et al., Petitioners *v.* William B. Pryor, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Powell and Justice O'Connor would grant certiorari.

No. 86-5211. John Reed, 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.

No. 86-5321. Dale H. Malquist, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White would grant certiorari.

No. 86-5542. Ronald Woods, Petitioner *v.* Florida. The petition for a writ of certiorari to the Supreme Court of Florida is denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins. Dissenting opinion by Justice Blackmun with whom Justice Brennan joins.

No. 86-5548. Sammy VanWoudenberg, Petitioner *v.* Oklahoma. The application for stay of execution of the 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 Court of Criminal Appeals of Oklahoma is denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5591. Samuel A. Ingram, Jr., 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 Fourth Circuit denied.

## COMMON LAW CERTIORARI DENIED

No. 86-5547. In Re Peter R. Johl, Petitioner. The petition for writ of certiorari is denied.

## MANDAMUS DENIED

No. 86-5526. In Re William H. Glazebrook, Petitioner. The petition for writ of mandamus is denied.

## REHEARINGS DENIED

No. 85-2080. Robert K. Grace, Petitioner *v.* Heartland Transportation, Inc.;

No. 85-2081. In Re Robert K. Grace, Petitioner;

No. 85-2082. In Re Robert K. Grace, Petitioner;

No. 85-6575. Wilbur Junior Guthrie, Petitioner *v.* Dewey Sowders, Warden;

No. 85-7000. Jimmy Roy Davidson, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections;

No. 85-7010. Derrick King, Petitioner *v.* Illinois;

No. 85-7225. In Re Jessie D. McDonald, Petitioner;

No. 86-5031. Eric D. Stoner, Petitioner *v.* John D. Rees, Warden;

No. 86-5045. Willie Smith, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections;

No. 86-5053. Enrique Pena-Perez, Petitioner *v.* Louisiana State Bar Association; and

No. 86-5248. Troy Dace, Petitioner *v.* South Dakota, et al. The petitions for rehearing are denied. Justice Scalia took no part in the consideration or decision of these petitions.

## RECESS ORDER

The Court will take a recess from Monday, November 17, 1986, until Monday, December 1, 1986.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robin J. Arzt	New York, NY	Lee Robert Arzt
Mary Louise Barton	Lancaster, PA	Louise Gatling Herr

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William J. Bergner	Oklahoma City, OK	A. T. Elder Jr.
Joseph Henry Blackwell	Cleveland, OH	James R. Willis
William C. Blakley	Phoenix, AZ	David L. Haga
Wilton Ellwood Bland III	New Orleans, LA	Andre Jean Mouledoux
Frances Lorraine Bodi	Seattle, WA	Donald Alan Carr
Howard William Broecker	Geneva, IL	Paul T. Kalinich
Michele D. Brown	Anchorage, AK	Allen Brown
Randall Verle Brumbaugh	Pasadena, CA	Ernest George Williams
Ernest Calderon	Phoenix, AZ	Earl H. Carroll
Paul Louis Civerolo	Albuquerque, NM	Richard C. Civerolo
Valerie Valenti Cloutier	Baltimore, MD	Stephen H. Sachs
Douglas S. Connor	Tampa, FL	William Carl McLain
Seward Montgomery Cooper	Madison, WI	George Drumming Jr.
Kenneth Corey-Edstrom	Coon Rapids, MN	Edward Charles Anderson
John William Lee Craig II	Radford, VA	William Raymond Rakes
John Stone Crompton	Tampa, FL	Frederick Wiley Vollrath
John A. Davis	San Francisco, CA	Fred M. Duman
George Ingram Deane III	San Diego, CA	A. Carl Yaeckel Jr.
Judith A. DeSimone	Pine Bluff, AR	Kenneth B. Baim
Dianne Elizabeth Doggett	Austin, TX	Wendell J. Doggett
Richard Allen Facemire	Sutton, WV	Donald L. Darling
Dale M. Fiola	Anaheim, CA	John Charles Nelson
Peter James Ford	Washington, DC	Robert E. Funk Jr.
Jay William Frank	Eugene, OR	Frank Richard Papagni Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Sandra Sue Froman	Tucson, AZ	David Alwin Paige
Darcy Alan Frownfelter	El Paso, TX	Mark Vincent Barry
David J. Gallagher	Boston, MA	John Charles Martland
Charles Laurence Googooian	Los Angeles, CA	Alexander Googooian
Robert C. Hackett	Phoenix, AZ	David L. Haga
Robert John Hambright	Beaumont, TX	James William Hambright
Stephen J. Harbulak	New York, NY	Thomas F. Reddy Jr.
Julianne M. Holt	Tampa, FL	Raymond E. LaPorte
H. Kennedy Hudner	Hartford, CT	John C. Yavis Jr.
Henry McConnell Ingram	Pittsburgh, PA	Rex E. Lee
Charles Marshall Ivey III	Greensboro, NC	Robert Clarence Cone
Frank Robert Jakes	Tampa, FL	Thomas Cook MacDonald Jr.
Reid George Kennedy	Marietta, GA	Reid William Kennedy
Richard O. Kingrea	New Orleans, LA	Gerard T. Gelpi
George Mason Kirk Jr.	Houston, TX	Harris Dewey Butler III
Paul Stephen Kish	Atlanta, GA	Stephanie A. Kearns
David Joseph Kovach	Cleveland, OH	Kathryn Haller
Jeffrey Allen Lanphear	Cranston, RI	Arthur Martin Read II
Raymond Swen Leathers	Nashville, TN	Ramsey B. Leathers
John H. Leddy	Philadelphia, PA	Arthur H. Kahn
Laura Lee	Billings, MT	Charles E. Snyder
Karla Jayne Letsche	Washington, DC	Richard Maurice Phillips
Richard Bruce Lind	New York, NY	David Seth Michaels

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Warren William Lindsey	Winter Park, FL	Chandler Robinson Muller
Charles Randall Lowe	Abingdon, VA	William H. Robinson
Robert Russell Makemson	Stuart, FL	Marguerite H. Davis
John N. Malyska	Newark, NJ	Alice Jean Guttler
Peter E. Markens	Trenton, NJ	Michael R. Cole
Steven B. McLeod	Montpelier, VT	Andrew M. Eschen
Jody S. Melms	Madison, WI	Daniel D. Stier
William J. Millar Jr.	Adelphi, MD	Walter LeRoy Green
Elizabeth Ramsey Mitchell	Seattle, WA	Donald Alan Carr
James E. Moye	Atlanta, GA	Jefferson D. Kirby III
Clarence T. Nalls Jr.	Baton Rouge, LA	Jerome Joseph Harris
John J. O'Brien Jr.	Boston, MA	John J. C. Herlihy
James N. Odle	Berkeley, CA	James Ernst Holst
Steven Pasternak	Highland Park, NJ	Catherine A. Foddai
Joseph Howard Payne III	Washington, DC	J. Howard Payne Jr.
Barry Steven Pechter	Chicago, IL	James I. Marcus
Walter Andrew Rodgers	Atlanta, GA	Walter M. Rodgers Jr.
Fernando Rodriguez	Austin, TX	James Albon Mattox
Robert A. Romagna	Miami, FL	Eric P. Littman
Jeffrey Sloan	Sacramento, CA	M. Jeffrey Fine
Ronald P. Smith	Knoxville, TN	Herbert S. Moncier
Alyce Manley Spruell	Tuscaloosa, AL	Richard Shannon Manley
Gidon D. Stern	New York, NY	Thomas F. Reddy Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert H. Stier Jr.	Washington, DC	Philip L. Cohan
Norman C. Sullivan Jr.	New Orleans, LA	Gerald T. Gelpi
Sandra Swenson	Philadelphia, PA	John Rogers Carroll
Andrew Marshall Temin	Washington, DC	Stephen T. Gannon
Joan Schiller Travis	Skokie, IL	Alfred Lee Levinson
Patricia Margaret Walsh	Cleveland, OH	Hyman Friedman
Barry Weisman	Boca Raton, FL	Leon Isidore Behar
Stephan Hughes Williams	Anchorage, AK	Jeffrey M. Feldman

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Andrew Jay Warhola Jr.	Cambridge, OH	Andrew J. Warhola
Philip Earl Draheim	St. Louis, MO	Allan R. Snyder
Julia Cobb Costas	Tallahassee, FL	Gregory G. Costas
Bradford Arnold Penney	Washington, DC	Rex E. Lee
Andrew Aloe	Pittsburgh, PA	Rex E. Lee
W. Joseph Engler Jr.	Indiana, PA	Rex E. Lee
Peter Sprague Wellington	Pittsburgh, PA	Rex E. Lee

#### ORAL ARGUMENTS

No. 85-937. West Virginia, Petitioner *v.* United States. Argued by Mr. Charles G. Brown for the petitioner and by Mr. Albert G. Lauber, Jr., for the respondent.

No. 85-1092. Keystone Bituminous Coal Association, et al., Petitioners *v.* Nicholas DeBenedictis, Secretary, Pennsylvania Department of Environmental Resources, et al. Argued by Mr. Rex Lee for the petitioners and by Mr. Andrew S. Gordon for the respondents.

No. 85-85-889. Colorado, Petitioner *v.* Steven Lee Bertine. Argued by Mr. John M. Haried for the petitioner, by Mr. Richard J. Lazarus for the United States as *amicus curiae*, in support of the petitioner, by special leave of Court, and by Mr. Cary C. Lacklen for the respondent.

No. 85-792. Interstate Commerce Commission, Petitioner *v.* Brotherhood of Locomotive Engineers, et al.; and

No. 85-793. Missouri-Kansas-Texas Railroad Company, Petitioner *v.* Brotherhood of Locomotive Engineers, et al. Argued by Mr. Henri F. Rush for the petitioner in No. 85-792, by Mr. Joseph L. Manson, III, for the petitioner in No. 85-793, by Mr. Harold A. Ross for the respondent, Brotherhood of Locomotive Engineers, and by Mr. John O'B. Clarke, Jr., for the respondent, United Transportation Union.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## OPINION

No. 85-1033. John J. Kelly, Connecticut Chief State's Attorney, et al., Petitioners *v.* Carolyn Robinson. 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 Powell. Dissenting opinion by Justice Marshall with whom Justice Stevens joins.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Zoe Lofgren	San Jose, CA	Don Edwards
Aaron Schildhaus	Washington, DC	Alexander L. Stevas
James Llewellyn Kaler Jr.	Bethesda, MD	James Llewellyn Kaler
David Dundon Nolan	San Francisco, CA	Walter James Fogarty Jr.
John A. Bohn Jr.	San Francisco, CA	Stephen E. Tallent

## ORAL ARGUMENTS

No. 85-999. United States, Petitioner *v.* Phillip Paradise, Jr., et al. Argued by Mr. Solicitor General Charles Fried for the petitioner and by Mr. J. Richard Cohen for the respondents.

No. 85-1129. Paul E. Johnson, Petitioner *v.* Transportation Agency, Santa Clara County, California, et al. Argued by Ms. Constance E. Brooks for the petitioner and by Mr. Steven Woodside for the respondents.

No. 85-303. Missouri, Petitioner *v.* Zola Blair. Argued by Mr. Albert A. Riederer for the petitioner and by Mr. Joseph Locascio for the respondent.

No. 85-5454. David Randolph Gray, Petitioner *v.* Mississippi. Argued by Mr. Andru H. Volinsky for the petitioner and by Mr. Marvin L. White, Jr., for the respondent.

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Adjourned until Monday, November 17, 1986 at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Powell, 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."

## OPINIONS PER CURIAM

No. 86-21. Immigration and Naturalization Service, Petitioner *v.* Virginia Hector. 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 reversed and the case is remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Justice Brennan would grant the petition for writ of certiorari and set the case for oral argument. Dissenting statement by Justice Marshall.

No. 86-139. City of Newport, Kentucky, et al., Petitioners *v.* Nicholas A. Iacobucci, dba Talk of the Town, 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 reversed and the case is remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Dissenting statement by Justice Marshall. Dissenting opinion by Justice Stevens with whom Justice Brennan joins. Justice Scalia would grant the petition for writ of certiorari and set the case for oral argument.

## APPEAL—SUMMARY DISPOSITION

No. 86-5576. David Allen, Appellant *v.* Department of Human Resources. Appeal from the Superior Court of Baldwin County, Georgia. 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. 85-1011. United States, Petitioner *v.* Ralph D. Harris and Joan F. Harris. 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 *O'Connor v. United States*, 479 U.S. — (1986).

#### ORDERS IN PENDING CASES

No. —. Henry Thomas Cane, Petitioner *v.* Dewey Sowders, Warden The motion to proceed *in forma pauperis* without submitting an affidavit in support thereof is granted.

No. D-588. In the Matter of Disbarment of Victor Allen Speert. It is ordered that Victor Allen Speert, 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. D-589. In the Matter of Disbarment of Mark J. Benedict. It is ordered that Mark J. Benedict, 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. D-590. In the Matter of Disbarment of Alan Craig Kazdoy. It is ordered that Alan Craig Kazdoy, of Midlothian, 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. 84-6075. Ricky Wayne Tison and Raymond Curtis Tison, Petitioners *v.* Arizona. The motion of petitioners for leave to file a supplemental brief after argument is granted.

No. 85-732. Western Air Lines, Inc., et al., Appellants *v.* Board of Equalization of the State of South Dakota, et al. The parties are directed to file supplemental briefs within twenty (20) days addressing the following questions: 1. Under 49 U.S.C. Sec. 1513(d) (3), the subsection "shall not apply to any in lieu tax which is wholly utilized for airport and aeronautical purposes." Is the question whether a state tax is an "in lieu tax which is wholly utilized for airport and aeronautical purposes," one of state or federal law? 2. If federal law governs the question whether a tax is an "in lieu tax" under Sec. 1513(d)(3), is the South Dakota Airline Flight Property Tax, S.D. Codified Laws Ch. 10-29, an "in lieu tax" under Sec. 1513(d)(3)? The Solicitor General is invited to file a brief within twenty (20) days expressing the views of

the United States on these questions. Justice White and Justice Marshall dissent from the order directing supplemental briefing.

No. 85-782. Immigration and Naturalization Service, Petitioner *v.* Luz Marina Cardoza-Fonseca. The motion of the Solicitor General for leave to file a supplemental brief after argument is granted.

No. 85-1626. Charles Goodman, et al., Petitioners *v.* Lukens Steel Company, et al. The motion of petitioners to expedite consideration of the petition for a writ of certiorari is denied.

No. 85-1645. Lukens Steel Co., Petitioner *v.* United Political Action Committee, etc., et al. The motion of the parties to defer consideration of the petition for a writ of certiorari is granted.

No. 86-71. CTS Corporation, Appellant *v.* Dynamics Corporation of America, et al.; and

No. 86-97. Indiana, Appellant *v.* Dynamics Corporation of America, et al. The motion of appellant to dispense with printing the joint appendix is granted.

No. 86-87. United States, Petitioner *v.* Anthony Salerno and Vincent Cafaro. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-104. Board of Airport Commissioners of the City of Los Angeles, et al., Petitioners *v.* Jews for Jesus, Inc. and Alan Howard Snyder, aka Avi Snyder. The motion of Andrew J. Ekonomou, Esquire, to permit Jay Alan Sekulow, to present oral argument *pro hac vice* is granted.

No. 86-5387. Elizabeth LaFramboise, Petitioner *v.* Alaska. The application for stay addressed to Justice O'Connor and referred to the Court is denied.

No. 86-5524. David P. Mayer, Petitioner *v.* Steve Angelica. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until December 8, 1986, 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. 86-98. Gregory L. Rivera, Appellant *v.* Jean Marie Minnich. Appeal from the Supreme Court of Pennsylvania, Eastern District. In this case probable jurisdiction is noted.

## CERTIORARI GRANTED

No. 86-281. John William Ray, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 86-511. Commissioner of Internal Revenue, Petitioner *v.* Peter R. Fink, et ux. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 86-475. David C. Frazier, Petitioner *v.* Frederick J. R. Heebe, Chief Judge, United States District Court for the Eastern District of Louisiana, et al. The motion of American Corporate Counsel 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 Fifth Circuit granted.

No. 86-510. United States, Petitioner *v.* William Hohri, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-526. Caterpillar Inc., et al., Petitioners *v.* Cecil Williams, et al. 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 United States Court of Appeals for the Ninth Circuit granted.

No. 86-5344. James Ernest Miller, Petitioner *v.* Florida. Motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Supreme Court of Florida is granted.

## CERTIORARI DENIED

No. 85-2047. Florida, Petitioner *v.* Kevin Kane. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 85-2077. Billy Bryan, et al., Petitioners *v.* Elbert Erkins, et al.; and

No. 86-372. United Steelworkers of America, Petitioner *v.* Elbert Erkins, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 85-6911. Troy Mack Hyche, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 85-6917. Lawrence Monroe Moss, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 85-6992. Alonzo Gardner, Jr., Petitioner *v.* Charles Lusby, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-7019. Billy Joe Ganus, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 85-7094. Genevieve Thibault, 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. 85-7179. Steve Anthony Trench, Petitioner *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-170. Joseph Robert Provenzano, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-280. Outboard Marine Corporation, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-311. William L. Richards, Petitioner *v.* Department of Transportation, FAA. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-314. Barbara Ann Alley, et vir, Petitioners *v.* Gubser Development Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-351. City of St. Charles and Fred T. L. Norris, Mayor, Petitioners *v.* American Civil Liberties Union, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-352. 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. 86-362. House of Wheat and Wayne Wheat, Petitioners *v.* Cliff Wright, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied.

No. 86-404. Dorian Douglas Whaley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-442. Air Line Employees Association, International, Petitioner *v.* Republic Airlines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-485. Gary D. Maynard, Warden, Petitioner *v.* Clifford Henry Bowen. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-486. Walter S. Cohen, et al., Petitioners *v.* Carbyln Clark. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-488. Robert Wayne Powell, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fourteenth District, denied.

No. 86-494. John H. Story, Petitioner *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 86-498. Irvin W. Gilmore, 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. 86-508. Maxine L. Mastropietro, Petitioner *v.* Robert Alan Mastropietro. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-515. Judy's Foods, Inc., et al., Petitioners *v.* A & B Food Services Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-517. Graydon Roger Boles, Petitioner *v.* T. E. Ellis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-519. Schiavone Construction Company, et al., Petitioners *v.* Mario Merola, District Attorney, Bronx County, New York. Petition for writ of certiorari to the USCA-DC for purpose of appointing counsel, Ethics in Govt. Act 1978, denied.

No. 86-535. Bessielove Lee, Petitioner *v.* Union Electric Company and Union Electric Retirement Plan. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-605. Lawrence E. Keval, Petitioner *v.* Caspar W. Weinberger, Secretary of Defense. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-616. Ben Rogers, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-617. William L. Becker, et al., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-627. Rebecca Montgomery, wife of/and Anthony A. Sanchez, Petitioners *v.* Board of Zoning Adjustments of City of New Orleans, et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 86-658. Raymond G. Bader, et al., Petitioners *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-659. Hugh A. Reynolds and Thomas G. Perry, Petitioners *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-660. D. Suzanne Bruce, Petitioner *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-661. John Patrick Allen and Alexandra Georgeo, Petitioners *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5017. Larry E. Graybill, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5054. Alfredo Mendiola-Navarette, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5077. Clarence Ruffen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5081. Benjamin Calvin Riley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5118. Steven Craig, Petitioner *v.* Ted Engle, Deputy Director, Correctional Programs, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5187. Johnny E. Reeves, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5209. Karla Yvonne Windsor, Petitioner *v.* Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 86-5210. Thomas Jimmie Lightfoot, 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. 86-5229. Jesus Salgado-Hernandez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5241. Wayne Cedric Bell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5261. Milford Eugene Slader, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5268. James A. Artis, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-5312. Kenneth Wayne Rowland, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5328. Ronald Wayne Davis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5514. Raul Leyton-Argenal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5551. Donald J. Stankowski, Petitioner *v.* John Conte, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5554. Rodrigo Rodrigues, Petitioner *v.* Howard E. Gudeman, Administrator, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5555. Roscoe Smith, Petitioner *v.* Confederated Tribes of the Warm Springs Reservation of Oregon. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5558. Algie Britton, Petitioner *v.* E. P. Perini, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5560. Phillip Brown, Petitioner *v.* John Welldon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5561. John Joseph McCarthy, Petitioner *v.* Raymond M. Lopes, Commissioner, Connecticut Department of Corrections. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 86-5562. William L. McRae, Petitioner *v.* Frank Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5564. Howard R. Hershops, Petitioner *v.* McCutchen, Doyle, Brown & Enersen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5567. Marcelino Clemente, Petitioner *v.* Joseph Campoy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5568. Larry Jones, Petitioner *v.* Ralph Kemp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5569. Melvin Crochet, Petitioner *v.* Frank C. Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5574. Gregory Parr, Petitioner *v.* Dale Foltz, Regional Administrator, Michigan Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5580. George Baltsavias, Petitioner *v.* Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5584. Angelo Marsett, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-5585. Peter Salanardi, Petitioner *v.* Warden, Metropolitan Correctional Center, New York, New York. Petition for writ of certio-

rari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5643. Barbara Masters, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5680. Horace E. Hollis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5685. Gaylor Felton, Petitioner *v.* T. Hicks, Corrections Officer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 85-1903. Colorado, Petitioner *v.* Richard Santistevan. The motion of Colorado District Attorneys Council, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 85-2107. Amoco Oil Co., Petitioner *v.* Jim Heiling Oil & Gas, Inc. and Harmer Oil. 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. 86-219. Southern Union Company, Petitioner *v.* Jicarilla Apache Tribe, et al.;

No. 86-224. Southland Royalty Company, Petitioner *v.* Jicarilla Apache Tribe, et al.;

No. 86-225. Exxon Corporation, Petitioner *v.* Jicarilla Apache Tribe, et al.; and

No. 86-226. Unicon Producing Company, Petitioner *v.* Jicarilla Apache Tribe, et al. The motion of Mountain States Legal Foundation for leave to file a brief as *amicus curiae* is granted. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-283. Sylvia L. Cox, Petitioner *v.* Thomas C. Cox. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Dissenting opinion by Justice White with whom Justice O'Connor joins.

No. 86-459. Cooper Industries, Inc., Petitioner *v.* I.A.M. National Pension Fund Benefit Plan A, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice White took no part in the consideration or decision of this petition.

No. 86-460. Patrick J. McMahon, et al., Petitioners *v.* Putnam B. McDowell, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Dissenting opinion by Justice White.

No. 86-471. Carlos T. Cooper, Jr. and E. Joseph Daniels, Petitioners *v.* Forsyth County Hospital Authority, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice White and Justice Blackmun took no part in the consideration or decision of this petition.

No. 86-496. Volkswagen of America, Inc., Petitioner *v.* Angeline S. Protos. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Justice White would grant certiorari.

No. 86-601. Donald H. Mathes, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5541. Chester Levon Maxwell, Petitioner *v.* Florida. The petition for a writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

#### HABEAS CORPUS DENIED

No. 86-5718. In Re Frank A. Miesbauer, Petitioner. The petition for writ of habeas corpus is denied.

#### REHEARINGS DENIED

No. 86-5354. Henry V. Geurin, Petitioner *v.* United States. The petition for rehearing is denied.

No. 85-2043. Jack Lynn Hoffart, Petitioner *v.* Texas;

No. 85-2135. Lavoyd Wayne "Bill" Hardin, Petitioner *v.* Gilbert & Colvin; and Lavoyd Wayne Hardin, a/k/a/ Bill Hardin, Petitioner *v.* Gilbert and Colvin;

No. 85-2160. Town of Norwood, Petitioner *v.* Uncompahgre Valley Water Users Association, et al.;

No. 85-6572. John Boudreaux, Jr., Petitioner *v.* Frank C. Blackburn, Warden;

No. 85-6883. Alvah Buckmore, Jr., Petitioner *v.* United States, et al.;

No. 85-6916. Mack Williams, Jr., Petitioner *v.* Nello L. Teer Company, et al.;

No. 85-6957. Richard Flowers, Petitioner *v.* Thomas A. Coughlin, Commissioner, New York State Department of Corrections, et al.;

No. 85-6960. Richard Maxham, Petitioner *v.* Department of the Navy;

No. 85-7025. Wilbert E. Hollins, Petitioner *v.* Darlene R. Henkel;

No. 85-7035. Gerald W. Traunig, Petitioner *v.* Veterans Administration;

No. 85-7064. Marvine Alice Comsia, Petitioner *v.* Thomas Burkhart, et ux.;

No. 85-7098. In Re Duane Nelson, Petitioner;

No. 85-7109. Joseph Simmons, Petitioner *v.* Department of the Navy;

No. 85-7172. Douglas C. Skinner, Petitioner *v.* United States;

No. 85-7181. Reginald L. Lee, Petitioner *v.* Joe Hardage, et al.;

No. 85-7222. Jerry Larry Collier, Petitioner *v.* Lanson Newsome, Superintendent, Georgia State Prison, et al.;

No. 85-7224. Michael A. Picciandra, Petitioner *v.* United States;

No. 86-35. Earlene Polyak, Appellant *v.* Frank Hulen and Wilma Lesanasky;

No. 86-5052. David Wilkins, Petitioner *v.* Harold A. Kane, et al.;

No. 86-5056. Peter R. Johl, Petitioner *v.* John H. Johl, et al.;

No. 86-5217. In Re Glen David Meadows, Petitioner;

No. 86-5225. Mayrdawna Ane' Davis, Petitioner *v.* Children's Hospital of Northern California, et al.; and

No. 86-5258. Koichi Ishihara, Petitioner *v.* United States. The petitions for rehearing are denied. Justice Scalia took no part in the consideration or decision of these petitions.

#### MOTIONS FOR ADMISSION

The written motions for admission of the following lawyers to the Bar of this Court are granted:

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Samuel Addison	Jackson, MS	Curtis E. Coker
Vicki Gotkin Adler	Phoenix, AZ	Ronald Leon Crismon
Thomas H. Adolph	Houston, TX	F. Walter Conrad Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas H. Barnard	Cleveland, OH	David J. Millstone
Albert Kealiinui Bates	Summertown, TN	Robert Hager
Seth Jeremy Benezra	Boulder, CO	Margaret Louise O'Leary
Gladys T. Bransford	Houston, TX	Windell E. Cooper Porter
James M. Campbell	New York, NY	Derrick A. Bell Jr.
George W. Cannon Jr.	St. Croix, VI	Michael Frederick Ross
Thomas Gordon Cline	Washington, DC	Val John Halamandaris
Sandra R. Comenetz	Annapolis, MD	Richard M. Roberts
Robert William Cook	Houston, TX	Richard L. McGonigle
E. Steven Croomes	Athens, AL	Judge Frank L. Eddens Jr.
Robert James Davidek	Dayton, OH	Robert B. Crew
Mitchell F. Dolin	Washington, DC	William Hoque Allen Jr.
Robert L. Doyel	Macon, GA	John L. Carroll
Robin A. Driskel	Foxboro, MA	Francis H. Fox
Jeffrey Ronnall Elliott	Carlisle, PA	Vahan Moushegian Jr.
Donald F. Elliott Jr.	Indianapolis, IN	Geoffrey Segar
H. Mark Emanuel	Greenville, SC	J. Kendall Few
Michael Alan Esposito	Columbus, OH	Richard A. Szilagyi
Jeri Ann H. Flynn	Baton Rouge, LA	Charles Michael Raymond
Jere Barr Fones	Memphis, TN	Thomas R. Price
J. Warren Gardner Jr.	New Orleans, LA	Lawrence J. Ernst
Robert Neil Gee	Washington, DC	Robert S. Gee
James Robinson Gilreath	Greenville, SC	J. Kendall Few
Richard Harl Gimer	Potomac, MD	John Gobel DeGooyer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David R. Gross	Short Hills, NJ	William J. Brennan III
Peter Guarisco	Tallahassee, FL	Joseph C. Jacobs
Thomas Gordon Hagerty	Washington, DC	William R. Levasseur
Helen Ann Hauser	Coral Gables, FL	Melvin S. Black
Vic Houston Henry	Dallas, TX	Harold Barefoot Sanders Jr.
Roy E. Hofer	Chicago, IL	Gary Melchior Ropski
Edward B. Horahan III	Washington, DC	David Ferber
Robert George Kirchner	Champaign, IL	Arthur M. Lerner
J. Denis Kroll	Salt Lake City, UT	E. Earl Greenwood Jr.
Forrest Nathan Krutter	Omaha, NB	William Paul Higgins
Theodore Russell Lakey	Oakland, CA	Robert James Graham
Steven T. Lett	Lansing, MI	Claud Robert Erickson
Michael E. Levin	Lakewood, NJ	Steven I. Pfeffer
Philip Alan LeTard	Vidalia, LA	Daniel Wesley Richey
David M. Liberman	Los Angeles, CA	Robert Charles Moest
Steven Lieberman	Miami, FL	Robert Chester Eber
Lory R. Lybeck	Portland, OR	John R. Faust Jr.
Robert Daniel Maguire	Tallmadge, OH	J. Thomas Henretta
Michael J. McCrann	Aberdeen, NC	Bruce Tracy Cunningham Jr.
Charles John Moore	Los Angeles, CA	De Witt W. Clinton
William Edward Mussman III	San Francisco, CA	William Edward Mussman
Robert John Myers	Clearwater, FL	Claude R. Moulton

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert L. Nelson	Cheyenne, WY	Richard Clarke Wolf
Mitchell Bruce Nisonoff	Woodbridge, NJ	Milton B. Conford
George J. Noumair	New York, NY	Michael Thomas Kiesel
Dennis Francis O'Brien	Towson, MD	Eugene L. Miles III
Doris Page	Arlington, VA	Joseph Michael Quinlan
Barton R. Peterson	Indianapolis, IN	Geoffrey Segar
Thomas D. Peterson-More	Los Angeles, CA	Rex E. Lee
David Patrick Radelet	Chicago, IL	David J. Parsons
Thomas C. Sädler Jr.	Allentown, PA	Edward J. Zamborsky
Mary F. Seymour	St. Paul, MN	John A. Cochrane
Peter B. Shoenfeld	Santa Fe, NM	Neil C. Stillinger
Daniel W. Sklar	Manchester, NH	W. Michael Dunn
Margaret H. Spurlin	Washington, DC	Paul Martin Eskildsen
Jeffrey Evans Stake	Urbana, IL	Oscar H. Davis
Michele Stapleton	Jackson, MS	Jackson Henderson Ables III
Henry Everett Steck	Arlington, TX	Henry E. Kerry
Susan Marie Thomas	Berkeley, CA	John Ford Burns
Alan Mark Turk	Nashville, TN	Charles Patrick Flynn
Andrew Edward Vernick	Annapolis, MD	James T. Wharton
Harlan Albert Waldinger	Chicago, IL	Dannis P. Bedell
Paula J. Warmuth	Huntington, NY	Joseph D. Stim
Bryant Ashley Webb	Woodbridge, VA	Richard A. Lubeley
Jayne E. Williams	Oakland, CA	Robert James Graham
John B. Williams	Washington, DC	William Walker Scott
Richard E. Winnie	Oakland, CA	Robert James Graham

## OPINIONS

No. 85-495. Ansonia Board of Education, et al., Petitioners *v.* Ronald Philbrook, et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by the Chief Justice. Opinion by Justice Marshall concurring in part and dissenting in part. Opinion by Justice Stevens concurring in part and dissenting in part.

No. 84-1947. Vincent T. Cerbone, Justice of the Village Court, Village of Mt. Kisco, New York, et al., Petitioners *v.* Lynn H. Conway. On writ of certiorari to the United States Court of Appeals for the Second Circuit. The writ of certiorari is dismissed as improvidently granted. 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>
Stephen W. Reed	Pasadena, CA	H. Robert Showers
William Matthew Rossi	Middletown, OH	William Penn Tyson
Michael Theodore Benson	Baltimore, MD	David Ernest Aaronson
Barry Clifford Snyder	Santa Barbara, CA	Willis Jay Goldsmith
Patricia Griffin McCullough	Pittsburgh, PA	Robert H. Kapp
Charles P. McCullough	Pittsburgh, PA	Robert H. Kapp
Marlon Holden Bateman	Thousand Oaks, CA	Rosel H. Hyde
Elizabeth Frances Kroop	Washington, DC	Linda C. Jamieson
Alice Taylor Zalik	Washington, DC	Roger Alan Klein
Dianne Louise McMillan Smith	Tulsa, OK	David Barclay Waller
David R. Guthery	Tulsa, OK	David Barclay Waller
W. Thomas Anthony Jr.	Bethlehem, PA	Joseph Francis Leeson
George Joseph Blasco	Easton, PA	Joseph Francis Leeson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James A. Butz	Easton, PA	Joseph Francis Leeson
William P. Coffin	Easton, PA	Joseph Francis Leeson
Lorenzo Wallace Crowe Jr.	Easton, PA	Joseph Francis Leeson
Frank J. Danyi Jr.	Bethlehem, PA	Joseph Francis Leeson
Bruce Erwin Davis	Bethlehem, PA	Joseph Francis Leeson
Raymond J. DeRaymond	Easton, PA	Joseph Francis Leeson
George A. Heitzman	Bethlehem, PA	Joseph Francis Leeson
Philip Marsh Hof	Easton, PA	Joseph Francis Leeson
James C. Hogan	Easton, PA	Joseph Francis Leeson
Karl Howard Kline	Easton, PA	Joseph Francis Leeson
J. Stephen Kreglow	Easton, PA	Joseph Francis Leeson
Dominick A. Lockwood	Easton, PA	Joseph Francis Leeson
Thomas J. Maloney	Bethlehem, PA	Joseph Francis Leeson
Stanley J. Margle III	Easton, PA	Joseph Francis Leeson
William W. Matz Jr.	Bethlehem, PA	Joseph Francis Leeson
Louis S. Minotti Jr.	Easton, PA	Joseph Francis Leeson
Brian Martin Patrick Monahan	Easton, PA	Joseph Francis Leeson
Jose Enrique Morales	Bethlehem, PA	Joseph Francis Leeson
William Karlson Murphy	Easton, PA	Joseph Francis Leeson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Nicholas Noel III	Easton, PA	Joseph Francis Leeson
Alfred Stanley Pierce	Nazareth, PA	Joseph Francis Leeson
James Donald Rawlings II	Bethlehem, PA	Joseph Francis Leeson
Gene Francis Roscioli	Easton, PA	Joseph Francis Leeson
Edward George Ruyak	Bethlehem, PA	Joseph Francis Leeson
Michael Patrick Shay	Bethlehem, PA	Joseph Francis Leeson
Robert E. Simpson Jr.	Nazareth, PA	Joseph Francis Leeson
Donald F. Spry II	Bangor, PA	Joseph Francis Leeson
Stanley E. Stettz	Easton, PA	Joseph Francis Leeson
Thomas P. Stitt Sr.	Easton, PA	Joseph Francis Leeson
Robert Ungerleider	Bethlehem, PA	Joseph Francis Leeson
Charles A. Wilkinson	Bethlehem, PA	Joseph Francis Leeson
Norman E. Blatt Jr.	Allentown, PA	William C. Wickkiser
Karolyn Vreeland Blume	Allentown, PA	William C. Wickkiser
Victor F. Cavacini	Allentown, PA	William C. Wickkiser
John Francis Costello	Allentown, PA	William C. Wickkiser
Margaret Willever Cretsinger	Allentown, PA	William C. Wickkiser
William H. Dayton Jr.	Allentown, PA	William C. Wickkiser
Richard David Director	Allentown, PA	William C. Wickkiser

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William J. Fenza Jr.	Allentown, PA	William C. Wickkiser
William E. Ford	Allentown, PA	William C. Wickkiser
Spyro J. Gellos	Allentown, PA	William C. Wickkiser
Gary M. Glascom	Allentown, PA	William C. Wickkiser
Susan M. Grant	Allentown, PA	William C. Wickkiser
Richard Stanton Kohn	Allentown, PA	William C. Wickkiser
William Kurt Malkames	Allentown, PA	William C. Wickkiser
James B. Martin	Allentown, PA	William C. Wickkiser
Jeffrey Bennett Matzkin	Allentown, PA	William C. Wickkiser
Edward Hugh McGee	Allentown, PA	William C. Wickkiser
Paul A. McGinley	Allentown, PA	William C. Wickkiser
John Henry McKeever	Allentown, PA	William C. Wickkiser
Donald William Miles	Allentown, PA	William C. Wickkiser
C. Steven Miller	Allentown, PA	William C. Wickkiser
Michael E. Moyer	Allentown, PA	William C. Wickkiser
Ruth Moyerman	Whitehall, PA	William C. Wickkiser
Maria Concetta Mullane	Allentown, PA	William C. Wickkiser
Millicent Ann Picker	Philadelphia, PA	William C. Wickkiser
Sanford Jon Piltch	Allentown, PA	William C. Wickkiser

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert V. Ritter Jr.	Allentown, PA	William C. Wickkiser
Paul M. Schaffer	Allentown, PA	William C. Wickkiser
William E. Schantz	Allentown, PA	William C. Wickkiser
Jay Alan Scherline	Allentown, PA	William C. Wickkiser
I. Robert Shapiro	Allentown, PA	William C. Wickkiser
Frances Gravish Sonne	Allentown, PA	William C. Wickkiser
Reed F. Steele	Allentown, PA	William C. Wickkiser
Richard R. Tomsho	Stroudsburg, PA	William C. Wickkiser
Seymour Traub	Allentown, PA	William C. Wickkiser
Constantine M. Vasiliadis	Bethlehem, PA	William C. Wickkiser
Stanley M. Vasiliadis	Bethlehem, PA	William C. Wickkiser

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Adjourned until Monday, December 1, 1986 at 10 o'clock.

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No. A-369. Nollie Lee Martin, Applicant *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections, et al. The application for stay of execution of the sentence of death, presented to Justice Powell 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

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

## ORDER IN PENDING CASE

No. A-386. Louie L. Wainwright, Secretary, Florida Department of Corrections, Applicant *v.* Theodore Robert Bundy. 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 Powell and by him referred to the Court is denied.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 85-1773. Charles M. Oberly, III, and John E. Wilson, III, Appellants *v.* Baltimore & Ohio Railroad Company, et al. Appeal from the United States Court of Appeals for the Third Circuit. 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 Solicitor General in his brief, as *amicus curiae*, filed November 10, 1986. The Chief Justice would note probable jurisdiction and set the case for oral argument.

No. 86-94. Wayne Alvin Pipkin, Appellant *v.* Colorado. Appeal from the District Court of Colorado, Arapahoe County. The appeal is dismissed for want of a substantial federal question.

No. 86-5618. Joseph Paul Franklin, Appellant *v.* Tennessee. Appeal from the Supreme Court of Tennessee, Eastern Division. The appeal is dismissed for want of a substantial federal question.

No. 86-571. Katherine Mendonca, Appellant *v.* Oregon. Appeal from the Court of Appeals of Oregon. 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. 86-586. Robert Hudson, Appellant *v.* James Edgett and New York. Appeal from the United States Court of Appeals for the Second 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. 86-5587. Lyle Prenzler, Appellant *v.* Julia Jones, 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. 86-5609. Steve Stevenson, Appellant *v.* Hale Mahaolu Elua. 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. 86-5633. Kwasi M. Seitu, Appellant *v.* City of Jackson, Mississippi, 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. 86-612. Prudential Federal Savings & Loan Association and Fred Ogolin, Appellants *v.* Mildred Flanagan. Appeal from the Supreme Court of Montana. The appeal is dismissed for want of a properly presented federal question.

No. 86-5642. Roy Roger Petersen, Appellant *v.* Atlantic Gulf & Pacific Company, et al. Appeal from the United States District Court for the Southern District of Texas. The appeal is dismissed for want of jurisdiction.

#### ORDERS IN PENDING CASES

No. D-563. In the Matter of Disbarment of Edith L. James. Disbarment order entered.

No. D-565. In the Matter of Disbarment of James Burns McCloskey. Disbarment order entered.

No. 85-792. Interstate Commerce Commission, Petitioner *v.* Brotherhood of Locomotive Engineers, et al.; and

No. 85-793. Missouri-Kansas-Texas Railroad Company, Petitioner *v.* Brotherhood of Locomotive Engineers, et al. Counsel for the parties are invited to file supplemental briefs, not to exceed 10 pages in length (15 pages if filed on behalf of both petitioners or both respondents), limited to the following question: In view of 28 U.S.C. Sec. 2344, 49 U.S.C. Sec. 10327(i), and the passage of more than 60 days between (1) respondents' appeals from the Interstate Commerce Commission's October 25, 1983, order, declining to reconsider its May 18, 1983, order regarding respondent Brotherhood of Locomotive Engineers' motion for clarification, and (2) service of the Commission's May 18, 1983, clarification order, did the appeals properly bring before the reviewing court the May 18, 1983, order? Briefs may be submitted no later than December 22, 1986.

No. 85-2067. United States, Petitioner *v.* Jose Mendoza-Lopez and Angel Landeros-Quinones. The motion for appointment of counsel is

granted and it is ordered that Kathy Goudy, Esq., of Lincoln, Nebraska, is appointed to serve as counsel for the respondents in this case.

No. 85-6461. Earline Martin, Petitioner *v.* Ohio. The motion of respondent to strike reply brief is denied.

No. 86-6. James G. Ricketts, Director, Arizona Department of Corrections, et al., Petitioners *v.* John H. Adamson. The motion of respondent to disqualify petitioner's counsel is denied.

No. 86-5082. Curtis L. Wrenn, Petitioner *v.* Department of Mental Health, etc., et al. The motion of petitioner to reconsider the order denying leave to proceed *in forma pauperis* is denied. Justice Scalia took no part in the consideration or decision of this motion.

No. 86-5596. Curtis L. Wrenn, Petitioner *v.* Missouri. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until December 22, 1986, 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. 86-5740. Diane Orpinuk, Petitioner *v.* United States Department of Health and Human Services. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until December 22, 1986, 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. 86-566. Barclay Perry and James Johnston, Appellants *v.* Kenneth Morgan Thomas. Appeal from the Court of Appeal of California, Second Appellate District. In this case probable jurisdiction is noted.

No. 86-231. Pension Benefit Guaranty Corporation, Appellant *v.* Yahn & McDonnell, Inc., et al.; and

No. 86-253. United Retail and Wholesale Employees Teamsters Union Local No. 115 Pension Plan, et al., Appellants *v.* Yahn & McDonnell, Inc., et al. Appeals from the United States Court of Appeals for the Third Circuit. In these cases probable jurisdiction is noted. The cases are consolidated and a total of one hour is allotted for oral argument. Justice White took no part in the consideration or decision of these cases.

#### CERTIORARI GRANTED

No. 86-260. South Dakota, Petitioner *v.* Elizabeth H. Dole, Secretary, United States Department of Transportation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 86-319. John R. Van Drasek, Petitioner *v.* John F. Lehman, Jr., Secretary of the Navy, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit granted.

No. 86-381. California, Petitioner *v.* Superior Court of California, San Bernardino County (Richard Smolin and Gerard Smolin, Real Parties in Interest). Petition for writ of certiorari to the Supreme Court of California granted.

No. 85-1626. Charles Goodman, et al., Petitioners *v.* Lukens Steel Company, et al.; and

No. 85-2010. United Steelworkers of America, AFL-CIO-CLC, et al., Petitioners *v.* Charles Goodman, et al. The 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 is allotted for oral argument.

No. 85-2064. James Greer, Warden, Petitioner *v.* Charles "Chuck" Miller. 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 Seventh Circuit granted.

No. 86-322. Crawford Fitting Company, et al., Petitioners *v.* J. T. Gibbons, Inc.; and

No. 86-328. Champion International Corporation, Petitioner *v.* International Woodworkers of America, AFL-CIO-CLC. The petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit are granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 86-497. Agency Holding Corporation, et al., Petitioners *v.* Malley-Duff & Associates, Inc.; and

No. 86-531. Crown Life Insurance Company, et al., Petitioners *v.* Malley-Duff & Associates, Inc., et al. The petition for writ of certiorari in 86-497 to the United States Court of Appeals for the Third Circuit is granted. The petition for writ of certiorari in 86-531 to the United States Court of Appeals for the Third Circuit is granted limited to Questions I and II presented by the petition. The cases are consolidated and a total of one hour is allotted for oral argument.

#### CERTIORARI DENIED

No. 85-1976. Roger Francis Dykes, Sr. and Roger Francis Dykes, Jr., Petitioners *v.* Diana Christina Dykes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 85-2002. J. Young & Company, Inc., Petitioner *v.* M/V Bob Livingston, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85-2123. Emory Jay Huckaby, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 85-2155. Ogden Anderson, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 85-6973. Edward Dixon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-6978. Freddie Lee Murphy, Petitioner *v.* Harry L. Allsbrook, Superintendent, Odom, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 85-7129. Othie Lee West, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 85-7171. Tom Vogel, Petitioner *v.* Roy S. Nicks, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-58. Fred S. James & Co. of Texas, Inc., Petitioner *v.* Equilease Corp., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-142. City of Montgomery, et al., Petitioners *v.* Lonnie Benjamin and Harold Hicken. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-151. New York, Petitioner *v.* Donald Calvin Mattison. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-241. Ann P. Fields, et al., Petitioners *v.* Rockdale County, Georgia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-254. Bethlehem Steel Corporation, Petitioner *v.* Robert Pemberton; and

No. 86-444. Robert Pemberton, Petitioner *v.* Bethlehem Steel Corporation. Petitions for writs of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-271. Pat S. Holloway, Petitioner *v.* Dee Brown Walker, Judge, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-275. Board of Education of the City of New York, et al., Petitioners *v.* Stuart Stein; and

No. 86-533. Stuart Stein, Petitioner *v.* Board of Education of the City of New York, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-285. James E. Doyle, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-294. Gordon C. Perdue and Elizabeth T. Perdue, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-330. Dennis J. Le Beau, Petitioner *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-334. Ensign Electric Division of Harvey Hubbell, Inc. and United Steelworkers of America, Local 5929, AFL-CIO, Petitioners *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-345. Three Way Corporation and Budd Moving Systems, Inc., 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. 86-347. Dante Grassi and Dominic Santarelli, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-365. Rudolph G. (Butch) Stanko and Gary Waderich, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-370. Jerry G. Brennan, 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. 86-377. Alphonso Carvajal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-384. Gerald Svetanoff, Petitioner *v.* Harriet L. McMillian. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-397. Church of St. Paul and St. Andrew, Petitioner *v.* Kent L. Barwick, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-411. George J. Otlowski, Mayor of Perth Amboy, et al., Petitioners *v.* Thomas H. Kean, Governor of New Jersey, et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-420. Richard Lang, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-501. Brian K. Garries, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-521. John DiSalvo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-530. David S. Kellermeyer, Individually and Kellermeyer's Inc., Petitioners *v.* Blue Flame Gas Corporation and Tenneco Oil Company. Petition for writ of certiorari to the Temporary Emergency Court of Appeals of the United States denied.

No. 86-539. Samuel P. Torrence, Jr., Petitioner *v.* Oxford Municipal School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-544. Jerome Kennedy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-545. Richard A. Duncan and Lorraine J. Duncan, Petitioners *v.* Village of Middlefield, Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-549. Angelo Thompson, dba Liberty Supermarket No. 29, etc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-552. Hubbard Broadcasting, Inc., Petitioner *v.* Metropolitan Sports Facilities Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-555. International Fruit Products Company, Inc., et al., Petitioners *v.* James Bryant, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-557. Paul Scott, Petitioner *v.* Rhoda Mandel Greenberg, Executrix of the Estate of Jennie Mandel Barnett, Deceased, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 86-560. Edward L. Odum, Petitioner *v.* United States Patent and Trademark Office. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-573. Than Tun, et ux., Petitioners *v.* Kauikeolani Children's Hospital, et al. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 86-574. City of Scottsdale, Petitioner *v.* Joyce M. Corrigan. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied.

No. 86-576. William Shoemaker, et al., Petitioners *v.* Hal Handel, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-577. California Pacific Research, Inc., Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-579. Linda Feuerer, Petitioner *v.* Adamar of New Jersey, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-580. Louis H. Tucker, et al., Petitioners *v.* Whitaker Travel, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-583. Jim Austin, et al., Petitioners *v.* Lexington Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-585. Edward Joseph Allen and Ralph Anthony Buglione, Petitioners *v.* California. Petition for writ of certiorari to the Appellate Department, Superior Court of California, Orange County, denied.

No. 86-588. Aetna Casualty & Surety Company, Petitioner *v.* Smith Plumbing, Inc., dba White Mountain Supply Company. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 86-590. Universal City Studios, Inc., Petitioner *v.* Nintendo Co., Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-593. Donald Joe Nowell, etc., et al., Petitioners *v.* Universal Electrical Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-598. Michael M. Rand, et al., Petitioners *v.* Anaconda-Ericsson, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-599. Marshall Spiegel, Petitioner *v.* Continental Illinois National Bank, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-600. Environmental Control Board of the City of New York, et al., Petitioners *v.* Lee Sterling, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-633. Sophon Potisophon and Somchin Potisophon, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-650. Jo Evelyn Robinson, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Circuit Court of Campbell County, Kentucky, denied.

No. 86-653. Ralph R. Renna, Petitioner *v.* City Council of City of Saratoga, California, et al. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 86-655. Harriet M. Gould, Petitioner *v.* Mutual Life Insurance Company of New York. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-677. Sears, Roebuck and Co., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-698. Nia J. Imani, on behalf of Terron Hayes, Petitioner *v.* Otis R. Bowen, Secretary, Department of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-705. Robert M. T. Wilson, Petitioner *v.* Thomas Turnage, Director, Selective Service System. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-706. Earl Agate, et al., Petitioners *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-708. Bron Burwell, Petitioner *v.* National Transportation Safety Board and Donald D. Enger, Administrator, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-721. John R. Prager, Petitioner *v.* Donald P. Hodel, Secretary, Department of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-722. Barbara Bailey Howard, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5001. Leon Couch, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5013. Carlos Garces, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5033. Gerald R. Borning, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 86-5121. Robert Gene Holbrook, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 86-5134. John A. Mosier, Petitioner *v.* A. I. Murphy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5143. Bobby James Roberts, 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. 86-5184. Michael Shawn Scroggins, Petitioner *v.* Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 86-5235. Louis Johnson, 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. 86-5242. Randy D. Velleff, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 86-5257. Eddie Crawford, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 86-5273. Ralph Vaughn, Jr., Petitioner *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 86-5274. Audrey Eldon Bagley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5276. Hilton Jerry Kelton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5287. Leroy Fry, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 86-5289. David A. Plummer, et ux., Petitioners *v.* Pennsylvania Department of Public Assistance, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5296. Paul B. Owens, Petitioner *v.* W. T. Maguire. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5320. Charles A. Miller, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-5337. William Adkins, 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. 86-5341. Henry John Carter, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 86-5364. Ramon Sanchez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5365. Alan Heyman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5368. Frank M. Miller, Jr., Petitioner *v.* Calvin Neubert, Superintendent, Leesburg State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5389. Gloria Young, et al., Petitioners *v.* Otis R. Bowen, Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5393. Lyle H. Prenzler, Petitioner *v.* Social Security Administration. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5394. Robert Merkel, Jacob M. Hughes, and Michael Cain, Petitioners *v.* Scoville, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5395. George A. Scalf, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5431. Kathryn S. Martin, Petitioner *v.* Sears, Roebuck & Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5445. Jorge Gustavo Kraiselburd, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5455. Lloyd George Kenney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5470. Ram Lachman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5495. Sylvester Jones, Petitioner *v.* Charles N. Reidey, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-5527. William Hawthorne, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-5539. Jean Ekblad, Petitioner *v.* John C. Shabaz, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5582. Sherman S. Weber, Petitioner *v.* Ron Stram. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-5586. William F. Schlicher *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-5588. Bruce Thomas Phillips, Petitioner *v.* T. 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. 86-5589. Clifton M. Taylor, 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 Third Circuit denied.

No. 86-5594. Alfred Wright, Petitioner *v.* Firestone Tire and Rubber Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5595. Joan A. Pope, Petitioner *v.* Joliet Federal Savings and Loan Association, et al. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 86-5597. Richard Becker, Petitioner *v.* Suffolk County Legal Aid Division. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5604. Gilbert Rivera, Petitioner *v.* Gayle Franzen, 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. 86-5605. Richard Becker, Petitioner *v.* Arcadian Gardens. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5606. Richard Becker, Petitioner *v.* Henry Modells & Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5608. Randall Dalton, Petitioner *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 86-5613. Bonnie Burnette Erwin and Maranetta Martin Smith, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5619. Mirella Landi Adelman, etc., Petitioner *v.* David H. Graves. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5622. Richard Wojtczak, Petitioner *v.* Thomas 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. 86-5623. John N. Pinte, Petitioner *v.* John 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. 86-5625. James Pearson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5626. Robert Earl Carter, Petitioner *v.* St. Louis-San Francisco Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5634. Jerry Wayne Smith, Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-5635. Padraig Michael O'Brian, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-5636. Paul Jones Mitchell, Petitioner *v.* Various Agencies of the Federal and State Governments. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 86-5637. LaVerne Koenig, 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. 86-5638. Calvin McCoy, Petitioner *v.* Clerk of Court of Darlington County, et al. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 86-5640. Fred Jewell Taylor, Petitioner *v.* Robert G. Borg, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5641. Larry R. Williams, Petitioner *v.* Union Carbide Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5645. Luis Gilces, Petitioner *v.* E. W. Jones. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5646. Pasquale J. Coleman, Petitioner, *v.* Delaware, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5647. Roy Bercaw, Petitioner *v.* N. G. Mandak, Judge. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5650. Albert W. Slater, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5651. James A. Hopper, Petitioner *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 86-5660. Louis C. Davis, Petitioner *v.* Mike Robbs, #462, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5661. Lloyd George Kenney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5662. Modesto Garcia, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 86-5663. Catarino Murillo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5665. Michael Myrick, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-5668. Frank Malave, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5669. Larry James Toddy-Garcia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5671. Elizabeth Ford, Petitioner *v.* Burroughs Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5676. Robert McKnight, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5687. Virgil Powers Lynch, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5689. George N. Collatos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5690. Thomas E. Brownscombe, Petitioner *v.* Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5692. Charles Mallory, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5700. Ernest Johnson, Jr., Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-5704. Mark Roy Goodacre, Peitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5705. David Isaiah Garris, Petitioner *v.* Charles S. Lindsay, Administrator, Maximum Security Facility at Lorton, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-5709. Rolly O. Kinnell, Petitioner *v.* United States District Court Judges, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5728. Francisco Miguel Cebas-Bruno, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5737. Keith A. Campbell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5742. Jeffrey Washington, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5761. Joel Bratton-Bey, Petitioner *v.* Comptroller of the Treasury. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-5768. William Parkham Osgood, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85-1821. Utah, et al., Petitioners *v.* Ute Indian Tribe. The motion of Santa Fe Mining, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of the Solicitor General for leave to file supplemental memorandum as *amicus curiae* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-72. R. L. Payne, Inc., Petitioner *v.* Dale Malquist, et al. The motion of respondent Dale H. Malquist for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 86-173. Richard Page Harris, Petitioner *v.* Attorney General of Virginia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice White would grant certiorari.

No. 86-602. Pearson Trucking and Rigging, Inc., Petitioner *v.* Joseph Hicks, dba Hicks Engineering Co. Petition for writ of certiorari to the Supreme Court of Nevada denied. Justice White would grant certiorari.

No. 86-218. Dale Walker, et al., Petitioners *v.* Charles Rowe and David Sandahl. The motion of Sam Bivins, etc., 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. 86-250. George Bowen, Warden, et al., Petitioners *v.* Harry Peoples. 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. 86-553. Connecticut, Petitioner *v.* Joseph Whelan. 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. 86-584. California, Petitioner *v.* Charles Tyberg. 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. 86-277. Charles Walker, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5453. Richard Tichnell, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5617. Joseph Robert Spaziano, Petitioner *v.* Louie L. Wainwright, 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. 86-5631. Norman Lee Newsted, 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. 86-5639. Kenneth Earl Magwood, 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. 86-5644. 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. 86-5683. Gary Alan Walker, 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. 86-5686. James Randall Rogers, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-336. Karl Linnas, Petitioner *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice Brennan, Justice Blackmun and Justice O'Connor would grant certiorari.

No. 86-490. Commissioner of Internal Revenue, Petitioner *v.* Illinois Cereal Mills, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Dissenting opinion by Justice White with whom Justice Blackmun joins.

No. 86-547. Betty G. Browning, Petitioner *v.* Clerk, United States House of Representatives, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice White and Justice Blackmun would grant certiorari. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5598. James Lewis Brown, Jr., Petitioner *v.* Bernice Just, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5610. Donald Wayne Thomas, Petitioner *v.* Ralph Kemp, Warden. The petition for a writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

#### MANDAMUS DENIED

No. 86-5592. In Re Peter Filipas, Petitioner;

No. 86-5612. In Re John C. Hjelter, Petitioner; and

No. 86-5675. In Re Isiah James, II, Petitioner. The petitions for writs of mandamus are denied.

No. 86-692. In Re Manuel L. Real, Petitioner. The petition for writ of mandamus and/or prohibition is denied.

## REHEARINGS DENIED

- No. 85-7189. William Wiley, Petitioner *v.* Mississippi;
- No. 86-236. Antonio Mareno, Appellant *v.* Lillian Roberts, etc.;
- No. 86-278. Frederick G. Jensen, Petitioner *v.* United States;
- No. 86-5316. Victor L. Vesay, Petitioner *v.* United States;
- No. 86-5319. Joyce H. Gibson, Petitioner *v.* Charles Kivett, etc., et al.;
- No. 86-5327. Fred Marion Gilreath, Petitioner *v.* Ralph Kemp, Warden;
- No. 86-5346. Frank A. Miesbauer, Petitioner *v.* Kansas;
- No. 86-5384. Margaret L. Bonin, Petitioner *v.* T. L. James & Company, Inc., et al.;
- No. 86-5427. Istvan Mak, Petitioner *v.* United States; and
- No. 86-5550. In Re Melvin James Dixon, Petitioner. The petitions for rehearing are denied.
- No. 85-1535. Luis Manuel Verez and Milton Vidal, Petitioners *v.* Virginia;
- No. 85-1854. Ira Banks, Petitioner *v.* Finley-Seligman & Latz, Inc.;
- No. 85-1856. Jayco Systems, Inc., Petitioner *v.* Savin Business Machines Corporation;
- No. 85-1960. Albert D. Durden, Petitioner *v.* Office of Personnel Management;
- No. 85-1975. Earlene Polyak, Petitioner *v.* Frank Hulen and Wilma Lesnansky;
- No. 85-1991. In Re Earlene Polyak, Petitioner;
- No. 85-2018. Arthur Kungle, Jr., Petitioner *v.* St. John's College, et al.;
- No. 85-2059. Rainsford J. Winslow, Petitioner *v.* Board of Morgan County Commissioners;
- No. 85-2112. Lodi Truck Service, Inc., Appellant *v.* Division of Labor Standards Enforcement, Department of Industrial Relations of California;
- No. 85-2132. Marion Hofmann Kehoe, Petitioner *v.* Beatrice Claire Hofmann;
- No. 85-2165. Alexander Damascus, Petitioner *v.* Pacific Bell Company, et al.;
- No. 85-6844. Aurelia Elizabeth Pulley, Appellant *v.* Charles Scott, et al.;

- No. 85-6890. Robert A. Buell, Petitioner *v.* Ohio;
- No. 85-6897. Jimmy Lee Clark, Petitioner *v.* R. C. Marshall, Superintendent, Southern Ohio Correctional Facility;
- No. 85-6937. Morris May, Petitioner *v.* International Business Associates, Inc., et al.;
- No. 85-6941. Gene Basalyga, Petitioner *v.* Pennsylvania;
- No. 85-7007. Terence Finnan, Petitioner *v.* Ingrid Finnan, et al.;
- No. 85-7017. James Cook, Petitioner *v.* Georgia;
- No. 85-7042. Gary E. Eitel, Petitioner *v.* Charles R. Baldwin;
- No. 85-7065. Floyd Jackson, Jr., Petitioner *v.* District of Columbia Department of Employment Services;
- No. 85-7070. Edward R. Byrne, Jr., Petitioner *v.* Louisiana;
- No. 85-7135. Jerry Larry Collier, Petitioner *v.* Lanson Newsome, Superintendent, Georgia State Prison;
- No. 85-7141. Thomas L. Ward, Petitioner *v.* Louisiana;
- No. 85-7165. Anthony Grandison, Petitioner *v.* Maryland;
- No. 85-7192. Robert Leroy Goodrich, Petitioner *v.* Bank of America, et al.;
- No. 85-7199. Robert Niles Walker, Petitioner *v.* Board of Education of the City of New York;
- No. 85-7215. In Re William F. Wendt, Jr., Petitioner;
- No. 86-14. Vernon C. Buckley, Appellant *v.* Pennsylvania;
- No. 86-15. John Devine, Petitioner *v.* United States;
- No. 86-56. Jerry D. Shoecraft, Appellant *v.* Catholic Social Services Bureau, Inc., etc., et al.;
- No. 86-128. Ronald L. Florence, et ux., Petitioner *v.* Commissioner of Internal Revenue;
- No. 86-182. Earlene Polyak, Appellant *v.* Buford Evans & Sons;
- No. 86-235. John B. Bell, Petitioner *v.* New York, et al.;
- No. 86-242. Charles W. Smith, Petitioner *v.* Department of the Air Force;
- No. 86-5041. Donald A. Valway, et ux., Petitioners *v.* Peter F. Kearns, et al.;
- No. 86-5083. Mina B. Wright, Petitioner *v.* James Yackley;
- No. 86-5086. Ivan Petric, Petitioner *v.* Maryland;
- No. 86-5097. Vivian L. Jenson, Petitioner *v.* Gary McDougald;

No. 86-5156. Morris May, Petitioner *v.* Equal Employment Opportunity Commission, et al.;

No. 86-5157. William Lanay Harvard, Petitioner *v.* Florida;

No. 86-5160. Deborah Simms Fewell, Petitioner *v.* Edward M. Fewell;

No. 86-5206. James Free, Petitioner *v.* Illinois; and

No. 86-5233. Mercedes Duvallon, Petitioner *v.* Florida. The petitions for rehearing are denied. Justice Scalia took no part in the consideration or decision of these petitions.

#### MOTIONS FOR ADMISSION

The written motions for admission of the following lawyers to the bar of this Court are granted:

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Martin S. Awerbach	Clearwater, FL	Mark Warda
Kathleen Bell	Helena, AR	L. T. Simes II
George Eric Bensik	Houston, TX	Patrick M. Flynn
Mark Jay Berkowitz	Miami, FL	Richard Edward Doran
John Martin Bigler	Hempstead, NY	Andrew J. Simons
Andrea L. Biren	San Francisco, CA	Marsha Siegel Berzon
William Robert Bishin	Seattle, WA	Kenneth A. MacDonald
Don Cameron Brown	Wilmington, DL	John J. Polk
Michael E. Bybee	Birmingham, AL	Norman Pitman Snell
Joseph W. Carvin	Tampa, FL	John-Edward Alley
Jack Brooks Coe	Houston, TX	James Robert McKissick
Mark P. Cohen	Baltimore, MD	Ara M. Crowe Jr.
Steven Z. Cohen	Birmingham, MI	Steven Rabinovitz
Sam F. Cole Jr.	Memphis, TN	William David Dickson
J. Michael Cronan	Kansas City, MO	Paul Leslie Wickens

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mary Anne Curtin	Washington, DC	Peter V. Filpi
Donnalynn Darling	New York, NY	Vinson Jeffrey Friedman
Gregory L. Dillion	Newport Beach, CA	Gordon Kennedy Wright
William Lansing Downing	Seattle, WA	Norman Kim Maleng
Jon H. Edwards	Boston, MA	William P. Homans Jr.
Philip N. Elbert	Nashville, TN	Aubrey B. Harwell Jr.
Kriss Delbert Felty	Seven Hills, OH	Dennis Reimer
Carter B. Foulds	Culpeper, VA	James R. Cromwell
Julie Garfield	Anchorage, AK	Jeffery Cole
Alan Isaac Gilbert	Eagan, MN	Richard Lynn Varco Jr..
Richard J. Gray	Chicago, IL	Theodore Robert Tetzlaff
Donald Stephen Gresko	Endwell, NY	Robert M. Eckelberger
John W. Griffin Jr.	Victoria, TX	Arthur L. Lapham
Robert D. Gustafson	Colorado Springs, CO	Jeffrey I. Tompkins
Gregg Desmond Hackethal	Santa Barbara, CA	Carlos John Moorhead
James Edward Hardy	Thomasville, GA	H. Lamar Cole
Harry L. Heintzelman IV	Columbia, MD	Leo Lawrence Sergi
John Bertram Herron	Philadelphia, PA	Edward Joseph Blake
John George Holl	South Orange, NJ	Frederick P. De Vesa
Stephen F. Huff	New York, NY	Ronald H. Shechtman
Keith C. Hult	Chicago, IL	Charles J. Griffin Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stephen James Kalista	Big Stone Gap, VA	Joseph Michael Kuczko
Marla Lanette Kelly	Los Angeles, CA	Bonnie Kay McNeil
Vincent E. Keyes	San Rafael, CA	Robert Bruce Ingram
Daniel Martin Kirwan	Mr. Vernon, IL	Theodore Alexander Gottfried
John L. Kirwin	Stillwater, MN	Stephen A. Shakman
Robert E. Konchar	Cedar Rapids, IA	Larry G. Gutz
Jacob Matthew Lewis	Washington, DC	Aaron S. Bayer
Jackson Vincent Lord	Beverly Hills, CA	William Frederick Brown
Connie Vance Malone	Lexington, KY	Paul William Richwalsky Jr.
Kathleen Murphy Markie	Columbia, MO	Lew A. Kollias
June McGee	Pasadena, CA	Orland Keith Snyder
Durward McLaughlin	Baton Rouge, LA	Andrew J. Bennett Jr.
Joseph J. Mihalek	Superior, WI	John E. Thomas
Jeffrey P. Minear	Washington, DC	Charles Fried
Michael Dean Moberly	Phoenix, AZ	Roland J. LaVallee
James R. Montgomery	Boulder, CO	Raphael J. Moses
Albert F. Moore	Nashville, TN	Aubrey B. Harwell Jr.
Meryl Dale Moore	Newport News, VA	Herbert V. Kelly
S. D. Roberts Moore	Roanoke, VA	William Raymond Rakes
Henry S. Morgan	Houston, TX	Eugene Joseph Silva
Roger Sutton Moseley	Honolulu, HI	John F. Schweigert
Wallace Aiken Mullinax Jr.	Greenville, SC	James Wright Horton

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Christine Ruth Nicholson	Washington, DC	Mark W. Foster
Johnie R. O'Neal	Tulsa, OK	Leslie R. Earl Jr.
David Russell Oberstar	Duluth, MN	Mitchell A. Dubow
Louis White Oliver III	Hendersonville, TN	Roy Shelton Hatcher Jr.
Scott Selden Partridge	New Orleans, LA	Charles Kohlmeyer Jr.
Perry Elizabeth Pearce	Atlanta, GA	Griffin B. Bell
Edward A. Purcell Jr.	New York, NY	Arthur L. Liman
Donato David Ramos	Laredo, TX	Charles R. Borchers
Frank E. Reardon	Cambridge, MA	William E. Hassan Jr.
Danny C. Reeves	Lexington, KY	Phillip D. Scott
Larry Leonard Roberts	Nashville, TN	Lewis Berkley Hollabaugh
John M. Ross	San Francisco, CA	R. Barry Churton
Irving L. Rotter	New York, NY	David Boies
Carlton George Salmons	Des Moines, IA	Lee H. Gaudineer
Barbara L. Shiels	St. Paul, MN	Stephen Sampson Dunham
Scott A. Silver	Miami, FL	Benedict P. Kuehne
Jerry Edwin Smith	Houston, TX	James Kenneth Gardner
John R. Sommer	Los Angeles, CA	Robert H. Philibosian
Russell Alan Spatz	Miami, FL	David Goodhart
Robert E. Steele Jr.	Macon, GA	Charles Ticknor Erion
Herbert Noel Steinberg	New York, NY	Richard R. Leff
Gerald I. Steinhaus	Rockville Centre, NY	Barry Roy Feerst
Scott Harris Strauss	Washington, DC	Alan J. Roth
Stephen E. Strom	Cape Girardeau, MO	Rush H. Limbaugh
Robert L. Sullivan	Nashville, TN	Jon D. Ross

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Allen Kazuto Tanita	Monrovia, CA	Francis Nelson Adkins
Richard Arthur Tanner	Verona, NJ	George J. Donohue
James P. Thompson	Houston, TX	Bernard R. Suchocki
Kevin J. Visser	Cedar Rapids, IA	Larry G. Gutz
Edward Philip Walker	Alexandria, VA	Roger W. Parkhurst
Robert C. Walter	Detroit, MI	Frank Westley Jackson III
Jack H. Watson Jr.	Atlanta, GA	William Stell Huie
Rudolph Robert Willmann Jr.	San Antonio, TX	Charles D. Butts Sr.
Thomas Dean Wise	Santa Barbara, CA	Stanley Craig Hatch
Christine E. Yaris	New York, NY	Gerald L. Shargel
Thomas F. Zachman	Ripley, OH	David John Frey
Patricia S. Zimmerman	Worthington, OH	Mark Joseph Salzler

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lawrence Saul Robbins	Washington, DC	Solicitor General Charles Fried
Russell M. Gioiella	New York, NY	Roger Lee Stavis
Donald Bruce Weber	San Diego, CA	Frank Ferdinand Krider
Thomas David Miller	Bronxville, NY	Frank Ferdinand Krider
Howard Barry Goodman	New York, NY	Frank Ferdinand Krider

#### ORAL ARGUMENTS

No. 85-1140. Atchison, Topeka and Santa Fe Railway Company, Petitioner *v.* Jim Buell. Argued by Mr. Rex E. Lee for the petitioner and by Mr. James R. McCall for the respondent.

No. 85-1589. Iowa Mutual Insurance Company, Petitioner *v.* Edward M. LaPlante, et al. Argued by Mr. Maxon R. Davis for the petitioner and by Mr. Joe R. Bottomly for the respondents.

No. 85-5939. Eulogio Cruz, Petitioner *v.* New York. Argued by Mr. Robert S. Dean for the petitioner, by Mr. Peter D. Coddington for the respondent, and by Mr. Robert H. Klonoff for the United States, as *amicus curiae*, by special leave of Court.

No. 85-920. Alaska Airlines, Inc., et al., Petitioners *v.* William E. Brock, Secretary of Labor, et al. Argued by Mr. William T. Coleman, Jr., for the petitioners and by Mr. Louis R. Cohen for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Linda Antionette Willis	Cleveland, OH	James R. Willis
Michael Perkins	Jacksonville, FL	Peter Robert Wubbenhorst

## ORAL ARGUMENTS

No. 85-1180. Edwin Meese, III, Attorney General of the United States and Joseph E. Clarkson, appellants *v.* Barry Keene. Argued by Mr. Donald B. Ayer for the appellants and by Mr. John G. Donhoff, Jr., for the appellee.

No. 85-1200. California Coastal Commission, et al., appellants *v.* Granite Rock Company. Argued by Linus Masouredis for the appellants, Ms. Barbara R. Banke for the appellee, and by Mr. Jeffrey P. Minear for the United States, as *amicus curiae*, by special leave of Court.

No. 85-1563. California, Petitioner *v.* Albert Greenwood Brown, Jr. Argued by Mr. Jay M. Bloom for the petitioner and by Ms. Monica Knox for the respondent.

No. 85-6461. Earline Martin, Petitioner *v.* Ohio. Argued by Mr. James R. Willis for the petitioner and by Mr. George J. Sadd for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Elaine Frances Kramer	Los Angeles, CA	Judge Ruth B. Ginsburg
Lucinda Ann Riley	Washington, DC	Judge Ruth B. Ginsburg
Gloria Hirsch Richard	Washington, DC	Judge Ruth B. Ginsburg
William F. Klug IV	Akron, OH	Michael Carlin Towers

## ORAL ARGUMENTS

No. 85-1277. School Board of Nassau County, Florida and Craig Marsh, Individually and as Superintendent of Schools of Nassau County, Florida, Petitioners *v.* Gene H. Arline. Argued by Mr. Brian T. Hayes for the petitioners, by Mr. Solicitor General Charles Fried for the United States, as *amicus curiae*, in support of the petitioners, by special leave of Court, and by Mr. George K. Rahdert for the respondent.

No. 85-1658. Federal Communications Commission, et al., Appellants *v.* Florida Power Corporation, et al.; and

No. 85-1660. Group W Cable, Inc., et al., Appellants *v.* Florida Power Corporation, et al. Argued by Mr. Lawrence G. Wallace for the appellants in No. 85-1658, by Mr. Jay E. Ricks for the appellants in No. 85-1660, and by Mr. Allen J. Topol for the appellees in both cases.

No. 85-1347. Pennsylvania, Petitioner *v.* George F. Ritchie. Argued by Mr. Edward Marcus Clark for the petitioner and by Mr. John H. Corbett, Jr., as *amicus curiae* in support of the judgment below.

No. 85-1530. William E. Brock, Secretary of Labor and Alan C. McMillan, Regional Administrator, Occupational Safety and Health Administration, Appellants *v.* Roadway Express, Inc. Argued by Mr.

Andrew J. Pincus for the appellants and by Mr. Michael C. Towers for the appellee.

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Adjourned until Monday, December 8, 1986 at 10 o'clock.

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**ORDER IN PENDING CASE**

No. A-426. Michael Wayne Evans, Applicant *v.* O. L. McCotter, Director, Texas Department of Corrections. The application for stay of execution of the 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.

# SUPREME COURT OF THE UNITED STATES

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

## ORDER

Pursuant to the authority conferred by the Constitution and Statutes of the United States, and more particularly by 28 U.S.C. Section 42 (1982), the Court hereby assigns and allots the Honorable Antonin Scalia as a Circuit Justice for the District of Columbia Circuit for the day of December 5, 1986.



## SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 85-2147. Jane Doe, et al., Appellants *v.* Louisiana Department of Health and Human Resources, et al. Appeal from the Court of Appeal of Louisiana, Fourth Circuit. The appeal is dismissed for want of a substantial federal question.

No. 86-610. Beverly L. Breaux, Attorney for Nora Eichorn Boswell, Appellant *v.* Allied Bank of Texas, etc. Appeal from the Court of Appeals of Texas, Fourteenth 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. 86-618. Roger A. Hilst, Appellant *v.* Gerald Grimes, Insurance Commissioner, State of Oklahoma. Appeal from the Court of Appeals of Oklahoma, First 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. 85-1735. Lee M. Thomas, Administrator, Environmental Protection Agency and United States Environmental Protection Agency, Petitioners *v.* Outboard Marine Corporation. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. 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 the amendment of Sec. 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 43 U.S.C. Sec. 9604(e), by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, Sec. 104(m) (Oct. 17, 1986).

## ORDERS IN PENDING CASES

No. —. H. Don Scott, Petitioner *v.* The News Herald, et al. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. D-561. In the Matter of Disbarment of Nile Stanton. Disbarment order entered.

No. D-571. In the Matter of Disbarment of David F. Williams. Disbarment order entered.

No. D-591. In the Matter of Disbarment of Richard Gordon Burns. It is ordered that Richard Gordon Burns, of Corte Madera, 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-592. In the Matter of Disbarment of Eugene M. Giometti. It is ordered that Eugene M. Giometti, of Glendale, 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-593. In the Matter of Disbarment of Kenneth Dale Christner. It is ordered that Kenneth Dale Christner, of Pedro, 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-594. In the Matter of Disbarment of John R. Cerame. It is ordered that John R. Cerame, 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. 85-673. Neil F. Hartigan, Attorney General of the State of Illinois, etc., et al., Appellants *v.* David Zbaraz and Allan G. Charles, etc. The motion of Alan Ernest to allow counsel to represent children unborn and born alive is denied. The motion of Legal Defense Fund for Unborn Children for leave to participate in oral argument as *amicus curiae* is denied.

No. 85-1513. Edwin W. Edwards, etc., et al. Appellants *v.* Don Aguillard, et al. The motion of appellants for leave to file reply brief, out-of-time, is granted.

No. 85-1835. California, Petitioner *v.* Peter Rooney. The motion of Americans for Effective Law Enforcement, Inc., et al. for leave to file a brief as *amici curiae* is granted.

No. 85-2156. Shaare Tefila Congregation, et al., Petitioners *v.* John Williams Cobb, et al. The motion of American-Arab Anti-Discrimina-

tion Committee for leave to file a brief as *amicus curiae* is granted. The motion of Anti-Defamation League of B'nai B'rith, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. The motion for appointment of counsel is granted and it is ordered that N. Patrick Flanagan, III, Esquire, of Reno, Nevada, is appointed to serve as counsel for the respondent in this case.

No. 86-475. David C. Frazier, Petitioner *v.* Frederick J. R. Heebe, Chief Judge, United States District Court for the Eastern District of Louisiana, et al. The motion of petitioner to dispense with printing the joint appendix is granted.

No. 86-589. Charles Edward Krupps, Harold O. Edgington, Howard D. Mathews, Sr., Vincent Rose, Lattie Joe Darby Rose, Rosie Henley and John Ellis Henley, Petitioners *v.* Texas. The application for stay of enforcement of order of confinement presented to Justice White and by him referred to the Court is granted pending final disposition of the petition for writ of certiorari by this Court.

No. 86-637. Communications Workers of America and Its Locals 2100, 2101, 2108 and 2110, Petitioners *v.* Harry E. Beck, Jr., et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

#### APPEALS—JURISDICTION NOTED

No. 86-509. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Beaty Mae Gilliard, et al.; and

No. 86-564. Phillip J. Kirk, Secretary, North Carolina Department of Human Resources, et al., Appellants *v.* Beaty Mae Gilliard, et al. Appeals from the United States District Court for the Western District of North Carolina. The motion of appellees for leave to proceed *in forma pauperis* is granted. 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. 86-234. Charles J. McNally, Petitioner *v.* United States; and

No. 86-286. James E. Gray, Petitioner *v.* United States. The petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit are granted. In No. 86-234, the petition for a writ of

certiorari is granted limited to Question 4 presented by the petition and to Question 1 in No. 86-286 as incorporated by reference in No. 86-234. In No. 86-286, the petition for a writ of certiorari is granted limited to Questions 1 and 3 presented by the petition. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 86-393. United States, et al., Petitioners *v.* James B. Stanley, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit granted.

No. 86-495. K Mart Corporation, Petitioner *v.* Cartier, Inc., et al.;

No. 86-624. 47th Street Photo, Inc., Petitioner *v.* Coalition to Preserve the Integrity of American Trademarks, et al.; and

No. 86-625. United States, et al., Petitioners *v.* Coalition to Preserve the Integrity of American Trademarks, et al. 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. 86-572. Kentucky, Petitioner *v.* Sergio Stincer. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Kentucky granted.

No. 86-5324. Joseph G. Griffin, Petitioner *v.* Wisconsin. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Wisconsin granted.

#### CERTIORARI DENIED

No. 85-1524. Hubbard Broadcasting, Inc., Petitioner *v.* Southern Satellite Systems, Inc., and Turner Broadcasting System, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 85-7055. Oscar Carrion, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 86-295. Walter T. Smith, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 86-361. David C. Anderson, et al., Petitioners *v.* United States Department of Transportation, Federal Aviation Administration; and Richard J. Brandis, et al., Petitioners *v.* Department of Transportation, Federal Aviation Administration; and James F. Burgard, Petitioner *v.* Department of Transportation, Federal Aviation Administra-

tion; and Brenda L. Conroy, Petitioner *v.* Department of Transportation, Federal Aviation Administration; and Richard Delutri, Petitioner *v.* Department of Transportation, Federal Aviation Administration; and Jeffrey R. Ellis, et al., Petitioners *v.* Department of Transportation, Federal Aviation Administration; and Patrick Lydon, Petitioner *v.* Department of Transportation, Federal Aviation Administration; and Betty J. Murphy, Petitioner *v.* Department of Transportation, Federal Aviation Administration; and Peter Piorowski, Petitioner *v.* Department of Transportation, Federal Aviation Administration; and Darryl Romashko, Petitioner *v.* Department of Transportation, Federal Aviation Administration; and Thomas A. Toepfer, Petitioner *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-375. White Mountain Apache Tribe, Petitioner *v.* Donald P. Hodel, Secretary, United States Department of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-405. Hamid R. Kashani, Petitioner *v.* Alan C. Nelson, Commissioner of the Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-407. Alvin W. Dodson, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-416. Virginia Z. Harwood, et vir and Margaret P. Harwood, et vir, Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-417. Norman Gardner, etc., et al., Petitioners *v.* John V. Evans, Governor of the State of Idaho, etc., et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 86-450. United Brotherhood of Carpenters and Joiners of America, L. U. 201 AFL-CIO, Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-481. Central States, Southeast and Southwest Areas Pension Fund, et al., Petitioners *v.* Whitworth Bros. Storage Company; and

No. 86-666. Whitworth Bros. Storage Company, Petitioner *v.* Central States, Southeast and Southwest Areas Pension Fund, et al. Peti-

tions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-499. Ernest B. Terrell, et al., Petitioners *v.* Lamar Alexander, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-518. Evergreen Towers, Inc., Petitioner *v.* City of East Orange and New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-536. Harry Graham and Ellen Graham, Petitioners *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana, Second District, denied.

No. 86-550. Thomas G. Beckham, Petitioner *v.* Sun News and Sun Publishing Company. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 86-604. S. L. Townley, Warden, Petitioner *v.* James T. Clark, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-607. Diamond Shamrock Corporation, Petitioner *v.* John Hamilton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-609. Chauffeurs, Teamsters and Helpers Local Union No. 238, Petitioner *v.* CRST, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-614. Charles C. Welch, Petitioner *v.* Carson Productions Group, Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-615. Hewlette Rogers Brown, Petitioner *v.* Marjorie Ann Brown. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-619. Marie A. Allen, Petitioner *v.* Chilton Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-623. Rex Joseph Schaafsma, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 86-626. John Trent and Macy Trent, Petitioner *v.* Codman and Shurtleff, Inc., et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 86-630. Barbara Jean Cummings, etc., et al., Petitioners *v.* Briggs & Stratton Retirement Plan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-635. William Hogue, Petitioner *v.* Bill Clinton, Governor of the State of Arkansas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-638. Clark Oil & Refining Corporation, Petitioner *v.* Go-Tane Service Stations, Inc. Petition for writ of certiorari to the Temporary Emergency Court of Appeals of the United States denied.

No. 86-639. Ambrose Daigle, Petitioner *v.* Gulf States Utility Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-645. E. Marie Holden, Petitioner *v.* Owens-Illinois, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-657. Henry Malachowski, et ux., Petitioners *v.* City of Keene, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-662. Native Village of Nenana, Petitioner *v.* Alaska Department of Health and Social Services. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 86-665. Terry Lee K. Stone, etc., et al., Petitioners *v.* Paradise Holdings, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-687. Karl C. Mertz, Petitioner *v.* John O. Marsh, Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-699. Wanda Allen, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 86-739. Maurice David King, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-748. Chunie, (Francis S. Herrera), et al., Petitioners *v.* Marie Ringrose, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-752. Leonard T. Dlugosz, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-755. Joseph Stefan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5090. Johnathan David Adams, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5201. Ricky Lynn Granger, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5370. John Bernice Vester, 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. 86-5387. Elizabeth LaFramboise, Petitioner *v.* Alaska. Petition for writ of certiorari to the Court of Appeals of Alaska denied.

No. 86-5432. Linwood Edward Williams, Petitioner *v.* William P. Rogers, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5456. David Ely, Petitioner *v.* More Than 20 FBI Agents and A Swat Team, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5518. James Joseph Owens-El, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5532. Louis A. Capobianchi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5572. David Najohn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5652. Joseph C. Sun, Petitioner *v.* J. Michael Bush, et al. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-5653. Jackie Dale McBee, Petitioner *v.* Jimmy Harrison, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5664. Ovidio Castro Casas, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 86-5667. Thomas Corry Joyner, Jr., Petitioner *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5674. Gerry T. Johns, Petitioner *v.* Wayne Estelle, Superintendent, California Men's Colony, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5677. Assunta Maffei, 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 Third Circuit denied.

No. 86-5682. Todd A. Hall, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5684. Thomas Franklin Drumheller, Petitioner *v.* Michael C. Samberg, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5691. Frank Lyle Castle, II, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-5693. Robert A. McNeil, Petitioner *v.* Julius T. Cuyler, Superintendent, State Correctional Institution and Correctional Diagnostic and Classification Center, Graterford, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5694. Brian Joseph Richard, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 86-5696. Carol A. Pannacci, Petitioner *v.* Thorp Consumer Discount Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5706. Roosevelt Clifford Bentley, Petitioner *v.* Arnold Bentley. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5710. Wesley Ashley, Petitioner *v.* Donald K. Armstrong, Controller of the Colorado Department of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5713. Abdul Hakim Jamal Nasir Shabazz, Petitioner *v.* K. C. Barnauskas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5714. Anthony Wise, et ux., Petitioners *v.* Lawrence Kaiser, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5715. Paul Jerome Tyner, Petitioner *v.* Lanson Newsome, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5716. Flennie Payton, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 86-5717. Morris May, Petitioner *v.* Bureau of Motor Vehicles. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-5719. Phillip Matthews, Petitioner *v.* James McClung, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5727. Stanford Ware, 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. 86-5734. Willie Heyward, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-5756. Kenneth Dean Williams, Petitioner *v.* L.C.P. Chemicals, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5764. Robert M. Norwood, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5766. Robert Dwayne Higdon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5772. Bobby Neely, Petitioner *v.* United States; and

No. 86-5773. Robert Z. Richie, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5776. Harold B. Einarson, Petitioner *v.* Arthur J. Flamm, etc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5778. Charles Voyed Harrelson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5793. William Carter, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5802. Harry Herbert March, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5810. Bobby Lee Malady, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5811. Samuel Walker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5824. John Berrel Barnes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-390. Multimedia, Inc., Petitioner *v.* Craig Hawkins, etc. The motion of North Carolina Press Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of Conus Communications for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Justice Brennan would grant certiorari.

No. 86-396. Illinois, Petitioner *v.* Clifford Anderson. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-641. Max E. Thompson, Petitioner *v.* Virginia Casas. Petition for writ of certiorari to the Supreme Court of California denied. Justice White would grant certiorari.

No. 86-5024. Michael Diamen, Petitioner *v.* T. C. Martin, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5314. Ronald James Milton, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied. Justice Brennan would grant certiorari and set the case for oral argument. Justice Marshall and Justice Blackmun would grant certiorari, vacate the judgment of the District Court of Appeal of Flor-

ida, First District, and remand the case for further consideration in light of *Smalis v. Pennsylvania*, 476 U.S. — (1986).

#### HABEAS CORPUS DENIED

No. 86-5838. In Re Charles R. Clough, Petitioner. The petition for writ of habeas corpus is denied.

#### MANDAMUS DENIED

No. 86-620. In Re Franklynn B. Albert, et al., Petitioners. The petition for writ of mandamus is denied.

#### REHEARINGS DENIED

No. 85-2168. James N. Fleming, Petitioner *v.* W. Bedford Moore, III;

No. 86-113. American Baptist Churches in the U.S.A., et al., Petitioners *v.* Ronald W. Reagan, President of the United States, et al.; and

No. 86-5472. Roy Rogers Creasey, Petitioner *v.* R. M. Muncy, Warden, et al. The petitions for rehearing are denied.

No. 86-5003. Doris Gambrell, Petitioner *v.* Harold A. Ackerman, etc. The petition for rehearing is denied. Justice Scalia took no part in the consideration or decision of this petition.

#### RECESS ORDER

The Court will take a recess from Monday, December 15, 1986, until Monday, January 12, 1987.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Carol Agate	Los Angeles, CA	Fred Okrand
Michael John Aloï	Farmington, WV	Wesley William Metheney
William Saad Aramony	Alexandria, VA	Joseph Benjamin Scott
Bruce A. Atkins	Houston, TX	Richard Lee Fuqua II
Ben Brannen Ballengee	Dallas, TX	Don L. Patterson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Wesley Bastian	Pierre, SD	Mark Vernon Meierhenry
Glenn Roland Beustring	Tulsa, OK	John Markham Freese
John Robert Bobay	San Anselmo, CA	John Joseph Downes
Susan Schreiber Bowers	Washington, DC	Marc Eric Miller
Noble L. Boykin Jr.	Savannah, GA	John Wright Jones
Russell Bramley	Warwick, RI	Howard R. Haronian
Michael S. Bromberg	Sag Harbor, NY	Harry B. Sondheim
Lawrence K. Burleigh	Morgan City, LA	William D. Hunter
Paul Stephen Cherry	Valley Forge, PA	Charles Thomas DeTulleo
Howard Mark Colvin	Baltimore, MD	Theodore Byron Oshrine
David A. Devine	Anchorage, AK	James Tracy Robinson
D. Lester Diggs	Aiken, SC	George Allen Anderson
Jon R. Erickson	Pierre, SD	Mark Vernon Meierhenry
A. Michael Ferrill	San Antonio, TX	Keith E. Kaiser
Steven C. Finley	Albany, NY	Paul Michael Collins
Justine Fischer	Portland, OR	Norman A. Stoll
Nancy Ellen Friedman	Los Angeles, CA	Darrell A. Forgey
Brent Craig Gamble	Houston, TX	Andrew George Shebay III
Michael Ian Garey	Santa Ana, CA	Robert Philip App
Randall Allen Gill	Tulsa, OK	John Markham Freese
Louis B. Gohmert Jr.	Tyler, TX	David M. Guinn
Amy Robbins Goldstein	Columbus, OH	Michael H. Igoe
Jeffrey S. Gordon	Los Angeles, CA	Pierce Henry O'Donnell

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Vivian M. Einstein Gordon	Chicago, IL	Seymour Zaban
Richard Arden Guilford	Lansing, MI	Kenneth Laing Jr.
J. Wendell Hall	Walnut Creek, CA	Judge Robert H. Laws Jr.
Ellen D. Hanson	McLean, VA	Robert Stuart Burk
Dean A. Hardy	Las Vegas, NV	Michael Vaclay Stuhff
John J. Harrington	Warwick, RI	Howard R. Haronian
Stephen D. Harrison	Fort Worth, TX	Henry E. Kerry
Christopher John Heller	Little Rock, AR	Herschel H. Friday Jr.
Mitchell J. Hoffman	New Orleans, LA	Harry B. Kelleher
Michael S. Jan Janin	Erie, PA	John G. Gent
Theodore H. Kirchner	Portland, ME	Robert Frederick Hanson
Michael J. Kleinman	Denver, CO	Leo T. Zuckerman
Dean Clinton Kowalchuk	Tallahassee, FL	Mitchell Dean Franks
Frank L. Kroto Jr.	Erie, PA	Donald C. Buseck
William F. LePage	Dallas, TX	George Richard Pohner
Gary E. Lofland	Yakima, WA	E. Frederick Velikanje
Lawrence Todd Lowen	New York, NY	Charles C. Abut
Carroll L. Lucht	Iowa City, IA	Peter M. Shane
Gary G. Lyon	Oklahoma City, OK	Dewey Hays Foster
R. Bruce Macmurdo	Baton Rouge, LA	William Edward Steffes
Paula R. Markowitz	Philadelphia, PA	Richard Henry Markowitz
Gary S. Matsko	Boston, MA	Judith Ashton
Jon May	Miami, FL	Linda L. Carroll
William D. McGovern	Freehold, NJ	Richard T. O'Connor

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas P. Meehan	Washington, DC	Peter R. Sherman
Elaine Ann Meek	Oklahoma City, OK	Robert Alan Ravitz
Ray Bradford Merritt	Lafayette, IN	Ellen S. Podgor
Cary Alan Metz	Philadelphia, PA	Dennis Alan Arouca
John David Middleton	Tallahassee, FL	Elwyn Linton Middleton
Donald Craig Mitchell	Anchorage, AK	Thomas Edward Meacham
David E. Morris	Fayetteville, AR	Tilden P. Wright III
Andrew S. Muth	Ypsilanti, MI	Ronald Wm. Egnor
Steven L. Myers	Emporia, VA	Jill Anne Hanken
Timothy J. Newlin	Peoria, IL	Timothy L. Bertschy
James Vincent O'Brien	St. Louis, MO	Dominic Troiani
Michael Scott O'Neal Sr.	Jacksonville, FL	Charles Cook Howell III
Eric A. Oesterle	Chicago, IL	Duane Charles Quaini
william F. Paquin	Warwick, RI	Howard R. Haronian
Janet Catlin Parker	Washington, DC	Charles Morgan Jr.
Lawrence M. Pickett	Las Cruces, NM	Walter Eugene Herkenhoff
Mark Ronald Pohl	Arlington, VA	Jordan Sheldon Himelfarb
Alan Polsky	Commack, NY	Thomas Maligno
Kim Heebner Price	Philadelphia, PA	M. Duncan Grant
Steven E. Raymond	Shelbyville, MO	Clyde Burch
Helton Reed II	St. Louis, MO	Arthur G. Muegler Jr.
Gregory Neal Robinson	Pine Bluff, AR	Noel F. Bryant
Thomas J. Rossa	Salt Lake City, UT	Judge Timothy Rex Hanson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Daye Barbot Battey Sammons	West Palm Beach, FL	Colden R. Battey Jr.
Paul C. Scherer	St. Petersburg, FL	John C. Wolfe
Ronald J. Schutz	Minnneapolis, MN	Raymond Michael Saunders
Michael E. Seelie	Jacksonville, FL	Lyman T. Fletcher
Conrad C. Shimer	Mazareth, PA	Stanley E. Stetz
Laurence A. Short	Washington, DC	Amy Loeserman Klein
Don Eugene Siegelman	Montgomery, AL	Walter Sanderson Turner
James Arby Van Slyke	Pensacola, FL	H. Edward Moore Jr.
Walter Loclon Smith III	Baton Rouge, LA	Walter L. Smith Jr.
Craig Smyser	Houston, TX	Paul Edward Stallings
Douglas E. Starns	Walnut Creek, CA	Judge Robert Henry Laws Jr.
Michael John Sternick	Denver, CO	Richard Francis Hennessey
Arnold M. Stone	Santa Ana, CA	Thomas J. O'Keefe
Jon Karl Swanson	Des Moines, IA	Lee H. Gaudineer
Thomas Franklin Towles	Georgetown, KY	H. Howell Brady Jr.
David V. Trask	Salt Lake City, UT	Judge Timothy Rex Hanson
Michael Bryan Troemel	Lafayette, IN	Ellen S. Podgor
Martin David Tropper	New York, NY	Stanley H. Fuld
Ronald Wayne Weiss	Tustin, CA	Thomas Michael Whaling
Mark Albert Welge	Philadelphia, PA	Gary Igal Strausberg
Martin L. Wheelwright	Trenton, NJ	Mary R. Hamill
Randall Glenn Wick	Dana Point, CA	Fred Okrand

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Judge B. Wilson II	Versailles, KY	Walter C. Cox Jr.
Wayne Michael Yankala	Milwaukee, WI	Mark James Mingo
C. Michael Zacharias	Claremore, OK	Hugh M. King

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ann Marie Smiley	Portage, WI	William A. Smiley
Walter Anderson Shumate	Oklahoma City, OK	Nicholas J. DiMichael

#### ORAL ARGUMENTS

No. 85-1226. Commissioner of Internal Revenue, Petitioner *v.* Robert P. Groetzinger. Argued by Mr. Albert G. Lauber, Jr., for the petitioner and by Mr. Carroll Baymiller for the respondent.

No. 85-1449. Town of Newton, etc., et al., Petitioners *v.* Bernard E. Rumery, Jr. Argued by Mr. Donald E. Gardner for the petitioners and by Mr. Charles P. Bauer for the respondent.

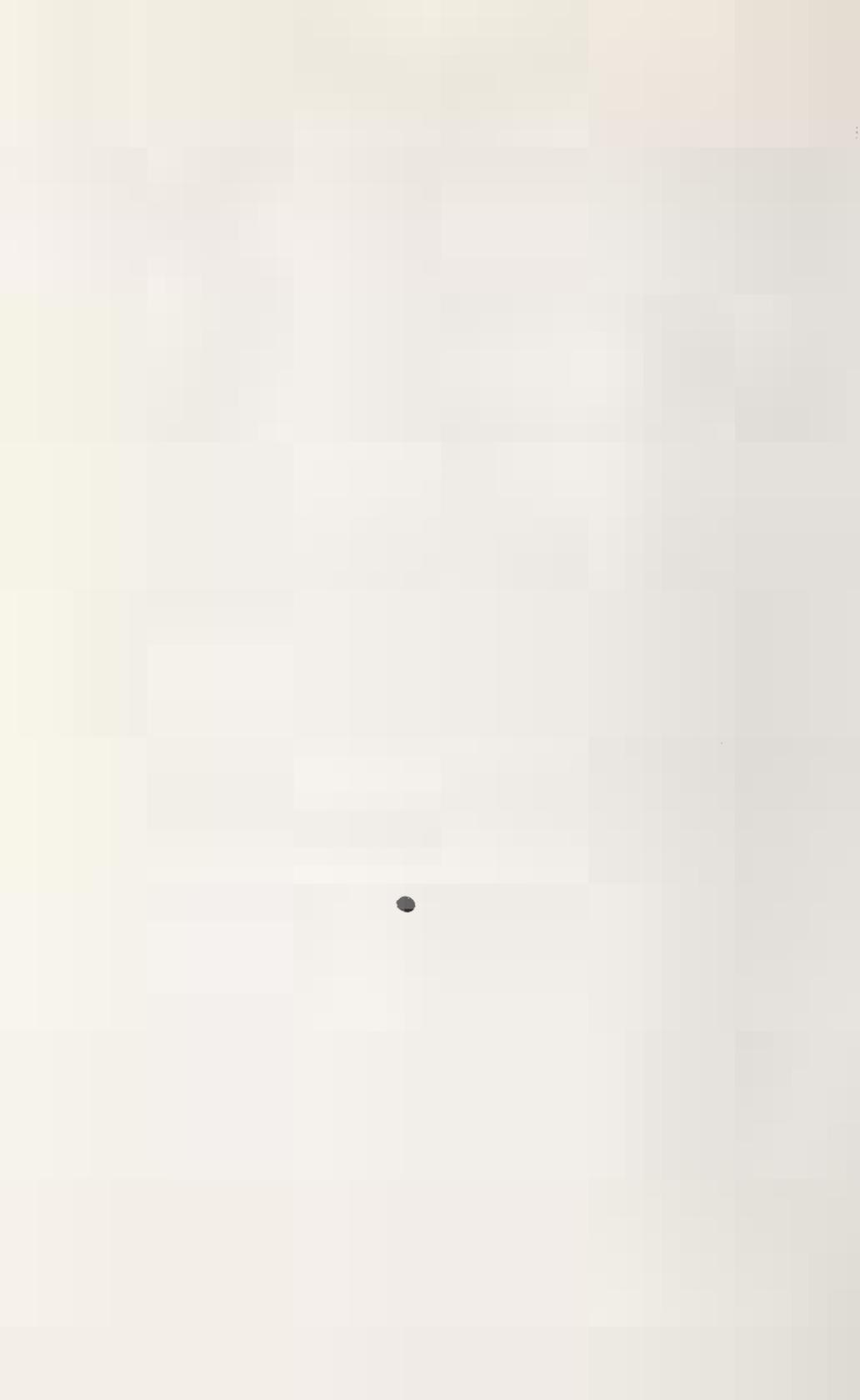
No. 85-1736. Jersey Shore State Bank, Petitioner *v.* United States. Argued by Mr. Martin A. Flayhart for the petitioner and by Mr. Alan I. Horowitz for the respondent.

No. 85-1027. Arizona, Petitioner *v.* James Thomas Hicks. Argued by Mrs. Linda Ann Akers for the petitioner and by Mr. John William Rood for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-1021. R. J. Reynolds Tobacco Company, Appellant *v.* Durham County, North Carolina and Forsyth County, North Carolina and Its Affected Municipalities. Appeal from the Supreme Court of North Carolina; and

No. 85-1022. R. J. Reynolds Tobacco Company, Appellant *v.* Durham County, North Carolina and Forsyth County, North Carolina and Its Affected Municipalities. Appeal from the Court of Appeals of North Carolina. In No. 85-1021, the judgment is affirmed. In No. 85-1022, the appeal is dismissed for want of jurisdiction. Opinion by Justice Blackmun.

No. 85-473. Cargill, Inc. and Excel Corporation, Petitioners *v.* Monfort of Colorado, 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 Brennan. Dissenting opinion by Justice Stevens with whom Justice White joins. Justice Blackmun 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>
James Bradley Norman	Silver Spring, MD	Keith Thomas Sefton
Earl F. Dewey II	Wallingford, CT	Julia Dicocco Dewey
Roy Wuchitech	Los Angeles, CA	Stanford O. Bardwell Jr.
James George Charles	Washington, DC	George James Charles
Paul Alexander	Washington, DC	Barbara Ellen Karshmer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edward J. Larson	Seattle, WA	Michael Joseph Woodruff

## ORAL ARGUMENTS

No. 85-129. Linda Wimberly, Petitioner *v.* Labor and Industrial Relations Commission of Missouri, et al. Argued by Ms. Julia S. Levin for the petitioner, by Mr. Michael L. Boicourt for the respondents, and by Mr. Christopher J. Wright for the United States, as *amicus curiae*, by special leave of Court.

No. 85-899. Connecticut, Petitioner *v.* William Barrett. Argued by Mrs. Julia DiCocco Dewey for the petitioner, by Mr. Charles A. Rothfeld for the United States, as *amicus curiae*, in support of the petitioner, by special leave of Court, and by Mr. Robert L. Genuario for the respondent.

No. 85-1517. Colorado, Petitioner *v.* John Leroy Spring. Argued by Ms. Maureen Phelan for the petitioner, by Mr. Lawrence S. Robbins for the United States, as *amicus curiae*, in support of the petitioner, by special leave of Court, and by Mr. Seth Jeremy Benezra for the respondent.

No. 85-1708. California, et al., Appellants *v.* Cabazon Band of Mission Indians, et al. Argued by Mr. Roderick E. Walston for the petitioner and by Mr. Glenn M. Feldman for the respondents. Adjourned until tomorrow at 10 o'clock.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-766. Julia H. Tashjian, Secretary of State of Connecticut, Appellant *v.* Republican Party of Connecticut, et al. Appeal from the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Justice Marshall. Dissenting opinion by Justice Stevens with whom Justice Scalia joins. Dissenting opinion by Justice Scalia with whom the Chief Justice and Justice O'Connor join.

No. 85-656. Ralph Munro, Secretary of State of Washington, Appellant *v.* Socialist Workers Party, 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. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 85-660. Colorado, Petitioner *v.* Francis Barry Connelly. On writ of certiorari to the Supreme Court of Colorado. 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. Opinion by Justice Blackmun concurring in part and concurring in the judgment. Opinion by Justice Stevens concurring in the judgment in part and dissenting in part. Dissenting opinion by Justice Brennan with whom Justice Marshall joins.

## ADMISSIONS TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles E. Dickerson III	Los Angeles, CA	Vernon L. Alger

## ORAL ARGUMENTS

No. 85-1513. Edwin W. Edwards, etc., et al., Appellants *v.* Don Aguillard, et al. Argued by Mr. Wendell R. Bird for the appellants and by Mr. Jay Topkis for the appellees.

No. 85-993. Paula A. Hobbie, Appellant *v.* Unemployment Appeals Commission of Florida and Lawton & Company. Argued by Mr. Walter E. Carson for the appellant and by Mr. John D. Maher for the appellee.

No. 85-1244. City of Pleasant Grove, Appellant *v.* United States. Argued by Mr. Thomas G. Corcoran, Jr., for the appellant and by Mr. Jerrold J. Ganzfried for the appellee.

No. 85-1222. Interstate Commerce Commission, Petitioner *v.* Texas, et al.; and

No. 85-1267. Missouri-Kansas-Texas Railroad Company, et al., Petitioners *v.* Texas, et al. Argued by Mr. Richard G. Taranto for the petitioner in No. 85-1222, by Mr. Michael E. Roper for the petitioners in No. 85-1267, and by Mr. Fernando Rodriguez for the respondents in both cases. | |

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Adjourned until Monday, December 15, 1986 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-436. Richard Andrade, Applicant *v.* O. L. McCotter, Director, Texas Department of Corrections. The application for stay of execution of the sentence of death and certificate of probable cause presented to Justice White and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.



SUPREME COURT OF THE UNITED STATES

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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."

## APPEALS—SUMMARY DISPOSITION

No. 86-654. Nelson Gonzalez Perez, et al., Appellants *v.* Puerto Rico. Appeal from the Supreme Court of Puerto Rico. 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. 86-5725. Hakim Abdullah, Appellant *v.* Carlos Rainwater, 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. 86-5758. Ernst Perkins, Appellant *v.* Neil F. Hartigan, Attorney General of Illinois, et al. Appeal from the United States Court of Appeals for the Seventh 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. 86-670. Edward Kantorski, Appellant *v.* L.F.C. Leasing and Financial Corp. Appeal from the Court of Appeals of Massachusetts. The appeal is dismissed for want of jurisdiction.

No. 86-695. Linne L. Hansen, Susan G. Hansen and Laura J. Hansen, Appellants *v.* United States. Appeal from the United States District Court for the Western District of Wisconsin. The appeal is dismissed for want of jurisdiction.

No. 86-731. Frank Mingo, et al., Appellants *v.* Newton James, et al. Appeal from the United States District Court for the Southern District of Mississippi. The judgment is affirmed.

## CERTIORARI—SUMMARY DISPOSITION

No. 86-86. George P. Shultz, Secretary of State, Petitioner *v.* Marguerite Cooper, et al.; and

No. 86-284. Marguerite Cooper, et al., Petitioners *v.* George P. Shultz, Secretary of State. On petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia 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 District of Columbia Circuit for further consideration in light of *Pennsylvania v. Delaware Valley Citizens' Council for Clean Air*, 478 U.S. 449 (1986) and *Library of Congress v. Shaw*, 478 U.S. 410 (1986). Justice Scalia took no part in the consideration or decision of these cases.

#### ORDERS IN PENDING CASES

No. D-564. In the Matter of Disbarment of Reginald Jack Holzer. Reginald Jack Holzer, of Chicago, Illinois, 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 September 11, 1986, is hereby discharged.

No. D-569. In the Matter of Disbarment of Lee J. Christakis. Lee J. Christakis, of Gary, Indiana, 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 September 11, 1986, is hereby discharged.

No. D-573. In the Matter of Disbarment of William J. Shields. Disbarment order entered.

No. 85-1358. William L. Lukhard, Commissioner, Virginia Department of Social Services, Petitioner *v.* Ona Mae Reed, et al. The motion of the Solicitor General to permit Glen D. Nager, Esquire, to present oral argument *pro hac vice* is granted.

No. 85-1963. Tyler Pipe Industries, Inc., Appellant *v.* Washington Department of Revenue; and

No. 85-2006. National Can Corporation, et al., Appellants *v.* Washington State Department of Revenue. The motion of appellants for divided argument is granted. Justice Powell took no part in the consideration or decision of this motion.

No. 85-5348. David Buchanan, Petitioner *v.* Kentucky. The motion for appointment of counsel is granted and it is ordered that Kevin Michael McNally, Esquire, of Frankfort, Kentucky, is appointed to

serve as counsel for the petitioner in this case. The motion of petitioner for divided argument is denied.

No. 86-6. James G. Ricketts, Director, Arizona Department of Corrections, et al., Petitioners *v.* John H. Adamson. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, 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. 86-87. United States, Petitioner *v.* Anthony Salerno and Vincent Cafaro. The motion of American Bar Association for leave to file a brief as *amicus curiae*, out-of-time, is granted.

No. 86-133. James Patrick Nollan, et ux., Appellants *v.* California Coastal Commission. The motion of appellee to dismiss appeal is denied.

No. 86-421. Board of Directors of Rotary International, et al., Appellants *v.* Rotary Club of Duarte, et al. The motion of California for leave to intervene is granted. Justice Blackmun and Justice O'Connor took no part in the consideration or decision of this motion.

No. 86-882. Jane Hodgson, et al., Petitioners *v.* Minnesota, et al. The motion of petitioners to expedite consideration of petition for writ of certiorari before judgment is denied.

No. 86-900. Leo O. LaBranche, Jr., Petitioner *v.* United States Olympic Committee. The motion of petitioner to expedite consideration of petition for writ of certiorari before judgment and to consolidate with No. 86-270, *San Francisco Arts & Athletics, Inc. v. U.S. Olympic Committee*, is denied.

No. 86-5479. Curtis L. Wrenn, Petitioner *v.* Ohio Department of Mental Health. The motion of petitioner for reconsideration of order of Court denying leave to proceed *in forma pauperis* is denied.

#### CERTIORARI GRANTED

No. 86-422. David Carpenter, Kenneth P. Felis, and R. Foster Winans, Petitioners *v.* United States. The motion of Securities Industry Association, 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 Second Circuit granted.

No. 86-656. Ronald W. Reagan, et al., Petitioners *v.* James Abourezk, et al. Petition for writ of certiorari to the United States

Court of Appeals for the District of Columbia Circuit granted. Justice Scalia took no part in the consideration or decision of this petition.

#### CERTIORARI DENIED

No. 85-1946. Jefferson N. Marsh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 85-2028. Dante Gill, aka Tex Gill, Petitioner *v.* United States; and

No. 85-7100. Cynthia T. Bruno, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 85-2062. Margaret L. Acker, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 85-7046. Virginia Smith, 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. 85-7080. David Wayne Baker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-7107. Edwin Pagan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 85-7150. George Benny, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 85-7184. Cliff L. Giles, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 85-7206. Wayne Dixon, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-75. Thomas J. Ciambrone, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-100. William T. Smith, Jr., Petitioner *v.* United States; and

No. 86-111. Alan R. Stoneman, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-121. Ashton Harris Pully, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-238. Thoroughbred Racing Associations of North America, Inc., et al., Petitioners *v.* Anthony Capra, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-409. Metropolitan Transportation Authority, et al., Petitioners *v.* Interstate Commerce Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-453. Randall F. Carson and Susan Carson, Petitioners *v.* John R. Block, Individually and as Secretary of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-491. Francis Martin Giancola and Charles A. Pifer, II, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-529. Trinidad Corporation, Petitioner *v.* District No. 1-Pacific Coast District, Marine Engineers Beneficial Association, AFL-CIO. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 86-642. United Transportation Union, Petitioner *v.* W. G. Taylor, et al.; and

No. 86-669. Missouri Pacific Railroad Company, et al., Petitioners *v.* W. G. Taylor, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-643. Souhik ('Sonia') Kayzakian, Petitioner *v.* Thomas F. Krajewski, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-664. Jyrl James-Massengale, et al., Petitioners *v.* Martori Bros. Distributors, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-667. Earlene Polyak, Petitioner *v.* Buford Evans & Sons. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-673. Revlon Inc., Petitioner *v.* Carson Products Company. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-681. Harold Lee Lawson, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Appeals of Tennessee, Middle Division, denied.

No. 86-682. Edward C. Perkins, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 86-683. Michael Zemonick, et al., Petitioners *v.* Consolidated Coal Co. and District 31, United Mine Workers of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-732. Roy P. Briehler, Petitioner *v.* Town of Jamestown, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-756. Gurpartap Singh Birk, Sukhvinder Singh, Virinder Singh, Jasbir Sandhu and Jatinder Singh Ahluwalia, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-760. Hescorp, Heavy Equipment Sales Corporation, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5039. James McConico, Jr., 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. 86-5131. John Stanley Campbell, Petitioner *v.* H. G. Miller, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5135. James Clifford Mounts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5158. Jerry Hutchins, Petitioner *v.* Richard Brogan, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5275. Roosevelt Dawson, Jr., Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 86-5409. Sameer George Kattouah, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5418. Freddie Lee McCaleb, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5443. Lewis Lee Boniface, Petitioner *v.* Louie L. Wainwright, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5540. Ang Eng Fatt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5602. Eddie R. Kahn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5616. Jesus Condom, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5666. James R. Harrison, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-5679. Jimmy L. Plunkett, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-5697. Steven Dean, Petitioner *v.* John J. Rafferty, 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. 86-5708. Horace Jones, Petitioner *v.* Herman Davis, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5711. James Edward Bryant, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 86-5712. Paul David Brown, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-5720. Ormeste Bosque, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-5726. James E. Stephens, Petitioner *v.* Lawrence Lack. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5730. Julius Earl Ruffin, Petitioner *v.* Edward W. Murray, Director, Virginia Department of Corrections. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5731. Theodore Long, et al., Petitioners *v.* John Moran, Director, Rhode Island Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5732. Hugh Palmer, Petitioner *v.* W. C. Berry, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5733. Joseph Randall Holland, 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. 86-5747. Michael Simpson, aka Woods, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5749. Kenneth Wayne Woodfin, Petitioner *v.* Gary B. Bowen. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5751. Ruth Y. Begay, et al., Petitioners *v.* John Smialek, State Medical Investigator. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 86-5755. Richard R. Sykes, Petitioner *v.* John R. Van de Water, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5767. Tyrone Victor Hardin, Petitioner *v.* Robert Redman. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5779. Ronald Marcus Gholston, Petitioner *v.* Ealon M. Lambert, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5789. Meredith A. Wiman, 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. 86-5790. Donald Joseph Stankowski, Petitioner *v.* William McDowell, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5792. Jerome Banks and Clyde Daigle, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5807. Joe Rollen Crockett, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5812. 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. 86-5814. William H. Stoner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5817. Gregory Allen Stout, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-483. Gregory Pierce, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice White and Justice Scalia took no part in the consideration or decision of this petition.

No. 86-697. St. Louis Home Insulators, et al., Petitioners *v.* Burroughs Corporation. 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. 86-5373. Onno J. Spierings, Petitioner *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied. Dissenting opinion by Justice White.

No. 86-5707. Enrique Garcia, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

#### MANDAMUS DENIED

No. 86-5655. In re David Allen Mann, Petitioner;

No. 86-5739. In Re James M. Carpenter, Petitioner; and

No. 86-5808. In Re Albert Charles Burgess, Jr., Petitioner. The petitions for writs of mandamus are denied.

#### REHEARINGS DENIED

No. 86-5515. Rolly O. Kinnell, Petitioner *v.* Herb Maschner, Superintendent, Kansas State Penitentiary, et al. The petition for rehearing is denied.

No. 85-2126. Henry Malachowski, et ux., Petitioners *v.* City of Keene, et al.;

No. 86-101. David Harris, etc., et al., Petitioners *v.* Court of Appeals of Missouri, Western District, et al.;

No. 86-194. Henry Malachowski and Julia Malachowski, on behalf of the juvenile, Amy M., Petitioners *v.* New Hampshire; and

No. 86-5177. Desa Mae Wells, Petitioner *v.* City of Houston, Texas, et al. The petitions for rehearing are denied. Justice Scalia 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>
Daniel Dean Akel	Jacksonville, FL	S. Gordon Blalock
Richard Henry Balog	St. Charles, IL	Willard B. Widerberg
Stephen Vincent Bledsoe	Jacksonville, FL	T. Edward Austin Jr.
Elise A. Bloustein	New York, NY	D. Stuart Meiklejohn
David A. Childers	Springfield, MO	William H. McDonald
James Milton Christianson	Austin, TX	Lewis Johnson Hubbard Jr.
Gordon B. Conn Jr.	Minneapolis, MN	Lawrence C. Brown
Vincent John Cotton Jr.	Lexington, KY	Nicholas D. McCubbin
Craig Martin Eichstadt	Pierre, SD	Mark Vernon Meierhenry
Kaye Almin Yvonne Evans	Los Angeles, CA	David B. Boller
John R. Fernan	Ridgway, PA	Norbert J. Pontzer
Cindy Foley	Oklahoma City, OK	Robert Alan Ravitz
John Joseph Foley	Oklahoma City, OK	Robert H. Macy
Raymond J. Foresman Jr.	East Lansing, MI	Julius I. Hanslovsky

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lindil C. Fowler Jr.	Oklahoma City, OK	Michael Cameron Conaway
Paul Thaddeus Fox	Chicago, IL	John P. C. Duncan
William Woolery Franks	Tilton, NH	Charles H. Bradley III
Alfred French Goldstein	Providence, RI	Julius C. Michaelson
David Paul Goldstein	New York, NY	Joseph I. Rosenzweig
Curtis R. Hadley	East Lansing, MI	Julius I. Hanslovsky
Noel M. B. Hensley	Dallas, TX	Robin Philips Hartmann
Gretchen P. Hoover	Oklahoma City, OK	Alice Schaffer Mitchell
Santina M. DeLacy Jannotta	Woodbridge, VA	Robert L. Spatz
David Edgar Jones	Washington, DC	William Francis Patten
David A. Kastelic	St. Paul, MN	A. Patrick Leighton
Carolyn Martin Kennedy	Lexington, KY	Nicholas D. McCubbin
David Hicks Lillard Jr.	Memphis, TN	Marx J. Borod
Calvin Randolph Massey	San Francisco, CA	Robert A. Goldman
Jacob w. Mayer	Washington, DC	Sol Schildhouse
James Patrick McCarthy	Chicago, IL	James Joseph Ryan
Robert Michael McMillan	Hollywood, FL	Robert E. Jagger
Louis Alfred McWherter	Houston, TX	Mike Goberman
David Anthony Merline Jr.	Greenville, SC	David A. Merline
Frank Charles Meyer IV	Sacramento, CA	N. Marshall Meyers
Peter R. Meyers	Chicago, IL	Irving Meyers
Richard C. Miller	Springfield, MO	William H. McDonald

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Russell Ben Miller	San Diego, CA	Carl Richard Brown
Steven H. Mosenson	New York, NY	Douglas J. Kramer
Brooke A. Nielsen	Carson City, NV	Brian McKay
Patrick J. O'Connor Jr.	Minneapolis, MN	B. Clarence Hart
Warren C. Powell Jr.	Columbia, SC	Charles Edward Baker
James C. Redmond	San Francisco, CA	Melville Owen
Robert H. Rotstein	Beverly Hills, CA	Stephen A. Kroft
Donald L. Salem	San Diego, CA	Judy Clare Clarke
Harry Schaffner	Dundee, IL	Richard C. Smilgoff
Victor Schurr	Mt. Vernon, NY	Joseph Baer Gilberg
Charles Edward Shields III	Mechanicsburg, PA	J. Wesley Oler Jr.
Barry A. Short	St. Louis, MO	Robert S. Allen
Patrick K. Stiley	Spokane, WA	Robert H. Thompson Jr.
James Michael Tillipman	Los Angeles, CA	Richard Glenn Berg
William Thomas Whisenhunt Jr.	Dallas, TX	Henry Wade
Sheldon Whitehouse	Providence, RI	Sheila Tobie Swan
Helen Claire Whitney	Washington, DC	Frank Henry Habicht II
Paul Windels III	New York, NY	Roger J. Hawke
Deborah Ann Wolford	Miami Lakes, FL	Melvyn Trute
C. Craig Woods	Columbus, OH	John R. Gall
Otis D. Wright II	Los Angeles, CA	Harold J. Moskowitz

#### OPINION

No. 85-701. Federal Election Commission, Appellant *v.* Massachusetts Citizens for Life, Inc. Appeal from the United States Court of Appeals for the First Circuit. Judgment affirmed. Justice Brennan delivered the opinion of the Court with respect to Parts I, II, III-B, and III-C, and an opinion with respect to Part III-A, in which Justice

Marshall, Justice Powell and Justice Scalia joined. Opinion by Justice O'Connor concurring in part and concurring in the judgment. Opinion by the Chief Justice concurring in part and dissenting in part with whom Justice White, Justice Blackmun and Justice Stevens join.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Casler Slade	Cheverly, MD	Judge Hugh J. Dolan
Marilyn Dearien Barton	Mountain View, AR	David Franklin Barton
James Michael Kinsella	Burke, VA	Michael J. Barrett Jr.
David M. Krasnostein	Washington, DC	Robert Homan Craft Jr.
Francis Joseph Carroll	New York, NY	Susan E. Light
Joseph John Colarusso	Stamford, CT	Susan E. Light
Mitchell Garber	Flushing, NY	Susan E. Light
Victor C. Piacentile Jr.	Bronx, NY	Susan E. Light
Wade Montgomery Baine	Gulfport, MS	Charles Bradshaw Farber
Roy Edward Carpenter Jr.	Starkville, MS	Charles Bradshaw Farber
Michael B. Chittom	Jackson, MS	Charles Bradshaw Farber
Gerald A. Dickerson	Lucedale, MS	Charles Bradshaw Farber
William Denver Eshee Jr.	Starkville, MS	Charles Bradshaw Farber
Michael Farrell	Jackson, MS	Charles Bradshaw Farber
Joe Thomas Gay	Ripley, MS	Charles Bradshaw Farber
Jerry Michael Gilbreath	Laurel, MS	Charles Bradshaw Farber
Billy L. Gore	Jackson, MS	Charles Bradshaw Farber
George Holomon Gunter	Petal, MS	Charles Bradshaw Farber

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Norman Gene Hortman Jr.	Laurel, MS	Charles Bradshaw Farber
H. W. Sonny Jones	Meridian, MS	Charles Bradshaw Farber
James Lawrence Jones	Jackson, MS	Charles Bradshaw Farber
Dunnica O. Lampton	Magnolia, MS	Charles Bradshaw Farber
John Wayne Land	Hattiesburg, MS	Charles Bradshaw Farber
George M. Mitchell Jr.	Eupora, MS	Charles Bradshaw Farber
John Michael Montgomery	Starkville, MS	Charles Bradshaw Farber
Forrest Marvin Morris III	Hattiesburg, MS	Charles Bradshaw Farber
Joseph Benjamin Moss	Jackson, MS	Charles Bradshaw Farber
William C. Murphree	Tupelo, MS	Charles Bradshaw Farber
John Kirkham Povall	Cleveland, MS	Charles Bradshaw Farber
Patrick Joseph Travers	Juneau, AK	Solicitor General Charles Fried
Arthur I. Aronoff	Washington, DC	Solicitor General Charles Fried
Richard Melvin Firestone	Washington, DC	Solicitor General Charles Fried
Eugenie Elizabeth Foster	Washington, DC	Solicitor General Charles Fried
Margo Ericka Jackson	Washington, DC	Solicitor General Charles Fried
Kathleen Day Koch	Washington, DC	Solicitor General Charles Fried
Lisa Laraine Lindeman	Washington, DC	Solicitor General Charles Fried
Linda Ilene Marks	Washington, DC	Solicitor General Charles Fried

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Judith Means	Washington, DC	Solicitor General Charles Fried
Janice Ann Payt	Washington, DC	Solicitor General Charles Fried
Linda Ann Townsend	Washington, DC	Solicitor General Charles Fried
Marilyn G. Wagner	Washington, DC	Solicitor General Charles Fried
James K. White	Washington, DC	Solicitor General Charles Fried
William C. Yue	Washington, DC	Solicitor General Charles Fried
David Walden Mills	Miami, FL	Solicitor General Charles Fried
Eric William Moll	Rockville, MD	Solicitor General Charles Fried
Pamela P. Breed	Pinehurst, NC	Solicitor General Charles Fried
Thomas Chittenden Barbour	Fairfax, VA	Solicitor General Charles Fried
Lee Edward Barrett	Arlington, VA	Solicitor General Charles Fried
Albin F. Drost	Fairfax, VA	Solicitor General Charles Fried
Timothy Reid Ellwood Keeney	Alexandria, VA	Solicitor General Charles Fried
Daniel William McGovern	Annandale, VA	Solicitor General Charles Fried
Lennart Jon Pearson	Alexandria, VA	Solicitor General Charles Fried
Richard Edward Schafer	Alexandria, VA	Solicitor General Charles Fried
Karen Jane Ledbetter Taylor	Conway, AR	Solicitor General Charles Fried
Vito Andrew Clementi	New Orleans, LA	Solicitor General Charles Fried
Patrick Arthur Hewitt	Pittsburgh, PA	Solicitor General Charles Fried

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Richard Long Jr.	Harrisburg, PA	Solicitor General Charles Fried
Darrell Rex Taylor	Harriman, TN	Solicitor General Charles Fried
Eva M. Novak	Salt Lake City, UT	Solicitor General Charles Fried
Patrick Dennis O'Hare	McLean, VA	Solicitor General Charles Fried
Gary Franklin Roberson	Fairfax, VA	Solicitor General Charles Fried

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Adjourned until Monday, January 12, 1987 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 Powell Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 85-1094. Alwin E. Hopfmann, et al., Appellants *v.* Michael Joseph Connolly, et al. 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. 86-719. Marrell Wright Edwards, Administratrix, CTA, Estate of Henry Thomas Edwards, Deceased, Appellant *v.* Janie Lee Stiles Edwards. Appeal from the Supreme Court of Tennessee, Middle 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. 86-5782. Marcus B. Harris, Appellant *v.* Manuel Menendez, 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. 86-359. Aristides Castro Gonzalez, Appellant *v.* Puerto Rico, et al. Appeal from the Superior Court of Puerto Rico. The appeal is dismissed for want of a substantial federal question.

No. 86-581. New York State Restaurant Association, Inc., et al., Appellants *v.* City of New York, et al. Appeal from the Appellate Division, Supreme Court of New York, First Judicial Department. The appeal is dismissed for want of a substantial federal question.

No. 86-799. Julie Fisher, Appellant *v.* Copley Press, Inc., et al. Appeal from the Court of Appeal of California, Fourth Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 86-5670. William Alfred Lowery, Appellant *v.* Leslie S. Nelson, et al. Appeal from the Court of Appeals of Washington, Division 2. The appeal is dismissed for want of a substantial federal question.

No. 86-434. March Fong Eu, Secretary of State of the 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 Circuit. 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 *Tashjian v. Republican Party of Connecticut*, 479 U.S. — (1986). Justice Stevens would affirm the judgment. The Chief Justice took no part in the consideration or decision of this case.

No. 86-686. Hydropool and Congeneration Services, Inc., Appellants *v.* California Public Utilities Commission and Pacific Gas & Electric Company. Appeal from the Supreme Court of California. The appeal is dismissed for want of jurisdiction. Justice Blackmun took no part in the consideration or decision of this case.

No. 86-712. Robert E. Butcher, et ux., Appellants *v.* Department of the Treasury, Revenue Division, for the State of Michigan, et al. Appeal from the Supreme Court of Michigan. The appeal is dismissed for want of a properly presented federal question.

No. 86-759. John E. Reardon, etc., Appellant *v.* Virginia Reardon, et al. Appeal from the United States District Court for the District of New Jersey. The appeal is dismissed for want of jurisdiction.

#### CERTIORARI—SUMMARY DISPOSITION

No. 86-597. Union Gas Company, Petitioner *v.* Pennsylvania. 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 Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499.

#### ORDERS IN PENDING CASES

No. —. Fawn Rupp, Randall Rupp and Julie Lewis dba Atomic Foods, Petitioners *v.* United Food and Commercial Workers Union, Local 1439. The motion to direct the Clerk to file a petition for writ of certiorari, out-of-time, is denied.

No. D-591. In the Matter of Disbarment of Richard Gordon Burns. Richard Gordon Burns, of Corte Madera, California, 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

December 8, 1986, is hereby discharged. The Chief Justice and Justice O'Connor took no part in the consideration or decision of this order.

**No. D-595.** In the Matter of Disbarment of Ronald L. Hartman. It is ordered that Ronald L. Hartman, of Encino, 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-596.** In the Matter of Disbarment of Stuart R. Kramer. It is ordered that Stuart R. Kramer, of Brooklyn, 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-597.** In the Matter of Disbarment of Edwin George Fabr . It is ordered that Edwin George Fabr , 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-598.** In the Matter of Disbarment of Martin Manuel Gorin. It is ordered that Martin Manuel Gorin, of Kansas City, 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-599.** In the Matter of Disbarment of James Vance Henry. It is ordered that James Vance Henry, of Fresno, 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-600.** In the Matter of Disbarment of Robert L. Tucker. It is ordered that Robert L. Tucker, 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-601.** In the Matter of Disbarment of Anthony Intini, III. It is ordered that Anthony Intini, III, of Oak Brook, 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. 85-1708.** California, et al., Appellants *v.* Cabazon Band of Mission Indians, et al. The motion of appellees for leave to file a supplement-

tal brief after argument is granted. The motion of appellants for leave to file a supplemental brief after argument is granted.

No. 85-1722. Edward O'Lone, etc., et al., Petitioners *v.* Estate of Ahmad Uthman Shabazz and Sadr-Ud-Din Nafis Mateen. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 86-87. United States, Petitioner *v.* Anthony Salerno and Vincent Cafaro. The motion of Americans for Effective Law Enforcement, Inc., et al. for leave to file a brief as *amici curiae*, out-of-time, is denied. The motion of Howard Perry for leave to file a brief as *amicus curiae* is granted. The motion of National Association of Criminal Defense Lawyers for leave to participate in oral argument as *amicus curiae*, for divided argument and for additional time for oral argument is denied.

No. 86-108. Gary Hilton, Superintendent, New Jersey State Prison, et al., Petitioners *v.* Dana Braunskill. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

No. 86-231. Pension Benefit Guaranty Corporation, Appellant *v.* Yahn & McDonnell, Inc., et al.; and

No. 86-253. United Retail and Wholesale Employees Teamsters Union Local No. 115 Pension Plan, et al., Appellants *v.* Yahn & McDonnell, Inc., et al. The motion of the Solicitor General to dispense with printing the joint appendix is granted. Justice White took no part in the consideration or decision of this motion.

No. 86-234. Charles J. McNally, Petitioner *v.* United States; and

No. 86-286. James E. Gray, Petitioner *v.* United States. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-260. South Dakota, Petitioner *v.* Elizabeth H. Dole, Secretary, United States Department of Transportation. The motion of petitioner to dispense with printing the joint appendix is granted.

No. 86-322. Crawford Fitting Company, et al., Petitioners *v.* J. T. Gibbons, Inc.; and

No. 86-328. Champion International Corporation, Petitioner *v.* International Woodworkers of America, AFL-CIO-CLC. The motions of petitioners to dispense with printing the joint appendix are granted.

No. 86-337. Burlington Northern Railroad Company, Petitioner *v.* Oklahoma Tax Commission, et al. The motion of Association of American Railroads for leave to file a brief as *amicus curiae* is granted. The

motion of American Bus 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. 86-511. Commissioner of Internal Revenue, Petitioner *v.* Peter R. Fink, et ux. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-572. Kentucky, Petitioner *v.* Sergio Stincer. The motion for appointment of counsel is granted and it is ordered that Mark A. Posnansky, Esquire, of Frankfort, Kentucky, is appointed to serve as counsel for the respondent in this case.

No. 86-953. Randy W. J. Abell, Petitioner *v.* United States. The motion of petitioner to expedite consideration of petition for writ of certiorari and to consolidate with No. 85-1581, *Solorio v. United States*, is denied.

No. 86-5765. Curtis L. Wrenn, Petitioner *v.* G. Bruce McFadden, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until February 2, 1987, 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. 86-6012. Alan C. Leavitt, Petitioner *v.* United States. The application for stay addressed to Justice Stevens and referred to the Court is denied.

#### CERTIORARI GRANTED

No. 86-489. W. T. Langley, et ux., Petitioners *v.* Federal Deposit Insurance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 86-594. National Labor Relations Board and Rosemary M. Collyer, General Counsel, National Labor Relations Board, Petitioners *v.* United Food and Commercial Workers Union, Local 23, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 86-651. United Paperworkers International Union, AFL-CIO, et al., Petitioners *v.* Misco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 86-772. City of St. Louis, Petitioner *v.* James H. Praprotnik. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 86-327. Mullins Coal Company, Inc. of Virginia, et al., Petitioners *v.* Director, Office of Workers' Compensation Programs, United States Department of Labor, et al. The motion of National Coal Association for leave to file a brief as *amicus curiae* is granted. The motion of respondent Luke, R. Ray 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 granted.

No. 86-473. Gwaltney of Smithfield, Petitioner *v.* Chesapeake Bay Foundation, Inc. and Natural Resources Defense Council. The motion of Connecticut Business and Industry 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 Fourth Circuit granted.

No. 86-492. 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 granted. Justice Powell took no part in the consideration or decision of this petition.

No. 86-595. United States, Petitioner *v.* Joseph A. Fausto. The motion of respondent for leave to proceed *in forma pauperis* is granted. The motion of respondent for leave to file a cross-petition for writ of certiorari, out-of-time, is denied. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit granted.

#### CERTIORARI DENIED

No. 85-1931. Vinod C. Patwardhan, Petitioner *v.* San Antonio Community Hospital, etc., et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 85-7156. Melvin L. Brown, Petitioner *v.* Donald R. Guillory, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85-7163. Thaddeus Michael Lockhart, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-382. Robert B. Sutton, et al., Petitioners *v.* United States. Petition for writ of certiorari to the Temporary Emergency Court of Appeals of the United States denied.

No. 86-391. Herbert Asher, Petitioner *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division 1, denied.

No. 86-428. Cudd Pressure Control, Inc. and National Union Fire Insurance Company of Pittsburgh, Pennsylvania, Inc., Petitioners *v.* William Martin Kindle and Murline Kindle. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-482. Patchogue Nursing Center, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-493. Texas State Commission for the Blind and Texas, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-505. Lubbock Independent School District, Petitioner *v.* Texas Education Agency, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-512. James William Hanks, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-523. Mosher Steel Company, etc., et al., Petitioners *v.* William E. Brock, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-525. Pan American World Airways, Inc., Petitioner *v.* Equal Employment Opportunity Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-534. CBS, Inc., Petitioner *v.* Moleculon Research Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-537. Jafeh E. Pena, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-541. Michael Wallace, et al., Petitioners *v.* Alleghany-Ludlum Industries, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-556. Lamont Moore and Edwin Bryce, Petitioners *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-561. George F. Grode, Insurance Commissioner of the Commonwealth of Pennsylvania, Petitioner *v.* United Services Automobile

Association, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-592. Syufy Enterprises, Petitioner *v.* American Multi-Cinema, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-606. Jay Nell Locke, Petitioner *v.* Mesa Petroleum Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-621. Bayard Spector, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-640. Geneva Harris, Personal Representative of the Estate of Doretha, aka Dorethea Rolle, Deceased, Petitioner *v.* City of Miami. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 86-647. Anthony Leonard Cusenza, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-663. Lord Electric Company, 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. 86-675. Jaslow Dental Laboratory, Inc., et al., Petitioners *v.* Whelan Associates, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-679. Booth Newspapers, Inc., Petitioner *v.* David Scott DeWitt, Judge, Midland County Circuit Court, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-685. James E. Criswell, Petitioner *v.* Baltimore & Ohio Railroad Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-690. David Gasaway, dba Suburban Sealing Company, Petitioner *v.* Laborers' Pension Fund and Laborers' Welfare Fund, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-693. 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. 86-694. Michael Kolentus, et al., Petitioners *v.* Avco Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-702. R. Lee Johnson, et ux., Petitioners *v.* Federal Land Bank of Louisville, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-707. Frederick G. Jensen, Petitioner *v.* County of Lancaster and Novella W. Abbott, Treasurer. Petition for writ of certiorari to the Circuit Court of Virginia, Lancaster County denied.

No. 86-710. Edwin Slade, Petitioner *v.* United States of Mexico. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-713. John W. Storrs, Petitioner *v.* Municipality of Anchorage. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 86-716. Randolph County, Petitioner *v.* Alabama Power Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-717. Namaco Industries, Inc., Petitioner *v.* Robert Wood & Wire Products Corp. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-718. Robert Alexander, Petitioner *v.* City of Menlo Park, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-720. Looart Press, Inc., Petitioner *v.* California State Board of Equalization. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 86-723. Bea Cohen, Petitioner *v.* Workers' Compensation Appeals Board of California, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-725. Roy E. Dooley, Jr., et al., Petitioners *v.* American Airlines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-726. Walter Baker, Petitioner *v.* Los Angeles Herald Examiner, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 86-727. Robert Wesley Dervishian, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 86-730. Geraldine G. Cannon, Petitioner *v.* Loyola University of Chicago, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-733. I. Walton Bader, et al., *Petitioners v. ITEL Corporation*, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-734. Rothery Storage & Van Co., Inc., et al., *Petitioners v. Atlas Van Lines, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-742. James A. Harrell, et al., *Petitioners v. James Reeves*, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-743. William K. Ziechmann, et al., *Petitioners v. Charlotte Adomaitis*, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 86-750. Simpson Paper Company, *Petitioner v. California Department of Industrial Relations, Division of Occupational Safety and Health.* Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 86-754. Royal Center, Inc., *Petitioner v. Local Joint Executive Board of Las Vegas*, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-766. Airlines Transportation 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. 86-767. Alejandro Perez, *Petitioner v. Laredo Junior College*, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-768. Kansas City Southern Railway Company, *Petitioner v. Missouri Pacific Railroad Company*, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-769. William T. Hough, *Petitioner v. William David Kiss*, et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-770. Henry Harris, *Petitioner v. Margaret Blake*, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-771. Intermedics, Inc., *Petitioner v. Medtronic, Inc.*, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-773. Stora Kopparbergs Bergslags AB, et al., *Petitioners v. Crucible, Inc. and Crucible Materials Corp.* Petition for writ of certio-

rari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-774. Nicholas Camarota, Petitioner *v.* Daniel E. Berger, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-777. Daniel Minchew, Petitioner *v.* Robert G. Fierer. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-778. Charlene McCollum, Tony D. McCollum and Timothy D. McCollum, Petitioners *v.* Preston R. Tisch, Postmaster General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-779. Emil F. DeLoreto and James M. DeLoreto, Petitioners *v.* City of Santa Barbara. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-780. Bronson C. La Follette, Attorney General of Wisconsin, Petitioner *v.* Burlington Northern Railroad Company, et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 86-782. Judy F. Sticklen, James L. Deger and Frederick H. Cranford, Petitioners *v.* City of Middletown, Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-783. Cyril H. Wecht, Petitioner *v.* Allegheny County. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. 86-785. Walter N. Corrigan, et al., Petitioners *v.* Sommers Drug Stores Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-786. Shirley A. Mueller and Gregory A. Jennings, Executor of the Estate of Robert V. Mueller, Deceased, Petitioners *v.* Bernard Uehlein, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-789. American Multi-Cinema, Inc., Petitioner *v.* Syufy Enterprises. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-790. Reiner Schwarz, Petitioner *v.* City of Warwick, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-791. David Ashburn Grey, Petitioner *v.* State Bar of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 86-795. Westmac, Inc., Petitioner *v.* Lon Smith, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-796. Raymond Jackson, Petitioner *v.* National Broadcasting Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-798. Jimmy Boyd, Petitioner *v.* McNeilab, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-801. Steven C. Parro, et al., Petitioners *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-812. Carol C. Johnson, Petitioner *v.* Irving H. Perlmutter. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 86-813. Homebound Health Care Agency, Petitioner *v.* Tennessee Valley Home Health Agency, et al. Petition for writ of certiorari to the Court of Civil Appeals of Alabama denied.

No. 86-816. Nancy Andre Hicks, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-817. 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 denied.

No. 86-821. Monte Lee, Petitioner *v.* Ronald W. Reagan, President of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-824. Adolphus M. Morris, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-829. Diamond Shamrock Corporation, Petitioner *v.* Zinke & Trumbo, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-837. William M. Biermann, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-846. David A. Goodman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-850. Michael Theodore Benson, et ux., *Petitioners v. Anne Rauseo and Charles Edward Mentzer*. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-851. James C. "Jack" Briggs, *Petitioner v. A. Consuelo S. Hagen, Administratrix of the Estate of Lawrence E. Hagen, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-853. Peggy June Griffin, *Executrix of the Estate of Peggy Garner Cook Cobb, Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-868. Leland G. Stahl, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-901. Larry Cohran, *Petitioner v. Herbert A. Rivers, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-911. Charles J. Krall, *Petitioner v. United States District Court for the Southern District of South Dakota*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-928. Eddie Barnard Neal, *Petitioner v. J. D. White, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-936. Victoria Vamos, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-944. Eugene Sullivan, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5047. Mary Barbara Lawson, *Petitioner v. Credithrift of America, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5100. Michael L. Wood, *Petitioner v. Norris McMackin, Superintendent, Hocking Correctional Facility*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5147. Anthony Mark Morton, *Petitioner v. Dale Foltz, Administrator, Michigan Department of Corrections*. Petition for writ

of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5193. Eugene Spencer, Jr., Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5230. Robert Patterson, Petitioner *v.* Charles J. Black, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5377. Burton Donald Woods, III, Petitioner *v.* Bill Armontrout, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5378. John Kachbalian, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5388. Charles Tyson, 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. 86-5419. Herbert Stockard, 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. 86-5465. Dennis Shegrud, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 86-5508. Donald R. Maghe, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-5524. David P. Mayer, Petitioner *v.* Steve Angelica. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5549. Noroelia Wilshire, Petitioner *v.* Rhode Island, et al. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 86-5557. Margaret A. Cheeseman, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5566. Luis Antonion Leon Rizo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5570. Jorge Huerta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5601. James L. Harrold, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5611. Robert Jackson Eury and Robert Preston Smith, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5624. Robert Eugene Pitts, Petitioner *v.* Frank S. Dispenza, Deputy Executive Secretary, Air Force Board for the Correction of Military Records. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5632. Paul Scinto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5648. Robert E. McCown, 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 Sixth Circuit denied.

No. 86-5649. Michael G. Michaels, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5658. Gary Stephen Domina, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5673. Abbas Hassain, Petitioner *v.* J. C. Johnson. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5681. Robin K. Kovacs, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5688. Max Allen Ellison, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5695. Keith Bryan Webb, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5721. Arthur Elihu Bunch, 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. 86-5724. Timothy N. Tauvar, Petitioner *v.* Bar Harbor Congregation, etc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5735. Bobby Lee Hubbard, Petitioner *v.* John F. Onion, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5743. Robert Lee Townes, Petitioner *v.* Steve L. Brasher, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5748. John Shewchun, Petitioner *v.* Tarlton Neese, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5750. Rudolph L. Lucien, Petitioner *v.* James A. Chrans, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5753. Donny J. Harvey, Petitioner *v.* Ruben Torres, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5757. Harold H. Royal, Petitioner *v.* Exxon U.S.A. Chemical Department. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5759. Luis Rivera, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Fourth Judicial Department, denied.

No. 86-5760. Leland Jordan, Petitioner *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division 1, denied.

No. 86-5763. Paul B. Robinson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5770. Claude Lee Simmons, Petitioner *v.* Louie L. Wainwright, 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. 86-5771. John Edward Wilson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5774. William Staples, Petitioner *v.* Warren Young. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District IV denied.

No. 86-5777. Roy Lott, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5780. Basil Norris Abbott, III, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5781. Bobby Lee Beasley, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5783. Marcus B. Harris, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-5788. Alfred Augustus Green, Petitioner *v.* Sumter Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5791. Richard P. Ramazetti, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5794. Alan Humphrey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5795. Steven Carone, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5796. David Carr, Petitioner *v.* Circuit Court of Kanawha County, West Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5797. Michael Hardy, Petitioner *v.* Minnesota Lawyers Professional Responsibility Board, et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 86-5798. Melvin L. Bazile, Sr., Petitioner *v.* Frank Blackburn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5803. John Ronald Daniels, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-5804. James Porter Williams *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5805. Richard McMannis, Petitioner *v.* Jerry Hedrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5806. Patrick M. Andrews, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District IV, denied.

No. 86-5813. Marvin Crenshaw, Petitioner *v.* City of Toledo, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-5816. A. W. James, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-5818. Sherry W. Minor, Petitioner *v.* Bureau of Social Services of Hennepin County, Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 86-5820. Jerry L. Dundore, Sr., et ux., Petitioners *v.* William O'Donnell, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5821. Michael Charles Ward, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 86-5822. Raymond A. Russell, Petitioner *v.* Northwestern Mutual Insurance Company. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District II, denied.

No. 86-5823. Domingo R. Davis, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 86-5826. Eddie Woodrow Gray, Petitioner *v.* Manfred Holland, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5830. James Frederick Gentsch, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5832. Arnoldo Avitia, Petitioner *v.* United States Immigration and Naturalization Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5834. Samuel Blyther, Petitioner *v.* Washington Gas Light Company. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-5835. Jerry Larry Collier, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 86-5836. Jerry Larry Collier, Petitioner *v.* Lanson Newsome, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5839. Freddie E. Robinson, 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. 86-5840. Willie James Stewart, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 86-5843. Syed Arshad Hasan, Petitioner *v.* Greyhound Leasing, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5845. A. C. Jackson, Petitioner *v.* James H. Thieret, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5848. Marcus B. Harris, Petitioner *v.* Judicial Qualifications Commission. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-5849. Herbert Lee Britt, 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. 86-5851. Henry Thomas Cane, Petitioner *v.* Dewey Sowders, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5852. Charles Gilmore, Petitioner *v.* Ronald Marks, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5853. Lamar Fletcher, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied.

No. 86-5854. William P. Lindo, Jr., Petitioner *v.* City & County of San Francisco, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5856. Rodney W. Reed, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5858. Alfred Kenan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5859. Benjamin Cruz-Rivera, 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 First Circuit denied.

No. 86-5860. Imari Abubakari Obadele, Petitioner *v.* Edwin Meese, III, 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. 86-5863. James R. DuBose, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5869. Daniel David Fountain, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5876. Andrew Maynard Williams, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5882. Carl Douglas Harrison, Petitioner *v.* Otis R. Bowen, 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. 86-5886. Ronald W. Telepo, Petitioner *v.* C. Cary Edwards, et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 86-5893. Jose A. Polonia, 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 First Circuit denied.

No. 86-5896. Rose Morris, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5898. Remilekum Lateefdeen Olushoga, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5908. Evans Onyewuchi Ibe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5909. Elmer Joseph Crachy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5914. Reuben Williams, Petitioner *v.* Marlboro State Hospital, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5925. Israel W. Millsap, Petitioner *v.* Sandra Gudducci. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5927. Donald Bowman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5932. Michael Kuzma, Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5936. Cole Younger Gittman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5937. Lavanda Bibb, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5942. Mona Lisa Taft-Tsarelka, Petitioner *v.* Massachusetts, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-354. Stewart G. Huber, et al., Petitioners *v.* United States Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied. Justice White would grant certiorari.

No. 86-522. Colorado Interstate Gas Company, Petitioner *v.* Federal Energy Regulatory Commission. The motion of Tennessee Gas Pipeline Company, 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. 86-563. Antonio Cipollone, etc., Petitioner *v.* Liggett Group, Inc., etc., et al. The motion of American Heart 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 Third Circuit denied. Justice Powell took no part in the consideration or decision of this motion and this petition.

No. 86-636. Martin County, Florida, Petitioner *v.* Robert Makemson and Robert G. Udell; and Okeechobee County, Florida *v.* Robert Lee

Dennis, et al. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting opinion by Justice White.

No. 86-704. Minnesota, Petitioner *v.* Orville Berndt, Jr. The motion of Minnesota County Attorneys Association, 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. 86-747. Stephen B. Heintz, Commissioner of the Connecticut Department of Income Maintenance, Petitioner *v.* Dale Hillburn, etc., et al. The motion of Connecticut Association of Health Care Facilities, Inc. for leave to file a brief as *amicus curiae* is granted. 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 Second Circuit denied.

No. 86-797. Michigan, Petitioner *v.* Larry Booker. 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. 86-5420. Walter Bell, 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. 86-5614. James David Carter, 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. 86-5844. Russell Boyd, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5787. Robert L. Goodrich, Petitioner *v.* B. J. Bunnell, Superintendent. The application for bail addressed to Justice Brennan and referred to the Court is denied. The petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is denied.

No. 86-5809. Aljoe Poindexter, Petitioner *v.* Federal Bureau of Investigation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

#### HABEAS CORPUS DENIED

No. 86-5905. In Re Terrence Ray Taylor, Petitioner. The petition for writ of habeas corpus is denied.

## MANDAMUS DENIED

- No. 86-907. In Re Louis J. Zuger, Petitioner;  
 No. 86-5738. In Re Richard B. Calpin, Petitioner;  
 No. 86-5754. In Re Jesse M. McElroy, Jr., Petitioner;  
 No. 86-5785. In Re John W. McQueen, Petitioner;  
 No. 86-5799. In Re Peter R. Johl, Petitioner;  
 No. 86-5831. In Re Chester Lee Bluitt, Petitioner; and  
 No. 86-5850. In Re Nicholas V. Fleming, Petitioner. The petitions for writs of mandamus are denied.  
 No. 86-804. In Re Rowan Companies, Inc., Petitioner. The petition for a writ of mandamus and/or other relief is denied.

## REHEARINGS DENIED

- No. 85-7111. David Peek, Petitioner *v.* Ralph Kemp, Warden;  
 No. 86-139. City of Newport, Kentucky, et al., Petitioners *v.* Nicholas A. Iacobucci, dba Talk of the Town, et al.;  
 No. 86-277. Charles Walker, Petitioner *v.* Illinois;  
 No. 86-404. Dorian Douglas Whaley, Petitioner *v.* United States;  
 No. 86-424. Rodney F. Stich, Appellant *v.* Emma W. Stich;  
 No. 86-474. Alice Clissuras, Petitioner *v.* City of New York Teachers' Retirement Board, et al.;  
 No. 86-5320. Charles A. Miller, Petitioner *v.* California;  
 No. 86-5410. Samuel Singleton, Petitioner *v.* Gerald T. Frey, Superintendent, Missouri Eastern Correctional Center;  
 No. 86-5414. In Re Velma Lee Magoon, Petitioner;  
 No. 86-5448. In Re Dorothy Parrish, Petitioner;  
 No. 86-5456. David Ely, Petitioner *v.* More Than 20 FBI Agents and A Swat Team, et al.;  
 No. 86-5493. Adib Zaky, Petitioner *v.* United States Veterans Administration, et al.;  
 No. 86-5529. Olivia Chambers, Petitioner *v.* Industrial Commission of Illinois, et al.;  
 No. 86-5547. In Re Peter R. Johl, Petitioner; and  
 No. 86-5559. Asberry B. Butler, Appellant *v.* Texas. The petitions for rehearing are denied.  
 No. 85-1887. Geraldine Fennell, etc., Petitioner *v.* Warner Lambert Company;

No. 85-6052. Marian Z. Augustyniak, Petitioner *v.* City of New York, et al.;

No. 85-7012. Jay Roberts, Petitioner *v.* Alan A. Mackey, et al.;

No. 85-7146. Barbara S. Youngs-Settle, Petitioner *v.* Abner Anderson, Jr.;

No. 86-5136. Victoria Missirlian, Petitioner *v.* Huntington Memorial Hospital; and

No. 86-5166. Gus Alex Lira, Petitioner *v.* United States, et al. The petitions for rehearing are denied. Justice Scalia took no part in the consideration or decision of these petitions.

No. 83-5010. Joseph Gelb, Petitioner *v.* United States;

No. 85-7027. In Re Vernon C. Weygandt, Petitioner;

No. 85-7033. Joseph John Viola, Petitioner *v.* United States;

No. 86-5138. Joseph John Viola, Petitioner *v.* Robert S. Kubitzka, et al.; and

No. 86-5224. Joseph John Viola, Appellant *v.* Arizona. The motions for leave to file petitions for rehearing are denied. Justice Scalia took no part in the consideration or decision of these motions.

No. 86-5330. Clarence Matthew Otworth, Petitioner *v.* Southern Pacific Transportation Company. The motion for leave to file a petition for rehearing is denied.

#### ORDER

It is ordered that Frank D. Wagner be appointed Reporter of Decisions of this Court to succeed Henry C. Lind, effective February 1, 1987, and he is charged with the duty of reporting the decisions of the present Term which have not been reported prior to February 1, 1987.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
W. Rogers Abbott II	Oklahoma City, OK	J. Dell Gordon
Lorraine Hiroko Akiba	Honolulu, HI	Julius Russell Cades
Jonathan F. Altman	Philadelphia, PA	Stanley Seymour Frazee Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Alan Arkuss	Los Angeles, CA	Alfred William Omansky
Catherine E. Avina	St. Paul, MN	Richard A. Wexler
James Dennis Bailey	Birmingham, AL	Donald F. Wiginton Sr.
Frederick Douglas Baker	Washington, DC	Robert Shelton Baker
Patrick Michael Barnett-Mulligan	Chatham, NY	Peter Harvey Schiff
John Fred Bass	Dallas, TX	W. Richard Bernays
Jose R.E. Batista	Hialeah, FL	Reemberto Diaz
Virginia W. Batson	Columbia, SC	Larry C. Batson
Robert Louis Battaglia	Tulsa, OK	Dwayne C. Pollard
Ellen Leslie Beard	Washington, DC	Carol A. De Deo
Tod Vincent Beebe	Long Beach, CA	Arthur A. Armstrong
Wendell Alfred Bell	Ft. Worth, TX	Bryan Honts
Patricia J. Beneke	Alexandria, VA	J. Bennett Johnston Jr.
Josanna Berkow	San Francisco, CA	John Hideki Sugiyama
Robin A. Bernstein	New York, NY	Karen M. Wigle
Michel Henri Berthier	Bronxville, NY	Martin A. Levitin
Robert David Black	Greenville, SC	Gaspere Joseph Bono
William L. Blackwell	Naples, FL	John Edward Ryan
David A. Blagg	Omaha, NB	Daniel Joseph Duffy
Earl Lawrence Bohachek III	San Francisco, CA	Michael N. Khourie
Mary McInnis Boies	Washington, DC	Stuart Walter Gold
Jeffery L. Borsuk	Walnut Creek, CA	Mary Colberson Michel

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ruth A. Bourquin	Washington, DC	Margaret Kolodny Pfeiffer
Everett J. Bowman	Charlotte, NC	Dan Thomas Coenen
Thomas Robert Bradford	Los Angeles, CA	Alfred William Omansky
Stuart Gary Brecher	Edison, NJ	Herbert Neil Broder
Arthur Stephen Bresnahan	Chicago, IL	David M. Smith
Larry W. Bridgesmith	Nashville, TN	Edward Katze
Stephen George Brinker	Cincinnati, OH	John Patrick Hehman
Jose Tomas Brown	Flint, MI	Leo A. Farhat
James O. Browning	Albuquerque, NM	John D. Robb Jr.
William Karl Budd	Fairfax County, VA	Darrell Lloyd Netherton
Leonard Norman Budow	New York, NY	Irwin P. Underweiser
Bobby R. Burchfield	Washington, DC	E. Edward Bruce
John Kendal Butler	Santa Ana, CA	James Preston Slack
Thomas Brendan Cahill	Naperville, IL	William J. Ulrich Jr.
Sharon E. Callaway	San Antonio, TX	Thomas H. Crofts Jr.
Martin Leonard Carpenter	Los Angeles, CA	Herbert F. Blanck
Joseph Carmen Cascarelli	Philadelphia, PA	J. Freedley Hunsicker Jr.
Herbert Joseph Chestnut	Savannah, GA	John Wright Jones
Karen Jean Choate	Saginaw, MI	Edward Joseph McArdle
Glenn Hobart Clark	Los Angeles, CA	Alfred William Omansky
Mark C. Cogan	New York, NY	Robert S. Dean
Richard Crowley Conway	Hanford, CT	Jan L. Kahn
Neil J. Conway III	Painesville, OH	Joseph Michael Gurley

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Dennis Coleman Cook	Laramie, WY	A. G. McClintock
James Wilson Dabney	New York, NY	William E. Willis
Kimbely J. Daniel	Fairfax, VA	Sidney Theodore Daniel
Robert M. Dato	Santa Monica, CA	Roy G. Weatherup
Jean O. Davin	Pittsburgh, PA	J.W. Hernandez-Cuebas
Geoffrey Houghton Davis	Toledo, OH	John Joseph Burkhart
Mary B. Devine	Gray, ME	John W. Chapman
Victor Paul Dickson	Fort Worth, TX	Tim Curry
Thomas J. Donnelly	Clearwater, FL	Mark Warda
Gary N. Donovan	Los Angeles, CA	Michael W. Garnett
Timothy James Doory	Baltimore, MD	Ara M. Crowe Jr.
William John Dowell	Falls Church, VA	Earl Simeon Dowell
Jerome M. Dubyn	Philadelphia, PA	Stanley H. Cohen
Robert Michael Duffey	San Antonio, TX	Reese L. Harrison Jr.
Robert Francis Duncan	Needham, MA	Arthur Robb Butler
Samuel Edward Dunn	Orange, TX	Louis Dugas Jr.
Jonathan S. Durrett	Honolulu, HI	James Arthur Stubenberg
Richard B. Eason II	New Orleans, LA	Henry Bernis Alsobrook Jr.
Sandra Edelman	New York, NY	Elliot Paskoff
Christopher Alan Edwards	Lafayette, LA	Homer Ed Barousse Jr.
Frank Joseph Federico II	Baltimore, MD	Stanley Howard Hellman
Roger Paul Fendrich	Washington, DC	Philip Allen Lacovara
Ray Ferrero Jr.	Fort Lauderdale, FL	Wilton L. Strickland

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Barry F. Feudale	Shamokin, PA	Peter Krehel
Mark A. Filosa	Truth or Consequence, NM	Leslie C. Smith
Theresa Anne Fisher	San Jose, CA	Dale Warner
Timothy John Foley	San Francisco, CA	Michael G. Millman
Ralph Thomas Forr Jr.	Altoona, PA	John F. Sullivan
John P. Foster	Eastport, ME	Gordon H. S. Scott
H. Gregory Fowler	Savannah, GA	John Wright Jones
Thomas Gerry Gallatin Jr.	New York, NY	John J. Kirby Jr.
Joan R. Gallo	San Jose, CA	Robert J. Logan
Robert Michael Gans	San Diego, CA	Paul Ames Peterson
Gayle Gaumer	Edina, MN	Judge Lindsay G. Arthur
Rolf E. Gilbertson	St. Paul, MN	Lawrence J. Hayes
Susann Elizabeth Gill	Trumbull, CT	Carl J. Schuman
Stuart M. Goldberg	Washington, DC	Harry M. Yohalem
Alex Gonzalez	San Juan, PR	Ivan Reichard
James S. Grossman	Rochester, NY	Justin L. Vigdor
John J. Grost	El Paso, TX	Ronald John Stading
Gary Schoenholtz Guzy	Washington, DC	Elbert Parr Tuttle
Michael R. Hance	Louisville, KY	Larry B. Franklin
Guy M. Harbert III	Roanoke, VA	William Raymond Rakes
Ann Woodley Harbottle	Washington, DC	Chester W. Nosal
Daniel S. Hefter	Chicago, IL	A. Daniel Feldman
Robert Harlan Henry	Shawnee, OK	Michael Craig Turpen
Michael Warren Herzog	Phoenix, AZ	Robert Ong Hing
Edward Himmelfarb	New York, NY	Eugene Aaron Gaer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edward T. Hinson Jr.	Charlotte, NC	William K. Diehl Jr.
Phyllis Jane Holmen	Atlanta, GA	John Lloyd Cromartie Jr.
Loren R. Honecker	Springfield, MO	Wallace N. Springer Jr.
John H. Ing	Los Angeles, CA	Mario Estuardo Diaz
Douglas R. Inglis	Lansing, MI	Curtis R. Hadley
Terence C. Jensen	Benton, AR	Ray Baxter
Leonard Joblove	Brooklyn, NY	Barbara Dale Underwood
Elizabeth Ruan Powell Jones	Birmingham, AL	Lanny S. Vines
Eugene T. Kelley	Rogers, AR	James Mackey Luffman
Paul J. Kennedy	Albuquerque, NM	Leo C. Kelly
Robert Timothy Keyser	Sacramento, CA	Thomas M. Griffin
Diane S. Killory	Washington, DC	Patricia Diaz Dennis
Stephen P. Kling	Annapolis, MD	Donna Marie Murasky
Timothy J. Knopp	Kansas City, KS	Michael Phillip O'Keefe
Donald G. Kosin Jr.	Washington, DC	Susanne Marie Lee
Abraham Kramer	San Francisco, CA	James Francis Hewitt
Lisa J. Krisher	Augusta, GA	John Lloyd Cromartie Jr.
Christopher Lawrence Lardiere	Columbus, OH	Steven D. Rowe
Donelson M. Leake	Knoxville, TN	Edwin Hope Rayson
Ronald Nicholas Lekos	New York, NY	George Michael Cerrone
Neil Bradley Litchfield	Washington, DC	Charles Nevett Steele

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Clay C. Long	Atlanta, GA	Albert G. Norman Jr.
Suanne Elise Lovendahl	Roseburg, OR	Amy L. Veranth
Susan M. Lydon	San Francisco, CA	Bill Ong Hing
Brian R. Magana	Los Angeles, CA	Daniel C. Cathcart
James Edward Maloney	Houston, TX	Joseph Dawson Cheavens
Michael J. Mangan	Philadelphia, PA	Jerome J. Shestack
Thomas Mann Jr.	Des Moines, IA	Brent Robert Appel
Lindell L. Marsh	Newport Beach, CA	Charles Lawrence Siemon
Elizabeth Politano Marshall	Frankfort, KY	Virgil W. Webb III
Denny Ross Martin	Dallas, TX	W. Richard Bernays
Lowell Frank Martin	Washington, DC	John R. Quarles Jr.
Harrison Denning Mason III	State College, PA	Michael Joseph Bresnahan
Paul R. Mazzoni	Scranton, PA	Robert A. Mazzoni
Patrick Duane McCoy	Saginaw, MI	Edward Joseph McArdle
Thomas Warren McDonald Jr.	Saginaw, MI	Edward Joseph McArdle
Lynn R. McDougal	El Cajon, CA	Kent Hills Foster
Robert Bruce McElhone	Baltimore, MD	David Lawrence Palmer
A. Ward McKeithen	Charlotte, NC	Dan T. Coenen
Charles Martin McLoughlin	Shawnee, OK	Michael Craig Turpen
David J. McNichols	Columbus, OH	Robert E. Stebens
Kelly Mescher	Jefferson City, MO	John M. Morris III

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Alan Michaels	Pittsburgh, PA	Gary David Michaels
James Fox Miller	Hollywood, FL	Myron H. Burnstein
Lancelot Longstreet Minor III	Memphis, TN	John Dabney Walt
Leonard Charles Mitchard	Bethesda, MD	Robert B. Murray
Deborah Mitzenmacher	Los Angeles, CA	Daniel J. Cathcart
Frank D. Moore	Cooper, TX	Burt Berry
Michael E. Moore	Norman, OK	Elmer M. Million
Bart Thomas Murphy	Chicago, IL	Michael J. Hayes
Thomas F. Newmeyer	Newport Beach, CA	Wayne W. Smith
William A. Nitze	New York, NY	E. Edward Bruce
William A. Nohr	Milwaukee, WI	Leonard F. Schmitt
Matthew G. Novak	Cedar Rapids, IA	Leon Minor Barnes
Patrick Francis O'Connor	San Diego, CA	Louis Edwin Boyle
Charles A. Overend Jr.	Hebron, CT	Robert Emmet Walsh
Fletcher W. Paddison	San Diego, CA	Edgar Paul Boyko
Joseph D. Pavia	Urbana, IL	Thomas J. Difanis
Robert Embert Payne Sr.	Upper Marlboro, MD	Howard S. Chasanow
Sydelle Pittas	Boston, MA	Daniel J. Kornstein
Stewart Charles Pollack	Oakland, CA	Daniel Mark Siegel
Bruce J. Quilligan	Santa Ana, CA	Michael W. Garnett
Conrad R. Reddick	Wheaton, IL	Alfred Winchell Whittaker
Donald G. Rehkopf Jr.	Rochester, NY	Edward John Nowak
Mary Elizabeth Sheahan Reiss	Redwood City, CA	Peter F. Goldscheider

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Marc H. Richman	Dallas, TX	Fred Time
Barry Alan Riemer	Huntington Beach, CA	John Richard Parker
Clifford Stampfer Robbins	Washington, DC	Paul A. Lenzini
J. Grall Robinson	Collingswood, NJ	Richard Walter Berg
Susan E. Roehm	Houston, TX	John L. Jeffers Jr.
Eli M. Rosenbaum	New York, NY	Neal M. Sher
Jeffrey David Ross	Phoenix, AZ	Tom Karas
Robert S. Ruffalo	Los Angeles, CA	Darrell A. Forgey
Roxann M. Ryan	Des Moines, IA	Thomas J. Miller
Robert R. Schwartz	Tyler, TX	James R. Horsley
John Holmes Serrano	San Diego, CA	David Ralph Chapman
James Webb Shaddix	Houston, TX	John L. Jeffers Jr.
Barton Shapiro	Washington, DC	Andrew Harris Kulak
Daniel J. Shea	Helena, MT	W. William Leaphart
Max R. Shulman	New York, NY	Robert F. Mullen
Wayne Anthony Sivertson	Minneapolis, MN	Frederick Lange
David H. Simonds	Bangor, ME	Thomas J. Connolly
John Joseph Sinclair	Olympia, WA	Frank E. Morris
Frederick T. Slone	Anchorage, AK	Dan Elvin Dennis
David Ruvane Smith	Gaithersburg, MD	Robert P. Jaye
James T. Smith	Philadelphia, PA	Bruce W. Kauffman
Wayne Nelson Smith	Richmond, VA	William Frederick Schutt
Nancy L. Snowden	Peoria, IL	Theodore R. Johnson
Allen M. Sokal	Washington, DC	Ford F. Farabow Jr.
Kenneth Michael Soldat	Chicago, IL	Thomas Aquinas Foran
John E. Spainhour Jr.	Shepherdsville, KY	Thomas B. Givhan
Norbert T. Starr II	Dallas, TX	Patrick A. Keenan

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael R. Stewart	Minneapolis, MN	Lawrence C. Brown
Allen Robert Stout	Angola, IN	Frank James Gray
Rafael Suarez-Rivas	Miami, FL	Robert F. Clark
Bryan R. Sullivan	Chicago, IL	David John Stetler
Kevin Patrick Sullivan	Ogden, UT	Steven Michael Kaufman
Kathryn Helen Sumrall	Birmingham, AL	Lanny S. Vines
Anna Swerdel	Washington, DC	Jane C. Luxton
Georgana Taggart	Cincinnati, OH	John Patrick Hehman
Ricki Lewis Tannen	Fort Lauderdale, FL	Wilton L. Strickland
G. Irvin Terrell	Houston, TX	John L. Jeffers Jr.
Stephen Gerard Test	Virginia Beach, VA	Paul A. Sciortino
John C. Thomas	Minneapolis, MN	Craig William Gagnon
George N. Toplitz	New York, NY	David A. Trager
Robert G. Udell	Stuart, FL	Bruce Morrison Wilkinson
William Addison Vaughan	Washington, DC	Richard Paul Noland
W. Charles Waddell III	Roanoke, VA	William Raymond Rakes
William Clement Walker Jr.	Oxford, MS	William Lyman Denton
Albert Peter Walter Jr.	Coral Gables, FL	Dennis Gerard King
Timothy Marshall Walters	St. Louis, MO	Bryce Rea Jr.
Scott Gerdes Warner	Seattle, WA	David Lieberworth
Jerry Thornton Warren	Dallas, TX	Morris Harrell
Roy D. Wasson	Miami, FL	Jos. W. Womack
Harvey Weinberg	New York, NY	Vinson Jeffrey Friedman
Robert Weinberg	Washington, DC	Edward Hirsch Weinberg

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George Weingarten	San Diego, CA	Thomas F. Homann
Peter Alan Weinstein	Baldwin, NY	Barbara Dale Underwood
Laura Susan Wertheimer	Washington, DC	Andrew John Pincus
Carol P. Wessling	West Medford, MA	Christine Marie Westphal
Nickolas Westman	Minneapolis, MN	Frederick Lange
John H. Westover	Phoenix, AZ	Ralph Earl Hunsaker
Frederick William Whatley	Cleveland, OH	Henry Blanchard Fischer
John Michael Wieland	Chicago, IL	Robert L. Lindgren
Stephen Philip Wiley	Santa Barbara, CA	Steven Albert Amerikaner
Daniel Edward Wille	Pittsburgh, PA	Robert Lewis Frantz
Thomas Bennett Wilson III	Edina, MN	Judge Lindsay G. Arthur
Samuel Allen Wilson Jr.	Macon, GA	W. Louis Sands
Robert Marvin Wood	Kingwood, TX	Bruce F. Mackler
Wm. Barry Wood	Nashville, TN	Kimberly Jennings Dean
Richard Michaels Wyner	Washington, DC	William F. Sheehan
Stephen Ara Zovickian	San Francisco, CA	Lloyd Weldon McCormick

The Chief Justice said:

"Before the Court hears arguments today, I have a few announcements to make.

I am authorized to announce that Mr. Henry C. Lind, who has served as the official Reporter of Decisions of the Court since February, 1979, is retiring effective January 31, 1987.

The Reporter of Decisions is responsible for the publication in the official United States Reports of all of the Court's orders and opinions, as well as the separate opinions of the Justices. During his tenure, Mr.

Lind has been instrumental in assisting in the changeover from the hot lead system of printing the Reports to our modern computer system. The Reporter's tasks also include the editing of opinions in the sense of attempting to establish consistency as to such matters as the forms of citations, preferred spelling of words, punctuation, and grammar—not an enviable task when dealing with nine separate chambers. Mr. Lind has performed his duties with great success—he has even been able to secure approval from the majority of the Court to spell the word “marijuana” with a “j” rather than an “h”. The Court wishes to pay tribute to him and to wish him well for the years ahead.

Mr. Frank D. Wagner has been appointed by the Court to succeed Mr. Lind as the 15th Reporter of Decisions, pursuant to Title 28 of the United States Code, Section 673.

I am also authorized to announce the retirement of James S. Zagami, Captain of the Supreme Court Police Force, effective January 13, 1987. Captain Zagami has served with the Supreme Court Police Force for over thirty years and the Court wishes him much happiness in the years ahead.

I have appointed Mr. Noel J. Augustyn as my Administrative Assistant pursuant to Title 28 of the United States Code, Section 677, effective January 5, 1987.”

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
C. Lloyd Vest II	Lexington, KY	David Alexander Smith
Charles Franklin Luce, Jr.	Boulder, CO	John E. Moye
Michael F. Kelleher	Washington, DC	Matthew Joel Zinn
Robert Allan Button	Louisville, KY	C. Thomas Hectus

#### ORAL ARGUMENTS

No. 85-1239. Amoco Production Company, et al., Petitioners *v.* Village of Gambell, Alaska, et al.; and

No. 85-1406. Donald P. Hodel, Secretary of the Interior, et al., Petitioners *v.* Village of Gambell, et al. Argued by Mr. F. Henry Habicht, II, for the petitioner, Secretary of the Interior, by Mr. E. Edward Bruce, for the petitioners, Amoco Production Company, et al., and by Mr. Donald S. Cooper for the respondents.

No. 85-1613. United States, Petitioner *v.* John Doe, Inc. I, et al. Argued by Mr. Louis R. Cohen for the petitioner and by Mr. Paul R. Grand for the respondents.

No. 85-5348. David Buchanan, Petitioner *v.* Kentucky. Argued by Mr. Kevin McNally for the petitioner and by Mr. David A. Smith for the respondent.

No. 85-1798. Pennzoil Company, Appellant *v.* Texaco, Inc. Argued by Mr. Laurencé H. Tribé for the appellant and by Mr. David Boies for the appellee.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 84-2022. 324 Liquor Corp., dba Yorkshire Wine & Spirits, Appellant *v.* Thomas Duffy, et al. Appeal from the Court of Appeals of New York. Judgment reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Powell. Dissenting opinion by Justice O'Connor with whom the Chief Justice joins.

No. 85-5221. Randall Lamont Griffith, Petitioner *v.* Kentucky. On writ of certiorari to the Supreme Court of Kentucky; and

No. 85-5731. Willie Davis Brown, aka Will Brown, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. The judgment in No. 85-5221 is reversed and the case is remanded to the Supreme Court of Kentucky for further proceedings not inconsistent with the opinion of this Court. The judgment in No. 85-5731 is reversed and the case is remanded to the United States Court of Appeals for the Tenth Circuit for further proceedings in conformity with the opinion of this Court. Opinion by Justice Blackmun. Concurring opinion by Justice Powell. Dissenting opinion by the Chief Justice. Dissenting opinion by Justice White with whom the Chief Justice and Justice O'Connor join.

No. 85-494. California Federal Savings and Loan Association, et al., Petitioners *v.* Mark Guerra, Director, Department of Fair Employment and Housing, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Marshall. Opinion by Justice Stevens concurring in part and concurring in the judgment. Opinion by Justice Scalia concurring in the judgment. Dissenting opinion by Justice White with whom the Chief Justice and Justice Powell join.

No. 85-937. West Virginia, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Justice Marshall.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph A. Antolin	Chicago, IL	Eileen P. Sweeney
Karen Maloy Sprecher	Washington, DC	Drexel A. Sprecher
Robert E. Ward	Bethesda, MD	Drexel A. Sprecher

## ORAL ARGUMENTS

No. 85-1384. William R. Turner, et al., Petitioners *v.* Leonard Safley, et al. Argued by Mr. Henry Thomas Herschel for the petitioners and by Mr. Floyd R. Finch, Jr., for the respondents.

No. 85-1409. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Janet J. Yuckert. Argued by Mr. Edwin S. Kneeder for the petitioner and by Ms. Carole F. Grossman for the respondent.

No. 85-1329. Gerald J. Young, George Cariste, Sol N. Klayminc and Nathan Helfand, Petitioners *v.* United States, ex rel. Vuitton et Fils S.A., et al.; and

No. 85-6207. Barry Dean Klayminc, Petitioner *v.* United States, ex rel. Vuitton et Fils S.A., Louis Vuitton S.A. Argued by Mr. James A. Cohen for the petitioners, by Mr. William C. Bryson for the United States, as *amicus curiae*, in support of the petitioners, by special leave of Court, and by Mr. J. Joseph Bainton for the respondents.

No. 85-1385. United States, Petitioner *v.* General Dynamics Corp., et al. Argued by Mr. Alan I. Horowitz for the petitioner and by Ms. Lynne E. McNown for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-971. Robert L. Clarke, Comptroller of the Currency, Petitioner *v.* Securities Industry Association; and

No. 85-972. Security Pacific National Bank, Petitioner *v.* Securities Industry Association. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed in part insofar as it has standing, reversed in part on the merits and cases 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 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. 85-5915. Brenda E. Wright, Geraldine H. Broughman and Sylvia P. Carter, Petitioners *v.* City of Roanoke Redevelopment and Housing Authority. 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 White. Dissenting opinion by Justice O'Connor with whom the Chief Justice, Justice Powell and Justice Scalia join.

No. 85-781. Frank G. Burke, Acting Archivist of the United States and Ronald Geisler, Executive Clerk of the White House, Petitioners *v.* Michael D. Barnes, 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 with instructions to remand the case to the United States District Court for the District of Columbia with instructions to dismiss the the complaint. *United States v. Munsingwear, Inc.*, 340 U.S. 36, 39 (1950). Opinion by the Chief Justice. Dissenting opinion by Justice Stevens with whom Justice White joins. Justice Scalia took no part in the consideration or decision of this case.

No. 85-889. Colorado, Petitioner *v.* Steven Lee Bertine. On writ of certiorari to the Supreme Court of Colorado. 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. Concurring opinion by Justice Blackmun with whom Justice Powell and Justice O'Connor join. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Owen Marshall Field, III	Chicago, IL	James C. O'Connell
Mary McDonald Abate	Washington, DC	Terry Trone Coles

#### ORAL ARGUMENTS

No. 85-1695. Societe Nationale Industrielle Aerospatiale and Societe de Construction d'Avions de Tourism, Petitioners *v.* United States District Court for the Southern District of Iowa, etc. Argued by Mr. John W. Ford for the petitioners, by Mr. Jeffrey P. Minear, as *amicus curiae*, by special leave of Court, and by Mr. Richard H. Doyle, IV, for the respondent.

No. 85-1358. William L. Lukhard, Commissioner, Virginia Department of Social Services, Petitioner *v.* Ona Mae Reed, et al. Argued by Mr. Thomas J. Czelusta for the petitioner, by Mr. Glen D. Nager, as *amicus curiae*, *pro hac vice*, by special leave of Court, and by Mrs. Jill A. Hanken for the respondents.

No. 85-1433. Gloria Richardson, Warden, Petitioner *v.* Clarissa Marsh. Argued by Mr. Timothy A. Baughman for the petitioner, by Mr. Lawrence S. Robbins, as *amicus curiae*, by special leave of Court, and by Mr. R. Steven Whalen for the respondent.

No. 85-1199. First English Evangelical Lutheran Church of Glendale, Appellant *v.* County of Los Angeles, California. Argued by Mr. Michael M. Berger for the petitioner and by Mr. Jack R. White for the respondent.

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Adjourned until Tuesday, January 20, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. 86-6188. Alvin Moore, Petitioner *v.* Blackburn, Warden. The application for stay of execution of the 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, Justice O'Connor and Justice Scalia would deny the application for stay.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 84-1545. Miller-Wohl Company, Inc., Appellant *v.* Commissioner of Labor and Industry of Montana and Tamara L. Buley. Appeal from the Supreme Court of Montana. The judgment is vacated and the case is remanded to the Supreme Court of Montana for further consideration in light of *California Federal Savings and Loan Association v. Guerra*, 479 U.S. — (1987). Justice Blackmun, Justice Stevens and Justice Scalia would dismiss the appeal for want of a substantial federal question.

No. 86-631. City of Watseka, et al., Appellants *v.* Illinois Public Action Council, et al. Appeal from the United States Court of Appeals for the Seventh Circuit. The judgment is affirmed. Dissenting opinion by Justice White with whom The Chief Justice and Justice O'Connor join.

No. 86-800. Eduardo M. Lucero, et al., Appellants *v.* James "Buster" Snyder, et al. Appeal from the United States Court of Appeals for the Tenth 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. 86-802. Holiday Universal, Inc., Appellant *v.* Montgomery County, Maryland, et al. Appeal from the Court of Special Appeals of Maryland. The appeal is dismissed for want of jurisdiction.

No. 86-842. Shiley Incorporated, Appellant *v.* James Fogarty Corrigan, et al. Appeal from the Court of Appeal of California, Second Appellate District. The motion of California Chamber of Commerce, et al. for leave to file a brief as *amici curiae* is granted. 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. 86-844. Lloyd E. Darland, et ux., Appellants *v.* Comptroller of the Treasury, Income Tax Division, Maryland. Appeal from the Court

of Special Appeals of Maryland. The appeal is dismissed for want of a substantial federal question.

#### ORDERS IN PENDING CASES

No. —. Bank of America National Trust and Savings Association, et al., Petitioners *v.* Fab III Concrete Corporation. The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. —. James Demouchette, Petitioner *v.* Texas. The motion for leave to proceed *in forma pauperis* without submitting an affidavit in support thereof is granted.

No. —. Bobby Jean Parker, Petitioner *v.* Illinois. The motion for leave to proceed *in forma pauperis* without submitting an affidavit in support thereof is granted.

No. D-566. In the Matter of Disbarment of Barry Stephan Frazin. Disbarment order entered.

No. D-570. In the Matter of Disbarment of K. Richard Payne. Disbarment order entered.

No. D-572. In the Matter of Disbarment of Sydney J. Chase. Disbarment order entered.

No. D-574. In the Matter of Disbarment of Joseph Carchner Brannen. Disbarment order entered.

No. D-576. In the Matter of Disbarment of Steven J. Weiss. Disbarment order entered.

No. D-579. In the Matter of Disbarment of David Franklin Betz. Disbarment order entered.

No. D-587. In the Matter of Disbarment of George E. Litterer. Disbarment order entered.

No. D-602. In the Matter of Disbarment of Paul H. Holmes. It is ordered that Paul H. Holmes, of Hattiesburg, 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-603. In the Matter of Disbarment of Irving Weinsoff. It is ordered that Irving Weinsoff, 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-604. In the Matter of Disbarment of Edward Leonard Kornowski. It is ordered that Edward Leonard Kornowski, of Solon,

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. 6, Original.** State of Nebraska, Complainant *v.* State of Wyoming and State of Colorado. The motion for leave to file a petition for an order enforcing decree and for injunctive relief is granted. The defendants are allowed sixty days within which to file answers. This proceeding shall be docketed as case No. 108, Original.

**No. 85-2039.** United States, Petitioner *v.* Frieda Joyce Johnson, Personal Representative of the Estate of Horton Winfield Johnson, Deceased, etc., et al. The motion of William H. Gilardy, etc., 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. 85-2068.** Walter H. Rankin, etc., et al., Petitioners *v.* Ardith McPherson. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

**No. 86-44.** Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, et al. The motion of petitioners for additional time for oral argument is denied.

**No. 86-88.** Citicorp Industrial Credit, Inc., Petitioner *v.* William E. Brock, Secretary of Labor. The motion of petitioner to dispense with printing the joint appendix is granted.

**No. 86-108.** Gary Hilton, Superintendent, New Jersey State Prison, et al., Petitioners *v.* Dana Braunskill. The motion of American Civil Liberties Union, et al. for leave to file a brief as *amici curiae* is granted.

**No. 86-179.** Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, et al., Appellants *v.* Christine J. Amos, et al.; and

**No. 86-401.** United States, Appellant *v.* Christine J. Amos, et al. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

**No. 86-270.** San Francisco Arts & Athletics, Inc. and Thomas F. Waddell, Petitioners *v.* United States Olympic Committee and International Olympic Committee. The motion of American Federation of Labor and Congress of Industrial Organizations for leave to file a brief as *amicus curiae* is granted.

**No. 86-281.** John William Ray, Petitioner *v.* United States. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-341. Fort Halifax Packing Company, Inc., Appellant *v.* P. Daniel Coyne, Director, Bureau of Labor Standards of Maine, 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. 86-421. Board of Directors of Rotary International, et al., Appellants *v.* Rotary Club of Duarte, et al. The motion of California for divided argument is granted. Justice Blackmun and Justice O'Connor took no part in the consideration or decision of this motion.

No. 86-5324. Joseph G. Griffin, Petitioner *v.* Wisconsin. The motion for appointment of counsel is granted and it is ordered that Alan G. Habermehl, Esquire, of Madison, Wisconsin, is appointed to serve as counsel for the petitioner in this case.

No. 86-5965. Stephen L. Morgan, et al., Petitioners *v.* United States. The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until February 10, 1987, 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*. Justice Scalia took no part in the consideration or decision of this motion.

#### CERTIORARI GRANTED

No. 86-648. Wisconsin Department of Health and Social Services, 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 granted.

No. 86-836. Hazelwood School District, et al., Petitioners *v.* Cathy Kuhlmeier, et al. The motion of National School Boards Association for leave to file a brief as *amicus curiae* is granted. The motion of respondents for leave to file appendix to brief in opposition on oversized paper is denied. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

#### CERTIORARI DENIED

No. 86-465. Florida Rock Industries, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-476. Railway Labor Executives' Association, Petitioner *v.* Staten Island Railroad Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-542. Donald Robinson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-628. Kathy G. J., Petitioner *v.* Arnold D. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 86-634. Sanguine, Ltd., Petitioner *v.* United States Department of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-644. Edward Seltzer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-649. Florida, Petitioner *v.* Walter Dixon, aka Frank Earl Ratcliff; and

No. 86-5847. Walter Dixon, Petitioner *v.* Florida. Petitions for writs of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 86-671. Alice G. Utsey, Petitioner *v.* Department of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-676. Emily Fuller Gibson, 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. 86-688. James G. Ricketts, Director, Arizona Department of Corrections, et al., Petitioners *v.* Robert Wayne Vickers. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-807. Robert K. Morrow, Inc., Trustee, Petitioner *v.* Agri-Beef Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-809. Ernest Page, Petitioner *v.* Orange County, Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-810. Edgar Mosley, Petitioner *v.* Tom Bartman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-811. Edgar Mosley, Petitioner *v.* R. Noel, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-820. John Himmilright, Petitioner *v.* Curtis Foulks, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-831. Phillips Petroleum Company, Petitioner *v.* Sam Richardson, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-838. Harold Nordlicht, etc., Petitioner *v.* New York Telephone Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-845. Hugh L. Latta, et al., Petitioners *v.* City of Atlanta, et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 86-852. J. Vincent Aprile, II and Julie Namkin, Petitioners *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 86-866. Antoinette Moriarty and Kathleen Moriarty, Petitioners *v.* Fairfield Commons Condominium Association, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Lucas County, denied.

No. 86-872. Franklin W. Allen, Petitioner *v.* Spartanburg County Department of Social Services, et al. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 86-906. Cyrus Yonan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-954. Steven Michael Johnson, Petitioner *v.* James F. Tinney, III, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-974. Jacqueline M. Robnett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5503. Willie J. Stevenson, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 86-5573. William Singer, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 86-5621. Walker L. Whaley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5627. Arvidis Jurius Kiperts, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5654. Harold Barr, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5672. Kermit George Hilliard, Petitioner *v.* James C. Spalding, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5698. James Thomas Cherry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5703. Ronald Donaldson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5722. Joanne Mary Schuler, Petitioner *v.* University of Minnesota. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5729. German Severino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5784. Howard Taylor, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5786. Rueben Ramirez Sanchez, Petitioner *v.* Harold G. Miller, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5864. Kenneth Eldon Joles, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 86-5870. Melvin Leon Driver, 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. 86-5874. Richard Coleman, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 86-5875. Marshall Wells, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5878. Phillip Douglas Jacobs, Petitioner *v.* Joseph P. Gregg. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5881. Elizabeth Dalebout, Petitioner *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 86-5883. Betty Lou Haber, Petitioner *v.* Louie L. Wainwright, 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. 86-5885. Roger Dale Foy, Petitioner *v.* Herb Maschner, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5887. Donny J. Harvey, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5890. Henry Anderson, Jr., Petitioner *v.* Frank C. Blackburn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5891. Joseph E. Doyle, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 86-5892. Michael Scott Martin, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5894. David E. Sherrick, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-5897. Orman Daniel Stevens, Petitioner *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 86-5899. Raymond T. McClellan, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 86-5903. Gilbert Marc Maison, Petitioner *v.* Vernon G. Housewright, Director, Nevada Department of Prisons. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5907. Keith Brown El, Petitioner *v.* Bill Armontrout, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 86-5910. Leroy Aron Turner, Petitioner *v.* Toni V. Bair, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5912. Alan Robert Terry, Petitioner *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona, Division Two, denied.

No. 86-5913. Joseph C. Sun, Petitioner *v.* J. Michael Bush, et al. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-5929. Thomas S. Bell, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 86-5933. Daniela Falu-Rivera, Petitioner *v.* Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5935. Jay Durr, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 86-5938. Roy Louis Rodriguez, Petitioner *v.* James R. Ricketts, 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. 86-5950. Sybil Baker, Petitioner *v.* University of Alabama, Birmingham, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5951. Harold Smith, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5966. George W. Nicholas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5968. Craig T. Seifert, Petitioner *v.* Minnesota. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 86-5969. Kenneth W. Woodfin, Petitioner *v.* Harry B. Hartman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5970. Gary St. Hilaire, Petitioner *v.* Maricopa County Sheriff's Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5990. Michael A. Rhoads, Petitioner *v.* Alaska. Petition for writ of certiorari to the Court of Appeals of Alaska denied.

No. 86-5998. Robert Skozen, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-202. Sea Fever Corporation, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Dissenting opinion by Justice White in this case and in No. 86-528, post, with whom Justice Blackmun joins.

No. 86-528. Honour Brown, etc., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Dissenting opinion by Justice White in this case and in No. 86-202, ante, with whom Justice Blackmun joins.

No. 86-629. Seattle Master Builders Association, et al., Petitioners *v.* Pacific Northwest Electric Power and Conservation Planning Council, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White would grant certiorari.

No. 86-646. TWC Holdings, Inc., Petitioner *v.* John F. Harkins, Co., Inc. 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. 86-703. International Oilfield Divers, Inc., et al., Petitioners *v.* Lonnie Pickle, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Justice White with whom The Chief Justice joins.

No. 86-746. SHARE, et al., Petitioners *v.* Stacie Bering, et al. The petition for a writ of certiorari is dismissed for want of jurisdiction.

No. 86-814. White Mountain Apache Tribe, et al., Petitioners *v.* Arizona State Transportation Board, et al. The motion of Ak-Chin Indian Community, 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. 86-818. Falcon Insurance Company, et al., Petitioners *v.* Eli Lilly and Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-822. Home Insurance Company, et al., Petitioners *v.* Eli Lilly and Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-855. Earl D. Jacobsen, et al., Petitioners *v.* Anheuser-Busch, Incorporated. Petition for writ of certiorari to the Supreme Court of Minnesota denied. Justice O'Connor would grant certiorari.

No. 86-5620. Antonio McLean-Davis, 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 Eleventh Circuit denied.

#### MANDAMUS DENIED

No. 86-5873. In Re Melvin Leroy Tyler, Petitioner. The petition for writ of mandamus is denied.

No. 86-5916. In Re John W. McQueen, Petitioner. The petition for writ of mandamus and/or prohibition is denied.

#### REHEARINGS DENIED

No. 86-517. Graydon Roger Boles, Petitioner *v.* T. E. Ellis, et al.;

No. 86-5431. Kathryn S. Martin, Petitioner *v.* Sears, Roebuck & Company;

No. 86-5453. Richard Tichnell, Petitioner *v.* Maryland;

No. 86-5589. Clifton M. Taylor, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services;

No. 86-5597. Richard Becker, Petitioner *v.* Suffolk County Legal Aid Division;

No. 86-5605. Richard Becker, Petitioner *v.* Arcadian Gardens;

No. 86-5606. Richard Becker, Petitioner *v.* Henry Modells & Co., Inc.; and

No. 86-5838. In Re Charles R. Clough, Petitioner. The petitions for rehearing are denied.

#### RECESS ORDER

The Court will take a recess from Monday, January 26, 1987, until Monday, February 23, 1987.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Steven L. Abel	New York, NY	Michael H. Reeder
James P. Adlon	Canton, OH	Richard Jeffords Burt

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Albert David Alberi	Virginia Beach, VA	Frank William McGraw, Jr.
Leland Irwin Ammons	Dallas, TX	Kenneth M. Stillman
David Michael Assad	Fall River, MA	April L. Saber- Assad
Richard F. Baker	Beaumont, TX	Emily Rhine
Leslie I. Ballin	Memphis, TN	Stephen Barry Shankman
Cecil J. Banks	Newark, NJ	Clive S. Cummis
Robert John Bates	Westwood, NJ	Michael S. Isaacs
Stephen Joseph Bearman	Memphis, TN	David Morton Cook II
Gerald Thomas Berry	Naples, FL	John Edward Ryan
Miriam Rhoda Best	New York, NY	Barbara Dale Underwood
James Russell Bird	Washington, DC	Warner W. Gardner
Thadd A. Blizzard	New York, NY	Stuart Alan Jackson
Carl Phillip Bowen	Miami, FL	F. Lee Bailey
Woodrow W. Brand, Jr.	Houston, MS	Rex Franklin Sanderson
William B. Brandt	Unadilla, NB	Johanna M. Sabol
John R. Breihan	Austin, TX	Larry F. York
Marc Rene Brosseau	Denver, CO	W. Robert Ward
Glenn Perry Bruder	Minneapolis, MN	Bruce Clark Douglas
Richard Scott Carnell	Washington, DC	James Virgil Mattingly, Jr.
Robert J. Casey, Jr.	Philadelphia, PA	William Connell McGovern
Marshall Kent Chambers	Washington, DC	Robert Allen Chambers
James Alfred Chance	Easton, MD	Waller Staples Hairston

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Nicholas Charchut	Santa Monica, CA	Roy G. Weatherup
Emilio W. Cividanes	Washington, DC	George Kaufmann
Kathleen Mary Collins	New York, NY	Vigdor D. Bernstein
Vincent J. Correnti, Sr.	St. Louis, MO	Robert E. Rapp
Michael Douglas Cullins	El Dorado, AR	Michael C. Towers
LeGrand R. Curtis	Salt Lake City, UT	William Robert Wright
Daniel Francis Cusick	Pittsburgh, PA	John Sebastian Sherry
Dennis T. D'Antonio	New York, NY	Frank A. Weg
Richard Michael Daly	Los Alamos, NM	Robert Sargent Shriver, Jr.
Robert William DeJoy, Jr.	New York, NY	Richard Rinaldo Dailey
Lee Francis Del Grande	San Jose, CA	George Joseph Mahoney
Caleb H. Didriksen III	New Orleans, LA	Andrew P. Carter
Jonathan Daniel Dowell	Annandale, VA	Earl Simeon Dowell
David Drenk	Wheaton, IL	Douglas Drenk
James Ellsworth Eggleston	Oakland, CA	Mary H. Mocine
William Henszey Ewing	Philadelphia, PA	Joseph J. Connolly
Thomas Donald Farrell	Honolulu, HI	John Campbell Jr.
Darrell Bernard Fields	New York, NY	Anthea H. Bruffee
Jane Flowers Finch	Raleigh, NC	George Robinson Ragsdale
Mark Patrick Fitzsimmons	Alexandria, VA	James Richard Walpole
Brian D. Foley	New York, NY	Barbara Dale Underwood
Frank David Ford	Alexandria, VA	Daniel Lippman
Kenneth Lawrence Fox	Elkins Park, PA	Ronald A. Krauss
Roger L. Funk	Los Angeles, CA	Robert Steven Chapman
Marc Furman	Philadelphia, PA	I. Herbert Rothenberg

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ray A. Gerritzen	St. Louis, MO	Herbert B. Roberts
Sherrie Berger Glasser	Baltimore, MD	Howard Mark Colvin
Donald H. Grodsky	New Orleans, LA	Steven J. Lane
Alan G. Habermehl	Madison, WI	Jeff Scott Olson
Mary Ellen Halloran	Trenton, NJ	Catherine A. Foddai
Curtis G. Hanrahan	Jefferson City, MO	James Michael Fischer
James Otto Heiting	Riverside, CA	Donald George Grant
Terry J. Helbush	San Francisco, CA	Lawrence Nicholas DiCostanzo
Neil A. Holding	Hanford, CA	Jan L. Kahn
Steven Paul Hollman	Washington, DC	Patricia A. Brannan
Benne Cole Hutson	Charlotte, NC	Edwin Osborne Ayscue, Jr.
Herbert Allen Irish	Medford Lakes, NJ	John DeCicco
John S. Jackson	Minneapolis, MN	Jeffrey Forbes Shaw
Marlyn Soren Jensen	Osceola, IA	F. Richard Lyford
James McDaniel Johnson	Dunn, NC	Dwight Wesley Snow
David Dale Johnson III	Charleston, WV	Charles L. Woody
Erika Ziebarth Jones	Washington, DC	Thomas A. Ziebarth
Joette Katz	New Haven, CT	Joseph Gerard Bruckmann
Laurance Stephen Kirsch	Washington, DC	James Watt Moorman
Nikki Kowalski	New York, NY	Barbara Dale Underwood
Robert L. Krakower	Montclair, NJ	Theodore V. Well, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Jay Krauss	Tampa, FL	Peggy Ann Quince
Harold J. Krent	Washington, DC	Douglas Neal Letter
David P. Lee	Washington, DC	Ralph J. Moore, Jr.
Richard E. Levine	San Francisco, CA	Gary Leland Reback
Seth Michael Lieberman	Brooklyn, NY	Barbara Dale Underwood
Ivy Lincoln	Little Rock, AR	Douglas R. Strock
Arnold Valdemar Lindseth Jr.	Memphis, TN	Geo. T. Lewis, Jr.
Robert W. Lutz	Chilton, WI	Albert John Gabig
Barbara Michele Golden Lynn	Dallas, TX	Fletcher L. Yarbrough Jr.
Alan S. Madans	Chicago, IL	Philip B. Kurland
Madonna M. Malin	New York, NY	Franklin B. Velie
Donald James Mares	Denver, CO	John W. McKendree
Marla J. McGeorge	Portland, OR	Allen T. Murphy Jr.
Randall E. Mehrberg	Chicago, IL	Robert L. Graham
Auburn Leslie Mitchell	Austin, TX	Mack Wallace
Cheryl Swanson Mitchell	Syosset, NY	Barbara Dale Underwood
Eileen Joan Moore	Phoenix, AZ	Mark Wilmer
Kimberly Ann Morgan	Carson City, NV	Richard L. Morgan
John Hammes Mowbray	Las Vegas, NV	John Code Mowbray, Chief Justice, Supreme Court of Nevada
James Edward Musial	Wheaton, IL	Douglas Drenk
David William Ogden	Washington, DC	Honorable Harry A. Blackmun, Associate Justice of the Supreme Court

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gregory Dean Ograd	San Diego, CA	Carl Richard Brown
Norman Houston Parks	Columbia, TN	Edward C. Blank II
Richard Bruce Pener	Kansas City, MO	Edward A. McConwell
David Lee Perry	Corpus Christi, TX	William Ryle Edwards Jr.
Alan Pfeffer	Brooklyn, NY	Leo Pfeffer
Vicki Laine Plaut	Washington, DC	Richard Gary Taranto
Richard Clayton Polley	Pittsburgh, PA	Charles W. Kenrick
Randall L. Porter	Columbus, OH	David Clark Stebbins
John William Powers	Chicago, IL	Michael A. Warner
Donald T. Ramsey	San Francisco, CA	Daniel M. Crawford
Terrance W. Richmond	Milan, IN	David W. Dennis
Shulamit Rosenblum	Brooklyn, NY	Barbara Dale Underwood
Asher George Ruch Jr.	Dayton, OH	Robert Bruce Shearer
Mary Foil Russell	Atlanta, GA	Michael J. Bowers
James Charles Sawran	Fort Lauderdale, FL	Douglas Malcolm McIntosh
Mark Clifford Schechter	Washington, DC	Paul Terry Lubeck
J. Andrew Schlickman	Chicago, IL	Frederic J. Artwick
Henry James Schweiter	Columbia, MD	Leo Lawrence Sergi
Dean V. Shahinian	Washington, DC	Paul Dale Glenn
Allan Reid Shaw	Minneapolis, MN	Craig William Gagnon
Henry C. Shelley Jr.	Silver Spring, MD	James Bradley Norman

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ann Steinmetz	Albuquerque, NM	Tova M. Indritz
Roger T. Stetson	Des Moines, IA	David William Belin
H. Dean Steward	Honolulu, HI	Harry D. Steward
Henry M. Stoever	Kansas City, MO	Lee Merrill Nation
Jeffrey Alan Stone	Pensacola, FL	E. Dixie Beggs
Elaine Wintroub Stone	Corpus Christi, TX	James E. Kaplan
Joseph Kevin Strang	Huntington, NY	John Kenneth Rode
Joseph Ernest Suarez	Chestnut Ridge, NY	Charles Apotheker
David William Sussman	New York, NY	Roy L. Reardon
Madis T. Suvari	Wickford, RI	Sheila Tobie Swan
John Andrew Taft	Minneapolis, MN	Bruce Clark Douglas
Paul E. Tang	Tucson, AZ	Stephen D. Neely
Paul.R. Taskier	Washington, DC	George Kaufmann
Craig Ronald Thompson	Knoxville, TN	Tate Earnest Carty
Mary Sarazin Timmons	Saint Paul, MN	Elliot Calvin Rothenberg
Joseph A. F. Valenti	Rochester, NY	John Manning Regan
Andrew Peter Vance	New York, NY	E. Thomas Honey
Robert Harold Vesely	Williamsport, PA	John M. Humphrey
Frederick W. Veters	New Orleans, LA	Daniel Patrick Hurley
William Ellsworth Walters III	Denver, CO	Chesterfield Harvey Smith
Lawrence Stanley Walters Jr.	Branford, CT	Richard Ernest Rieder
David Edward Warden	Houston, TX	Joseph Dawson Cheavens
Susan Merle Webman	Washington, DC	Carol A. DeDeo
Craig W. Weston	Longview, WA	Barry Joseph Dahl

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Wilcoxon	Muskogee, OK	Paul M. Niebell
Robert Edwin Willett	Los Angeles, CA	William W. Vaughn
George Philip Williams	Orange, CA	Bonnie Kay McNeil
Larry Andrew Winter	Charleston, WV	Charles L. Woody
Victor A. Young	Philadelphia, PA	Lester J. Schaffer
Yale Zamore	Columbia, SC	Randall Meads Chastain
William J. Zwart	Minneapolis, MN	Robert G. Renner

#### OPINIONS

No. 85-1222. Interstate Commerce Commission, Petitioner *v.* Texas, et al.; and

No. 85-1267. Missouri-Kansas-Texas Railroad Company, et al., Petitioners *v.* Texas, et al. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens.

No. 85-1736. Jersey Shore State Bank, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by the Chief Justice.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Dan Preston Kennett	Little Rock, AR	John Steven Clark
James Raymond Denbo	Washington, DC	Milton Carl Denbo
Steven Paul McDonald	San Diego, CA	Barry P. Goode

#### ORAL ARGUMENTS

No. 85-998. United States, Petitioner *v.* Ronald Dale Dunn. Argued by Mr. Roy T. Englert, Jr., for the petitioner and by Mr. Louis Dugas, Jr., for the respondent.

No. 85-1370. Arkansas Writers' Project, Inc., Appellant *v.* Charles D. Ragland, Commissioner of Revenue of Arkansas. Argued by Ms. Anne Owings Wilson for the appellant and by Mr. John Steven Clark for the appellee.

No. 85-1360. International Brotherhood of Electrical Workers, AFL-CIO, et al., Petitioners *v.* Sally Hechler. Argued by Mr.

Laurence Gold for the petitioners and by Mr. Joel S. Perwin for the respondent.

No. 85-184. J. B. Stringfellow, Jr., et al., Petitioners *v.* Concerned Neighbors in Action, et al. Argued by Mr. David L. Mulliken for the petitioners, by Mr. Paul J. Larkin, Jr., for the respondent, United States, in support of the petitioners, and by Mr. Joel R. Reynolds for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-129. Linda Wimberly, Petitioner *v.* Labor and Industrial Relations Commission of Missouri, et al. On writ of certiorari to the Supreme Court of Missouri. Judgment affirmed. Opinion by Justice O'Connor. Justice Blackmun took no part in the consideration or decision of this case.

No. 85-1233. International Paper Company, Petitioner *v.* Harmel Ouellette, et al. On writ of certiorari to the United States Court of Appeals for the Second 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 Powell. Opinion by Justice Brennan concurring in part and dissenting in part with whom Justice Marshall and Justice Blackmun join. Opinion by Justice Stevens concurring in part and dissenting in part with whom Justice Blackmun joins.

No. 85-1244. City of Pleasant Grove, Appellant *v.* United States. Appeal from the United States District Court for the District of Columbia. Judgment affirmed. Opinion by Justice White. Dissenting opinion by Justice Powell with whom the Chief Justice and Justice O'Connor join.

## ADMISSION TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Walter Thompson Cox, III	Clemson, SC	Robinson O. Everett, Chief Judge, U.S. Court of Military Appeals

## ORAL ARGUMENTS

No. 85-1043. Pilot Life Insurance Company, Petitioner *v.* Everate W. Dedeaux. Argued by Mr. John E. Nolan, Jr., for the petitioner and by Mr. William C. Walker, Jr., for the respondent.

No. 85-686. Metropolitan Life Insurance Company, Petitioner *v.* Arthur Taylor; and

No. 85-688. General Motors Corporation, Petitioner *v.* Arthur Taylor. Argued by Mr. David M. Davis for the petitioner in both cases and by Mr. Peter Edward Scheer for the respondent in both cases.

No. 85-1259. Edward Lunn Tull, Petitioner *v.* United States. Argued by Mr. Richard R. Nageotte for the petitioner and by Mr. Lawrence G. Wallace for the respondent.

No. 86-87. United States, Petitioner *v.* Anthony Salerno and Vincent Cafaro. Argued by Mr. Solicitor General Charles Fried for the petitioner and by Mr. Anthony M. Cardinale for the respondents.

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Adjourned until Monday, January 26, 1987, 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 Powell, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-894. David J. Heldstab, Appellant *v.* City of Milwaukee. Appeal from the Court of Appeals of Wisconsin, District I. The appeal is dismissed for want of jurisdiction.

No. 86-950. Winchester and Western Railroad Company, Appellant *v.* Virginia, et al. Appeal from the Supreme Court of Virginia. The appeal is dismissed for want of jurisdiction. Justice White would postpone jurisdiction to the hearing of the case on the merits.

No. 86-5919. William Joe Stokes, Appellant *v.* Associate Circuit Court of Texas County, Missouri. Appeal from the Court of Appeals of Missouri, Southern 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. 86-5977. Steve Stevenson, Appellant *v.* Tom Griswold. 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. 86-5978. Jessie D. McDonald, Appellant *v.* Alabama. Appeal from the Court of Criminal Appeals of Alabama. 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. 86-6000. Charles Arthur Pote, Appellant *v.* Ronald Reagan, President of the United States. 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.

## CERTIORARI—SUMMARY DISPOSITION

No. 85-1480. United States, Petitioner *v.* Merchants National Bank of Mobile. 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 *Jersey Shore State Bank v. United States*, 479 U.S. — (1987).

No. 86-57. Tennessee, et al., Petitioners *v.* Champion International Corporation, dba Champion Papers. On petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Supreme Court of Tennessee, Middle Division, for further consideration in light of *International Paper Company v. Ouellette*, 479 U.S. — (1987).

#### ORDERS IN PENDING CASES

No. D-562. In the Matter of Disbarment of Robert F. Drake. Disbarment order entered.

No. D-583. In the Matter of Disbarment of Alphonse C. Gonzales. Alphonse C. Gonzales, of Chicago, Illinois, 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 November 3, 1986, is hereby discharged.

No. D-585. In the Matter of Disbarment of John Francis Reynolds. Disbarment order entered.

No. D-590. In the Matter of Disbarment of Alan Craig Kazdoy. Disbarment order entered.

No. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, et al. The motion of Willie D. Chandler, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-87. United States, Petitioner *v.* Anthony Salerno and Vincent Cafaro. The motion of respondent Cafaro to join brief of respondent Salerno is granted.

No. 86-341. Fort Halifax Packing Company, Inc., Appellant *v.* P. Daniel Coyne, Director, Bureau of Labor Standards of Maine, et al. The motion of Chamber of Commerce of the United States of America for leave to participate in oral argument as *amicus curiae*, for divided argument and for additional time for oral argument is denied.

No. 86-480. Darby Dental Supply Company, Inc., et al., Petitioners *v.* Premier Dental Products Company. The motion of petitioner to direct the Clerk to file a petition for rehearing, out-of-time, is denied.

No. 86-5344. James Ernest Miller, Petitioner *v.* Florida. The motion of American Civil Liberties Union, et al. for leave to file a brief as *amici curiae* is granted.

#### APPEALS—JURISDICTION POSTPONED

No. 85-1551. Alan J. Karcher, Speaker of the New Jersey General Assembly, et al., Appellants *v.* Jeffrey May, et al. Appeal from the United States Court of Appeals for the Third Circuit. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits.

#### CERTIORARI GRANTED

No. 86-740. Omni Capital International, et al., Petitioners *v.* Rudolf Wolff & Co., Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 86-890. Dean Deakins, et al., Petitioners *v.* William Monaghan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 86-964. David A. Thompson, Petitioner *v.* Susan A. Thompson, aka Susan A. Clay. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 86-472. Church of Scientology of California, Petitioner *v.* Internal Revenue Service. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Justice Brennan and Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5963. Ray Taylor, Petitioner *v.* Illinois. Motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Appellate Court of Illinois, First District, granted limited to Question 1 presented by the petition.

#### CERTIORARI DENIED

No. 85-1633. Merchants National Bank of Mobile, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 85-1948. Gina Dunning, etc., et al., Petitioners *v.* Nebraska Health Care Association, Inc., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 85-6394. John Lee Muralt, Petitioner *v.* North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 86-76. Branch Banking and Trust Company, et al., Petitioners *v.* National Credit Union Administration Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-209. Hunter Engineers & Constructors, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-478. First National Bank of Chicago, etc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-520. Gary Terrell, Petitioner *v.* University of Texas System Police, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-558. Hirotooshi Yamamoto, Petitioner *v.* Charles R. Klenske, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-575. Dorothy McClellan, Petitioner *v.* West Virginia. Petition for writ of certiorari to the Circuit Court of Jefferson County, West Virginia, denied.

No. 86-689. American Savings and Loan Association, Petitioner *v.* Federal Savings and Loan Insurance Corporation, etc. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 86-696. Fidelity Financial Corporation, Petitioner *v.* Federal Home Loan Bank of San Francisco. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-709. Hirotooshi Yamamoto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-711. Thomas Pecora and James Paone, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-724. Heraeus-Amersil, Inc., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-729. Nicodemus Joseph, Petitioner *v.* Barbara Alexander, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Stark County, denied.

No. 86-738. Caucus Distributors, 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. 86-745. Vermont Department of Social and Rehabilitation Services, Petitioner *v.* Otis R. Bowen, Secretary, Department of Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-788. Robert A. Perry, Petitioner *v.* Alabama Power Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-823. Mobil Oil Corporation, Petitioner *v.* Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-827. Kewal Jain, Petitioner *v.* ITT Grinnell Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-840. Rozay's Transfer, Petitioner *v.* Southwest Administration, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-841. Bath Iron Works Corporation and Commercial Union Insurance Company, Petitioners *v.* Bruce E. Bouford. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 86-856. Virginia L. Darmstadter, Petitioner *v.* South Carolina National Bank. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-858. Mark Reeder, Petitioner *v.* Kansas City Board of Police Commissioners, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-859. Lawrence J. Kovac, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-860. Walter T. Walker, III, etc., Petitioner *v.* Action Industries, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-861. L & L Marine Service, Inc., Petitioner *v.* Insurance Company of North America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-865. Benita T. Jones, Petitioner *v.* Flagship International, dba Sky Chefs. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-869. Vince D'Angelo, Petitioner *v.* Disciplinary Board of Supreme Court of New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 86-875. Arthur Andersen & Co., Petitioner *v.* Manufacturers Hanover Trust Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-889. Reginald H. Howe, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-915. Elsie M. Lear, Petitioner *v.* Equitable Life Assurance Society of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-917. C. F. Bean Corporation, Petitioner *v.* Dragados, S. A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-918. City and County of San Francisco, etc., et al., Petitioners *v.* Christian Science Reading Room Jointly Maintained, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-920. George P. Dakmak, etc., Petitioner *v.* Lindberg, a Division of Sola Basic Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-927. Gertrude Wilks, et al., Petitioners *v.* Barbara A. Mouton, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 86-930. Illinois, Petitioner *v.* James Ealy. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-933. Charles H. Dale, Petitioner *v.* Chicago Tribune Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-951. Norman Perl, Petitioner *v.* William Wernz, Director of Lawyers Professional Responsibility, et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 86-955. Steag Handel GmbH, Petitioner *v.* Hawley Fuel Coal-mart, Inc., and Hawley Fuel Coal, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-983. Kenneth J. Weytkow, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-1029. Harry James McNutt, Petitioner *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona, Division Two, denied.

No. 86-1044. Kurt Vreeken and Fred Vreeken, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1046. Joseph J. Santacroce, Sheriff of Nassau County, et al., Petitioners *v.* Herbert Badgley, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1067. Najib Mansour Atisha, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5510. Barry Jay Feldman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5723. Frank Benjamin Moore, 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. 86-5736. Jimmy Ray Burke, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 86-5825. Gerald Francis, 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. 86-5871. Cecil W. Curan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5877. Kenneth Jackson, Petitioner *v.* Charles W. Gaughan, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5879. Thomas Buzzell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5895. Primo Serrano-Tellez, Petitioner *v.* T. R. Young, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5904. Edward Muza, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5918. Frankie Valez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5921. Gerald M. Ruta, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 86-5931. William Thornton Blakey, Petitioner *v.* B. Vassar, Chairman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5934. David Adams, Petitioner *v.* R. L. Hamilton, Superintendent, Harnett Youth Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5939. Charles Lincoln Thomas, Petitioner *v.* Lincoln University. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5941. Jay Douglas Mitchell, Petitioner *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 86-5944. Russell Maggard, Petitioner *v.* Donald Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5945. Christopher J. Cooper, Petitioner *v.* Henry Don Woodall. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5947. James Kealohapauole, Petitioner *v.* Edwin Shimoda, Administrator, Oahu Community Correctional Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5948. Donny Joel Harvey, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5949. Donny J. Harvey, 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. 86-5954. Chua Han Mow, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5955. Christopher John Cooper, Petitioner *v.* Ealon Lambert, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5956. Darryl L. Epps, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-5957. Robert L. Calver, Sr., Petitioner *v.* Ridgecrest Mobile Home Park, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5962. Vivian Lee X. Kahey and Sherral Dianne X. Kahey, Petitioners, *v.* Frank Blackburn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5971. Abner Hines, Petitioner *v.* Robert Redman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5972. John H. Patterson, Petitioner *v.* Edward T. Brady. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5973. John Eugene Sellner, Petitioner *v.* James Robert Panagoulis, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5975. Lyman Moore, Petitioner *v.* James Thieret, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5980. Billy R. Creel, Petitioner *v.* Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5981. Ray Fritts, Petitioner *v.* Federal Correctional Institute, La Tuna, Texas-New Mexico. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5995. Marcy Green, Petitioner *v.* Edward J. Bettinger Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6002. Jagdishbhai Manibhai Patel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6004. Jean Sabatka, Petitioner *v.* City of Chicago, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6005. Robert Procup, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-6012. Allen C. Leavitt, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6021. Robert Hyland, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6024. Paul A. Rosberg, Petitioner *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 86-6029. James Joseph Rooney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6037. John Eugene Sellner, Petitioner *v.* George J. Panagoulis, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6040. David Andersson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-891. Mead Data Central, Inc., Petitioner *v.* West Publishing Company. The motion of Lawyers Co-operative Publishing Co. 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.

No. 86-900. Leo O. LaBranche, Jr., Petitioner *v.* United States Olympic Committee. The petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit, before judgment, is denied.

No. 86-5819. Otis Peterkin, Petitioner *v.* Pennsylvania, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5833. William O. Bevins, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5901. John Thomas Fugitt, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6061. Jesus Romero, 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. 86-5841. Floyd D. Parker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5865. Lois E. Hilton Ford, 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 Fifth Circuit denied.

#### REHEARINGS DENIED

No. 85-1524. Hubbard Broadcasting, Inc., Petitioner *v.* Southern Satellite Systems, Inc., and Turner Broadcasting System, Inc.;

No. 86-173. Richard Page Harris, Petitioner *v.* Attorney General of Virginia, et al.;

No. 86-336. Karl Linnas, Petitioner *v.* Immigration and Naturalization Service;

No. 86-375. White Mountain Apache Tribe, Petitioner *v.* Donald P. Hodel, Secretary, United States Department of the Interior, et al.;

No. 86-521. John DiSalvo, Petitioner *v.* United States;

No. 86-586. Robert Hudson, Appellant *v.* James Edgett and New York;

No. 86-610. Beverly L. Breaux, Attorney for Nora Eichorn Boswell, Appellant *v.* Allied Bank of Texas, etc.;

No. 86-5642. Roy Roger Petersen, Appellant *v.* Atlantic Gulf & Pacific Company, et al.;

No. 86-5696. Carol A. Pannacci, Petitioner *v.* Thorp Consumer Discount Company;

No. 86-5710. Wesley Ashley, Petitioner *v.* Donald K. Armstrong, Controller of the Colorado Department of Labor, et al.; and

No. 86-5755. Richard R. Sykes, Petitioner *v.* John R. Van de Water, et al. The petitions for rehearing are denied.

No. 86-5062. Sandra Bennett, Petitioner *v.* Steve Charles, et al. The petition for rehearing is denied. Justice Scalia 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>
Thomas C. Angelone	Providence, RI	William A. Curran
Frank Paul Ashby, Jr.	Huntington Beach, CA	Toby James Rothschild
Ellen A. Berkson	Phoenix, AZ	Jerome J. Berkowitz
Kay Elise Bondehagen	Washington, DC	Michael Bradfield
J. Mark Breeding	Houston, TX	C. Charles Dippel
Frank J. Cooley	Rosemead, CA	Stephen Evan Pickett
Samuel Henry Deane	Houston, TX	James A. Crouch
Lewis Henry Denbaum	Washington, DC	Thomas Webb Avent, Jr.
Daniel R. Devereaux	St. Louis, MO	Francis H. Kennedy, Jr.
Jana Tognoli DiTommaso	Detroit, MI	R. Steven Whalen
Richard K. Durant	Rosemead, CA	Stephen Evan Pickett
Michael Peter Foradas	Chicago, IL	Robert J. Kopecky
Terrence C. Forstall	New Orleans, LA	Francis Aitkens Courtenay, Jr.
Clyde R. W. Garrigan	Concord, NH	Anthony J. Ruberto, Jr.
Paul William Grimm	Baltimore, MD	Charles Christian Grimm
Laura S. Groce	Austin, TX	Barlow Smith
Wm. T. Habern	Sugar Land, TX	Clifford W. Brown
Carol B. Henningson	Rosemead, CA	Stephen Evan Pickett
Charles R. Huber, Jr.	Houston, TX	C. Charles Dippel
George A. Joseph	Chicago, IL	Richard F. Levy
Phillip Robert Kete	Takoma Park, MD	Michael J. Gaffney
Mary Ellen Leeper	Baton Rouge, LA	William J. Guste, Jr.
David Hywel Leonard	Tampa, FL	Robert Louis Ciotti

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Barry Martin Levenson Gary Lysaght	Madison, WI Harrisburg, PA	James D. Jeffries William C. Costopoulos
Michael R. McKenna	Chicago, IL	Gerald A. Goldman
Roger W. Mehle	New York, NY	Robert Homan Craft, Jr.
John W. Morse Shirley A. Nelson Phillip A. O'Connell, Jr.	Marietta, GA Sacramento, CA Chicago, IL	Franklin E. Alan Jane N. Kirkland Duane Charles Quaini
Benjamin Thomas Peele III	Washington, DC	Richard L. Williams
Charles Edward Raley Eric A. Schaffer	Washington, DC Pittsburgh, PA	Irving J. Raley James J. Restivo, Jr.
Oliver Jackson Schrumph	Lake Charles, LA	Richard Phillip Ieyoub
Lenn Gene Sellers, Jr. James Nathaniel Shepherd Steven B. Silverman	Houston, TX Tilton, NH Philadelphia, PA	Gary Lee Marks Phillip P. Bonafide I. Herbert Rothenberg
Marcia A. Smith Kathleen A. Solner Elise Givhan Spainhour	Corbin, KY Birmingham, MI Shepherdsville, KY	Lowell W. Lundy Robert J. Solner Virginia R. Collins Burbank
Elizabeth Snow Stong Terry E. Thornton Beth C. Weitzner	New York, NY New York, NY Miami, FL	Robert S. Rifkind John G. Koeltl Karen Marcia Gottlieb
Mark H. Westlake	Nashville, TN	Ervin Morgan Entrekin
Randall Edwin Wilbert	Nashua, NH	Joseph F. Gall

## OPINIONS

No. 85-1517. Colorado, Petitioner *v.* John Leroy Spring. On writ of certiorari to the Supreme Court of Colorado. Judgment reversed and case remanded to the Supreme Court for further proceedings not incon-

sistent with the opinion of this Court. Opinion by Justice Powell. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

No. 85-899. Connecticut, Petitioner *v.* William Barrett. On writ of certiorari to the Supreme Court of Connecticut. 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. Opinion by Justice Brennan concurring in the judgment. Dissenting opinion by Justice Stevens with whom Justice Marshall joins.

No. 85-1563. California, Petitioner *v.* Albert Greenwood Brown, Jr. On writ of certiorari to the Supreme Court of California. 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. Concurring opinion by Justice O'Connor. Dissenting opinion by Justice Brennan with whom Justice Marshall joins and with whom Justice Stevens joins as to Parts II-V. Dissenting opinion by Justice Blackmun with whom Justice Marshall joins.

#### ADMISSION TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Esther Cohen Lee	Utica, NY	Frank Eugene Blando

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Adjourned until Monday, February 23, 1987, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-552. Richard Lovelace, Applicant and Next Friend of Ramon Pedro Hernandez, Applicant *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. The application for stay of execution of the sentence of death presented to Justice Marshall and by him referred to the Court is denied. Justice Brennan and Justice Marshall would grant the application for stay. Justice White and Justice Stevens took no part in the consideration or decision of this application.



SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. 86-6300. Elliott Rod Johnson, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. The application for stay of execution of the 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, Justice White, Justice O'Connor and Justice Scalia would deny the application for stay.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Blackmun, Justice Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-568. James A. Potter, Appellant *v.* Betty L. Abshire. 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. 86-1131. Richard L. Fincher, Appellant *v.* Florida Department of Labor and Employment Security, 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. 86-6049. Edward S. Pruitt, Appellant *v.* United States Steel Corporation, 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. 86-6133. Daniel Giacommozzi, Appellant *v.* Phillip A. Rollins, etc. 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. 86-6150. Virgil Popescu, Appellant *v.* New Jersey. Appeal from the Supreme Court of New Jersey. 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. 86-691. Tobin Landscape and Construction Company, Inc., Appellant *v.* James Bramlett. Appeal from the Court of Appeals of Texas, Fifth District. The appeal is dismissed for want of a substantial federal question.

No. 86-994. Walkbroadway Realty, Inc., Appellant *v.* City of New York. Appeal from the Appellate Division, Supreme Court of New York, First Judicial Department. The appeal is dismissed for want of a substantial federal question.

No. 86-1031. Charles W. Ewing and Charlotte A. Ewing, Appellants *v.* Edgar L. Lindley, Tax Commissioner of Ohio. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of a substantial federal question.

No. 86-1095. Elizabeth J. Kohrig, Appellant *v.* Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a substantial federal question.

No. 86-6007. Katherine L. Delaney, Appellant *v.* Oregon. Appeal from the Supreme Court of Oregon. The appeal is dismissed for want of a substantial federal question.

No. 86-6106. Jan L. Chapman, Appellant *v.* South Carolina Tax Commission, et al. Appeal from the Supreme Court of South Carolina. The appeal is dismissed for want of a substantial federal question.

No. 86-943. Amerada Hess Corporation, et al., Appellants *v.* Corporation Commission of the State of Oklahoma. Appeal from the Supreme Court of Oklahoma. The appeal is dismissed for want of a properly presented federal question.

No. 86-1038. James W. Baker, et al., Appellants *v.* City of Santa Monica, et al. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a properly presented federal question.

No. 86-960. High Tide Seafoods, et al., Appellants *v.* Washington, et al. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question. Justice Stevens would note probable jurisdiction and set the case for oral argument.

No. 86-1079. Stephen A. Koczak, Katherine E. Rotter and John G. Resch, Appellants *v.* G. Dallas Dixon, et al. Appeal from the United States Court of Appeals for the Third Circuit. The motion of National Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of Center for Judicial Studies for leave to file a brief as *amicus curiae* is granted. 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. 86-1122. Ruth V. Smith, Administratrix of the Estate of Harry F. Smith, Deceased, et al., Appellants *v.* City of Philadelphia, et al.

Appeal from the Supreme Court of Pennsylvania, Eastern District. The appeal is dismissed for want of jurisdiction.

#### CERTIORARI—SUMMARY DISPOSITION

No. 84-6504. Larry Mack, Petitioner *v.* Illinois. On petition for writ of certiorari to the Supreme Court of Illinois. The motion of petitioner 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 Supreme Court of Illinois for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 84-6536. James White, Petitioner *v.* Alabama. On petition for writ of certiorari to the Supreme Court of Alabama. The motion of petitioner 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 Supreme Court of Alabama for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 84-6633. Arthur Lee Williams, 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* is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Criminal Appeals of Texas for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 84-6732. Gabriel Ikechi Orji, Petitioner *v.* United States. 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* 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 Fifth Circuit for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-1663. Alvin Tolliver, Petitioner *v.* United States. 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 *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-1961. Eugene Leslie, Petitioner *v.* United States. 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 *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-5190. Joseph A. Nurse and Curtis Johnson, Petitioners *v.* Illinois. On petition for writ of certiorari to the Appellate Court of Illinois, First District. The motion of petitioners 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 Appellate Court of Illinois, First District, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-5940. Carlos A. Holmes, Petitioner *v.* Illinois. On petition for writ of certiorari to the Appellate Court of Illinois, Fifth District. The motion of petitioner 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 Appellate Court of Illinois, Fifth District, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-5949. Donnell White, Petitioner *v.* Missouri. On petition for writ of certiorari to the Court of Appeals of Missouri, Western District. The motion of petitioner 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 Missouri, Western District, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6253. James A. Ford, Petitioner *v.* Georgia. On petition for writ of certiorari to the Supreme Court of Georgia. The motion of petitioner 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 Supreme Court of Georgia for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6315. Xavier Williams, Petitioner *v.* Illinois. On petition for writ of certiorari to the Appellate Court of Illinois, Third District. The motion of petitioner 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 Appellate Court of Illinois, Third District, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6350. Dimple Podborny, Petitioner *v.* Ohio. On petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County. The motion of petitioner 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 Ohio, Cuyahoga County, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6475. Bobby Caldwell, Petitioner *v.* Mississippi. On petition for writ of certiorari to the Supreme Court of Mississippi. The motion of petitioner 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 Supreme Court of Mississippi for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987) and *Allen v. Hardy*, 477 U. S. — (1986).

No. 85-6549. Vernon Evans, Petitioner *v.* United States. 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* 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 Fourth Circuit for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6552. Edward F. Jackson, Petitioner *v.* Ohio. On petition for writ of certiorari to the Court of Appeals of Ohio, Hamilton County. The motion of petitioner 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 Ohio, Hamilton County, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6558. Daniel R. Tinsley, Petitioner *v.* Virginia. On petition for writ of certiorari to the Supreme Court of Virginia. The motion of petitioner 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 Supreme Court of Virginia for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6642. Nathaniel Allen, Petitioner *v.* Illinois. On petition for writ of certiorari to the Appellate Court of Illinois, Second District. The motion of petitioner 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 Appellate-Court of Illinois, Second District, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6645. Anthony Grandison, Petitioner *v.* United States. 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* 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 Fourth Circuit for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6660. Sylvester Green, Petitioner *v.* Illinois. On petition for writ of certiorari to the Appellate Court of Illinois, First District. The motion of petitioner 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 Appellate Court of Illinois, First District, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 85-6678. Raymond Walker, Petitioner *v.* Ohio. On petition for writ of certiorari to the Court of Appeals of Ohio, Stark County. The motion of petitioner 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 Ohio, Stark County, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 86-5095. Rodney Kelly, Petitioner *v.* United States. 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* 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 Fourth Circuit for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 86-5198. L. C. Kirk, Petitioner *v.* Illinois. On petition for writ of certiorari to the Appellate Court of Illinois, First District. The motion of petitioner 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 Appellate Court of Illinois, First District, for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 86-5255. Lorenzo Allen, Frances Sylvester Lindsay, Roger Lee Harrell, Petitioners *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. The motion of petitioners 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 Fourth Circuit for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 86-5266. Thomas Cleve Hines, Petitioner *v.* Alabama. On petition for writ of certiorari to the Court of Criminal Appeals of Alabama. The motion of petitioner 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 Criminal Appeals of Alabama for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 86-5345. James Wallace Jackson, 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* is granted. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Supreme Court of North Carolina for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

No. 86-5374. Glenn Ford, Petitioner *v.* Louisiana. On petition for writ of certiorari to the Supreme Court of Louisiana. The motion of petitioner 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 Supreme Court of Louisiana for further consideration in light of *Griffith v. Kentucky*, 479 U. S. — (1987).

#### ORDERS IN PENDING CASES

No. —. Guy C. Bullen, Petitioner *v.* Morris Derego, et al. The motion to direct the Clerk to file the petition for writ of certiorari without an affidavit of indigency is granted.

No. A-518. James R. Schwander and Carlota Schwander, Applicants *v.* Albert B. Cordova. The application for stay addressed to Justice Blackmun and referred to the Court is denied.

No. D-567. In the Matter of Disbarment of Joseph Kevin Kirwan. Disbarment order entered.

No. D-575. In the Matter of Disbarment of Russell T. Sickmen. Disbarment order entered.

No. D-577. In the Matter of Disbarment of Charles Julian Harrison. Disbarment order entered.

No. D-582. In the Matter of Disbarment of Harold Goodstein. Disbarment order entered.

No. D-584. In the Matter of Disbarment of Michael K. Fawell. Disbarment order entered.

No. D-593. In the Matter of Disbarment of Kenneth Dale Christner. Disbarment order entered.

No. D-595. In the Matter of Disbarment of Ronald L. Hartman. Ronald L. Hartman, of Encino, California, 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 January 12, 1987, is hereby discharged.

No. D-605. In the Matter of Disbarment of David Ross Clarke. It is ordered that David Ross Clarke, of Belton, South 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. D-606. In the Matter of Disbarment of Robert E. Knowles. It is ordered that Robert E. Knowles, of Bradenton, 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-607. In the Matter of Disbarment of Robert F. Eimers. It is ordered that Robert F. Eimers, of Coconut Grove, 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. 65, **Original**. State of Texas, Plaintiff *v.* State of New Mexico. The Exceptions to the Report of the Special Master are set for oral argument in due course.

No. 94, **Original**. State of South Carolina, Plaintiff *v.* James A. Baker, III, Secretary of the Treasury of the United States. The 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. Replies thereto, with supporting briefs, may be filed within 30 days.

No. 107, **Original**. State of Michigan, Plaintiff *v.* Edwin Meese, Attorney General of the United States. The motion for leave to file a bill of complaint is denied.

No. 85-1626. Charles Goodman, et al., Petitioners *v.* Lukens Steel Company, et al.; and

No. 85-2010. United Steelworkers of America, AFL-CIO/CLC, et al., Petitioners *v.* Charles Goodman, 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. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, et al. The motion of Bruce Cordray, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-71. CTS Corporation, Appellant *v.* Dynamics Corporation of America, et al.; and

No. 86-97. Indiana, Appellant *v.* Dynamics Corporation of America, et al. The motion of appellants for divided argument is granted.

No. 86-98. Gregory L. Rivera, Appellant *v.* Jean Marie Minnich. The motion of Oregon for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

No. 86-130. Vickie Lorene Rock, Petitioner *v.* Arkansas. The motion of Product Liability Advisory Council, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-179. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, et al., Appellants *v.* Christine J. Amos, et al.; and

No. 86-401. United States, Appellant *v.* Christine J. Amos, et al. The motion of the Solicitor General for divided argument is granted and the time is to be divided as follows: 15 minutes for appellants in No. 86-179 and 15 minutes for the Solicitor General in No. 86-401.

No. 86-234. Charles J. McNally, Petitioner *v.* United States; and

No. 86-286. James E. Gray, Petitioner *v.* United States. The motion of petitioners for divided argument is denied.

No. 86-243. City of Houston, Texas, Appellant *v.* Raymond Wayne Hill. The motion of National Institute of Municipal Law Officers for leave to file a brief as *amicus curiae*, out-of-time, is denied.

No. 86-322. Crawford Fitting Company, et al., Petitioners *v.* J. T. Gibbons, Inc.; and

No. 86-328. Champion International Corporation, Petitioner *v.* International Woodworkers of America, AFL-CIO/CLC. The motion of respondents for divided argument is granted. The motion of petitioners for divided argument is granted.

No. 86-327. Mullins Coal Company, Inc. of Virginia, et al., Petitioners *v.* Director, Office of Workers' Compensation Programs, United States Department of Labor, et al. The motion of petitioners to dispense with printing the joint appendix is granted.

No. 86-357. American Trucking Associations, Inc., et al., Appellants *v.* James I. Scheiner, Secretary, Department of Revenue, et al.

The motion of Yellow Freight System, Inc., et al. for leave to file a brief as *amici curiae* is granted.

No. 86-440. Bechtel, Inc., etc., Petitioner *v.* Thomas B. Webster, et al. The motion of the parties to defer consideration of the petition for a writ of certiorari is granted for 90 days.

No. 86-475. David C. Frazier, Petitioner *v.* Frederick J. R. Heebe, Chief Judge, United States District Court for the Eastern District of Louisiana, et al. The motion of American Corporate Counsel Association for leave to file a brief as *amicus curiae* is granted.

No. 86-497. Agency Holding Corporation, et al., Petitioners *p.* Malley-Duff & Associates, Inc., et al.; and

No. 86-531. Crown Life Insurance Company, et al., Petitioners *v.* Malley-Duff & Associates, Inc., et al. The motion of petitioners for divided argument is granted and the time is to be divided as follows: 10 minutes for petitioners in No. 86-497 and 20 minutes for petitioners in No. 86-531.

No. 86-940. Pacific First Federal Savings Bank, et al., Petitioners *v.* Wayne C. Rembold, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-958. Norwest Bank Worthington, et al., Petitioners *v.* James R. Ahlers, et ux. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-978. Sandra Gardebring, Commissioner of the Minnesota Department of Human Services, Petitioner *v.* Kathryn Jenkins. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-1052. Volkswagenwerk Aktiengesellschaft, Petitioner *v.* Herwig J. Schlunk, Administrator of Estates of Franz J. Schlunk and Sylvia Schlunk, Deceased. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-1115. Louisiana Land and Exploration Company, Petitioner *v.* Texaco, Inc. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-5020. John Booth, Petitioner *v.* Maryland. The motion of Stephanie Roper Foundation, Inc. for leave to file a brief as *amicus curiae*, out-of-time, is granted.

No. 86-5999. Ronald Turner, Petitioner *v.* Pansophic Systems, Inc. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 16, 1987, within which to pay the docketing fee required by Rule 45(a) and to submit a petition in compli-

ance 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. 86-6032. Joseph Gelb, Petitioner *v.* Royal Globe Insurance Company. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 16, 1987, 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. 86-6066. Curtis L. Wrenn, Petitioner *v.* Christian Hospital NE-NW, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 16, 1987, 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. 86-6093. Richard L. Presser, Petitioner *v.* Montgomery Ward & Company, etc. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 16, 1987, 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. 86-781. Kansas Gas and Electric Company, Appellant *v.* State Corporation Commission of Kansas, et al.; and

No. 86-793. Kansas City Power & Light Company, Appellant *v.* State Corporation Commission of Kansas, et al. Appeals from the Supreme Court of Kansas. The motion of Edison Electric Institute for leave to file a brief as *amicus curiae* is granted. In these cases probable

jurisdiction is noted. The cases are consolidated and a total of one hour is allotted for oral argument. Justice Powell took no part in the consideration or decision of this motion and these cases.

No. 86-1034. Virginia, Appellant *v.* American Booksellers Association, Inc., et al. Appeal from the United States Court of Appeals for the Fourth Circuit. In this case probable jurisdiction is noted. In addition to the Question Presented on appeal, the parties are directed to brief and argue the question of appellees' standing.

#### CERTIORARI GRANTED

No. 86-761. Cynthia A. Forrester, Petitioner *v.* Howard Lee White. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 86-803. Michael Boos, J. Michael Waller and Bridget Brooker, Petitioners *v.* Marion S. Barry, Jr., Mayor, District of Columbia, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 86-863. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Kenneth Kizer, Director of California Department of Health Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 86-937. United States, Petitioner *v.* Thomas O. Robinson, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 86-986. Eric J. Schneidewind, et al., Petitioners *v.* ANR Pipeline Company and ANR Storage Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 86-987. Alexander Haig, et al., Petitioners *v.* Gladys Bissonette, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 86-1021. Carnegie-Mellon University, et al., Petitioners *v.* Maurice B. Cohill, Jr., Judge, United States District Court for the Western District of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 86-1108. Vermont, Petitioner *v.* Rick Cox. Petition for writ of certiorari to the Supreme Court of Vermont granted.

No. 85-2079. Laborers Health and Welfare Trust Fund, for Northern California, et al., Petitioners *v.* Advanced Lightweight Concrete Co., Inc. The motion of National Coordinating Committee for Multiem-

ployer Plans for leave to file a brief as *amicus curiae* is granted. The motion of Laborers International Union of North America National (Industrial) Pension Fund for leave to file a brief as *amicus curiae* is granted. The motion of Construction Laborers' Trust Funds for Southern California 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.

No. 86-279. Basic Incorporated, et al., Petitioners *v.* Max L. Levinson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. The Chief Justice took no part in the consideration or decision of this petition.

No. 86-728. Bill Honig, California Superintendent of Public Instruction, Petitioner *v.* John Doe and Jack Smith. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to Questions 1 and 3 presented by the petition.

No. 86-870. Phillips Petroleum Company and Cinque Bambini Partnership, Petitioners *v.* Mississippi and Saga Petroleum U. S., Inc. The motion of Robert E. Longino, Jr., for leave to file a brief as *amicus curiae* is granted. The motion of City of Elizabeth, New Jersey, et al., for leave to file a brief as *amici curiae* granted. Petition for writ of certiorari to the Supreme Court of Mississippi granted.

No. 86-877. United States, Petitioner *v.* James Joseph Owens. 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. 86-6169. William Wayne Thompson, Petitioner *v.* Oklahoma. Motion of petitioner for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma granted.

#### CERTIORARI DENIED

No. 85-2001. Edward Evans, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Court of Appeals of Arkansas denied.

No. 86-239. Chemical Manufacturers Association, Petitioner *v.* Natural Resources Defense Council, Inc., et al.; and

No. 86-608. Chicago Association of Commerce and Industry, Illinois Manufacturers' Association and Mid-America Legal Foundation, Petitioners *v.* Natural Resources Defense Council, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-532. City of Los Angeles, et al., Petitioners *v.* Leroy Buttler and Donald Buttler. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-565. John R. Manson, Commissioner, Connecticut Department of Corrections, Petitioner *v.* Michael Alson and James Haskins. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-652. Maryland, Petitioner *v.* Steven Lamont Clark. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 86-680. Henry Clancy, Petitioner *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-735. Allegheny Electric Cooperative, Inc., Petitioner *v.* Federal Energy Regulatory Commission, et al.;

No. 86-736. Metropolitan Transportation Authority, Petitioner *v.* Federal Energy Regulatory Commission, et al.; and

No. 86-942. Rhode Island Public Utilities Commission and New Jersey Board of Public Utilities, Petitioners *v.* Metropolitan Transportation Authority, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-741. Manuel Binker, aka Manolo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-749. Board of Trustees of Alabama State University, Petitioner *v.* Alabama State Board of Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-762. Michael Cardo, Petitioner *v.* Joseph A. Murphy, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-763. W. Nyles Spurlock, Petitioner *v.* Lois E. Wren. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-775. Marsh Media, Ltd., Petitioner *v.* Federal Communications Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-792. Leopold Koppel and Paul Koppel, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-808. Albert Marchini, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-819. Glover Bottled Gas Corporation, et al., Petitioners *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-825. Gregory Jones and Byron K. Ware, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-826. Roger E. Thomas, Franklin K. Cook, Jr. and Donald J. Giarrantano, Petitioners *v.* United States; and Jack N. Ivy, Petitioner *v.* United States; and Mikey R. Smith, Petitioner *v.* United States; and Mark A. Thompson, Petitioner *v.* United States; and Larry C. Defibaugh, Petitioner *v.* United States; and John C. McCallum, Petitioner *v.* United States; and Mark A. Holmes, Petitioner *v.* United States; and Jeffery W. Schlote, Petitioner *v.* United States; and Kevin C. Shepherd, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-834. New Jersey District Court Association, Inc., et al., Petitioners *v.* Supreme Court of New Jersey, et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-835. Thompson Medical Company, Inc., Petitioner *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-847. Prudential Insurance Company of America, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-848. Jude R. Hayes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-854. Jeffrey Allen Meacham and Dennis Franklin Lozon, aka Denny Meacham, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-864. William B. Akers, et ux., Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-867. Miller Session, et ux., Petitioners *v.* I.T.O. Corporation of Ameriport. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-873. Antonio Mazza, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-874. Roger Dale Pittman, Petitioner *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied.

No. 86-881. Central States, Southeast and Southwest Areas Pension Fund, et al., Petitioners *v.* Kraftco, Inc., dba Sealtest Foods Division. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-883. Nescco, Inc. and Balarama's Enterprises, Inc., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-886. Linda Augustus, et al., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-888. David M. Franklin, Petitioner *v.* District of Columbia Court of Appeals. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-892. San Marcos County Water District, Petitioner *v.* San Marcos Unified School District. Petition for writ of certiorari to the Supreme Court of California denied.

No. 86-896. Bentley Laboratories, Inc., Petitioner *v.* Shiley, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-899. Morris Thigpen, Commissioner, Mississippi Department of Corrections, et al., Petitioners *v.* Larry Jones; and

No. 86-5924. Larry Jones, Petitioner *v.* Morris Thigpen, Commissioner, Mississippi Department of Corrections. Petitions for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-902. American Airlines, Inc., et al., Petitioners *v.* Roy E. Dooley, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-903. Cesario Zartuche, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-910. Exportadora Colombiana De Emeraldas Co., Ltd. and Jose Tomas Vargas Ortiz, Petitioners *v.* \$630,000 in U. S. Currency and United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-912. Al Vaughn, et al., Petitioners *v.* General Foods Corporation and Burger Chef Systems, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-914. Timothy S. Mihalcik, Petitioner *v.* Illinois Employers Insurance of Wausau. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-916. Jerry D. Carter, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, Third Circuit, denied.

No. 86-919. Limpert Brothers, 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. 86-921. Hughes A. Bagley, Petitioner *v.* IBP, Inc.; and

No. 86-956. IBP, Inc., Petitioner *v.* Hughes A. Bagley. Petitions for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-924. Nettie Jordan, Petitioner *v.* John Schroeder, Personal Representative for Estate of Herman Schroeder, Deceased. Petition for writ of certiorari to the Court of Appeals of Washington, Division 1, denied.

No. 86-929. Alphonse Della-Donna, Petitioner *v.* Gore Newspapers Company and Hamilton C. Forman. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 86-931. Irving Machleder, Petitioner *v.* CBS, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-945. WKRK-TV, Inc., Petitioner *v.* Dan Wiley. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-948. Calumet County, Wisconsin, Petitioner *v.* Donald J. Kossman and Warren Jodar. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-949. Argus Incorporated and Interphoto Corporation, Petitioners *v.* Eastman Kodak Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-959. Kelly Faloona and Brandon Faloona, by their next friend, Linda Fredrickson, Petitioners *v.* Hustler Magazine, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-961. Campbell Sales Company, Petitioner *v.* New York State Tax Commission. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-962. John Hutchinson, et al., Petitioners *v.* Margaret Miller, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. | |

No. 86-963. Brookpark News & Books, Inc., et al., Petitioners *v.* City of Cleveland, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 86-967. Pittsburgh and Lake Erie Railroad Company, Petitioner *v.* Donald E. Beissel. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-968. Geneva County Board of Education, Petitioner *v.* Maryann H. Hidle. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-969. Irving A. Kanarek, Petitioner *v.* Joseph Wambaugh, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-970. Manuel Binker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-971. James W. Robertson, Petitioner *v.* Alexander Grant & Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-972. Sally Hummel, Petitioner *v.* Peter Hummel. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 86-973. South Ranch Oil Company, Inc., Petitioner *v.* Seismic International Research Corp. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-975. Bernard L. Williams, Petitioner *v.* Overton Manor East Homeowners Association, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-976. California, Petitioner *v.* Leon Carnal Carey. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-984. Sylvia Behar, Petitioner *v.* Southeast Bank Trust Co., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-988. L. D. Jameson, Petitioner *v.* Bethlehem Steel Corporation Pension Plan of Bethlehem Steel Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-992. John E. Reardon, Petitioner *v.* Virginia Reardon, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-993. Richard C. Cox, Petitioner *v.* Charles Norton, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1001. Gray Hill, Inc., Petitioner *v.* Industrial Commission of Illinois, et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-1005. Sommers Drug Stores Company Employee Profit Sharing Trust, Petitioner *v.* Walter N. Corrigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1009. Bessie W. Coffelt, et vir, Petitioners *v.* Arkansas State Highway Commission. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 86-1010. Joseph Holyfield, Jr., and Larry Holyfield, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1011. Michael McGovren, Petitioner *v.* Superior Court of California, Alameda County (California, Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 86-1017. Santo DeJesus, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1018. Jerome B. Rosenthal, Petitioner *v.* Herbert Hafif, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1027. Sun-Land Nurseries, Inc., Petitioner *v.* Southern California District Council of Laborers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1028. Royal Netherlands Steamship Company, Petitioner *v.* Elida Quinto de Garcia, etc. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 86-1035. Joe J. Mayes, trading as Jackson Estates, Petitioner *v.* Jackson Township Rent Leveling Board, et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 86-1037. Joseph A. Iervolino, Petitioner *v.* Delta Air Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1041. Steven Ross Riggin, Petitioner *v.* Karen S. Riggin. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 86-1047. Unit Rig & Equipment Co., Petitioner *v.* Carl Sheldon. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1056. Frank J. Camoscio, Petitioner *v.* William Hewett. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 86-1058. Mildred Bailey Bell, Petitioner *v.* John Thomas Bell, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1066. Dalton Black Gibson, Petitioner *v.* Mobil Producing Texas & New Mexico, Inc., and Mobil Oil Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1069. John Wagner, et al., Petitioners *v.* Joseph C. Brazas, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1072. New York, Petitioner *v.* P. J. Video, Inc., dba Network Video, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-1073. Great Commonwealth Life Insurance Company, et al., Petitioners *v.* Branch Bank & Trust Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1075. John C. Meehan, Petitioner *v.* PPG Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1076. Benjamin Prieto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1078. Daniel Goichman, Petitioner *v.* Department of Motor Vehicles of the State of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1084. Harlan E. Boyles, et al., Petitioners *v.* Robert P. Almond, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1086. Candido A. Rivera, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-1087. A & E Supply Company, Inc., Petitioner *v.* Nationwide Mutual Fire Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1090. Eula Nation, Petitioner *v.* El Dorado School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1091. Roger R. Larson, Petitioner *v.* Gene C. O'Connell, et al. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 86-1093. Robert C. Guccione, Petitioner *v.* Hustler Magazine, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1094. Jon Tom Staton, Petitioner *v.* James K. Mayes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1097. Apollo of the Ozarks, Inc., et al., Petitioners *v.* Spiro Giotis and Malcolm Gillespie. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1100. Elbert Wilson, Petitioner *v.* International Ocean Transport Corporation, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1103. Demetrios Papadakis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1107. Daniel Henderson, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 86-1111. Derby Associates, Petitioner *v.* Seashore Club Condominium Association, Inc., et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-1112. Louis Tucker, et ux., and Christina Tucker, by her parents and guardians Louis Tucker, et ux., *Petitioners v. Ambassador Beach Hotel, et al.* Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 86-1113. Ralph Roger Bergman, 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.

No. 86-1117. Raymond Bartman, et al., *Petitioners v. Allis-Chalmers Corporation, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1120. Ubaldo DiBenedetto, *Petitioner v. Massachusetts, et al.* Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 86-1124. James Jackson, etc., *Petitioners v. Louisiana Department of Public Safety, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1130. Nola Arlene Allen, *Petitioner v. Supreme Court of Indiana, et al.* Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 86-1132. Alberto Lopez, *Petitioner v. New Mexico.* Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 86-1138. James Pelham, *Petitioner v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1139. Robert J. Neville, *Petitioner v. Frank A. Finnerty, Jr., et al.* Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-1142. Richard Moody, *Petitioner v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1182. Ronald L. Bodwell, 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. 86-1186. Victor Swierkowski and Larry Boucher, *Petitioners v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1189. William J. Georgius, Jr., *Petitioner v. Maryland.* Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-1195. Arthur W. Joyce, Petitioner *v.* Commissioner of Patents and Trademarks. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5476. Charles L. Brown, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-5483. A. Wendell Wheadon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5565. Phillip P. Jovanovic, 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. 86-5581. Curtis Walton, Petitioner *v.* T. 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. 86-5657. William Ronald Jefferies, 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. 86-5741. Johnny Taylor, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5752. James W. Lewis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5762. Vivian L. Walker, Petitioner *v.* Washington Metropolitan Area Transit Authority, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-5815. Joseph James McDermott, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5828. Jerome E. Heinemann, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5855. Frederick Pauli, Petitioner *v.* John Jabe, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5857. Robert Van Horn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5868. David L. Fowler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5911. Claude Joseph Waguespack, Petitioner *v.* Peavey Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5922. Bradford S. Taylor, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5928. Elsayed Akef Elshenawy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5946. Gerry D. Eggleston, Petitioner *v.* County of Santa Clara, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5961. Manuel G. Gomez, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-5976. Roberto Rodriguez-Mondragon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5982. Ariel George Falcon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5983. Michael Robert Bauer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5985. Pinkie A. Brown, Petitioner *v.* Retirement Committee of the Briggs & Stratton Retirement Plan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5988. Reginald Yancy, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 86-5989. Pearly Wilson, Petitioner *v.* George Denton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6006. Javier Lyda, et al., Petitioners *v.* John K. and Janice K., et al. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 86-6010. Warren H. Cox, Petitioner *v.* R. M. Muncy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6014. Robert William Bondurant, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6018. Emilia Carmona, Petitioner *v.* Secretary of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6019. Virgil C. Cole, Jr., Petitioner *v.* Peter A. Douglas, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6020. Thomas Blanding, Petitioner *v.* R. M. Muncy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6022. Robert Martin Barritt, Petitioner *v.* Donald Bordenkircher, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6025. Frank R. Sturm, Petitioner *v.* California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6028. William Mercado, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-6030. Matt Wilkie, Petitioner *v.* Dale Foltz, Regional Administrator, Michigan Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6036. Barry J. Weatherspoon, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied.

No. 86-6038. Johnny Traylor, 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. 86-6039. Tony L. C. Myers, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6041. Richard Fabian, Petitioner *v.* Robert A. Ryan, etc. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-6045. Saranelle Avedisian, Petitioner *v.* George C. Hubbard, et ux. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6046. John L. Reese, Petitioner *v.* James W. Fairman, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6047. James Ward, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-6048. Ibn S. Brown, Petitioner *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6051. Willie Dee Pritchett, Petitioner *v.* Frank A. Grisswold, Acting Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6052. Virginia Lois Pikop, Petitioner *v.* Burlington Northern Railroad Company, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6053. Miguel Angel Quinonez-Cienfuegos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6056. Henry Amos, 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. 86-6058. Eugene A. Graham, Jr., Petitioner *v.* Court of Appeal of California, Second Appellate District, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 86-6064. Fadee Mulazim, Petitioner *v.* Robert Redman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6065. David Wilkins, Petitioner *v.* S. E. Webb, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6068. Arnold L. Ruebke, Jr., Petitioner *v.* Kansas. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 86-6069. John Patterson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6070. John E. Fitzgibbons, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6072. Clarke Dunlap, Petitioner *v.* Steven L. Beshear, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6073. Jose Alberto, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 86-6075. Michael Joseph Heller, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-6077. John R. Kucher, Petitioner *v.* Antonio M. Maderios, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6078. Luis Tomas Jacob Leal, Petitioner *v.* Eric Dahlberg, Superintendent, Ohio State Reformatory. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6079. Muhammad Jalal Deen Akbar, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6080. Sayyid Mohammed Jawaid Iqbal Jafree, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6081. Willie Tom Little, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6083. Arturo Henao Buitrago, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6084. Morris T. Lewis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6086. Anthony Hardnett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6088. Linda R. Wright, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6089. Glen Mahoney, Petitioner *v.* South Dakota. Petition for writ of certiorari to the Supreme Court of South Dakota denied.

No. 86-6091. Anthony Wayne Oliver, Petitioner *v.* W. M. Bunnell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6095. Tracy L. Sheffy, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Harrisburg Office, denied.

No. 86-6096. David Wayne Isbell, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-6097. Willie Charles Jemison, 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. 86-6098. James Green, 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. 86-6099. Moses D. Chuwang, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6100. Michael Leehan, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 86-6102. David W. Ball, Petitioner *v.* 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. 86-6104. Ronald Calvin Dillow, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6110. Louis Siano, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 86-6112. Orrin Shaid, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6113. Roy D. Van Gossen, Petitioner *v.* Texaco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6115. Frank L. King, Petitioner *v.* Dwight W. Thompson. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 86-6116. Donnie G. Freeman, Petitioner *v.* J. C. Keeney, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6117. Earl M. Buchanan, Petitioner *v.* John D. Rees, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6118. Darwin Haselhuhn, Petitioner *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 86-6119. Daniel Henderson Jones, Petitioner *v.* William Murphy Howard, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6122. Joseph Ferlito, Petitioner *v.* Commissioner of Correction of New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6126. Tony L. C. Myers, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6127. Warren Curtis James, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6128. James T. Jackson, Petitioner *v.* Lanson Newsome, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6131. Donald E. Armstrong, 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. 86-6132. Benito G. Alonzo, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6135. James Walker, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6136. Vernon Martin, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 86-6137. Marshall P. Safir, Petitioner *v.* United States Lines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6138. Stanley Douglas Powell, Petitioner *v.* Michael L. Fiori, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6140. Jan L. Wallace, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 86-6141. Luther R. Bartrug, et al., Petitioners *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 86-6142. Gregory Lewis Johnson, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-6144. William Hale Conger, Petitioner *v.* Louisiana, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6146. Leon Tysko, Petitioner *v.* Ronald J. Haigh, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6147. Robert W. Russell, Petitioner *v.* David Garraghty, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6149. Johnny Rule, 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. 86-6151. Michael Charles Ward, Petitioner *v.* Michigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6152. Guillermo Rojas-Gonzalez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6153. John Ike Griffith, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6155. Perry L. McBride and Roy Villanueva, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6157. Lisa A. Miller, Administratrix of the Estate of Raymond Miller, Deceased, Petitioner *v.* Mecklenburg County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6158. Sammy Herrera Venegas, Petitioner *v.* United States; and

No. 86-6198. Eddie Adrian Vindiola, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6162. Grant Clark, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6165. Bruce Bottiglierie and Karl Nejes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6172. Herbert Sperling, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6174. Robert Louis Nicholas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6178. Gabriel Montoya, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6181. Allen Henkel, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6186. Domingo Fernandez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6189. Alberto Rodriguez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6211. Bobby Jean Parker, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 85-6783. Patrick H. Wright, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 85-7008. John Charles Lesko, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 85-7016. Tommy Floyd, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 85-7232. David Loomus Cargill, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5207. Samuel Morgan, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5434. Perry Olinger, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5599. Ulece Montgomery, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5801. James Earl Hill, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5906. John Szabo, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5958. Richard M. Cooper, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5994. Reginald Brooks, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5997. Buddy Earl Justus, Petitioner *v.* Gary Bass, Superintendent, Mecklenburg Correctional Center. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6017. Steven Douglas Hill, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6026. Freddie Lee Wright, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6033. Vernon F. Cooper, 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. 86-6092. Askari Abdullah Muhammad, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6194. Donald William Dufour, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-589. Charles Edward Krupps, et al., Petitioners *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Justice Marshall would grant certiorari.

No. 86-830. Celcom Communications Corporation of Pennsylvania, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-882. Jane Hodgson, et al., Petitioners *v.* Minnesota, et al.; and

No. 86-1114. Minnesota, et al. Petitioners *v.* Jane Hodgson, et al. The petitions for a writs of certiorari before judgment to the United States Court of Appeals for the Eighth Circuit are denied.

No. 86-885. Boston and Maine Corporation, Petitioner *v.* R. M. Lenfest, Jr., et al. The motion of National Railway Labor Conference 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. 86-893. Jackson Water Works, Inc., and Citizens Utilities Company, Petitioners *v.* Public Utilities Commission of California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White and Justice Powell would grant certiorari.

No. 86-938. Tennessee, Petitioner *v.* Lamar Fletcher. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied.

No. 86-965. Michael Miller, et ux., et al., Petitioners *v.* Mark Sullivan, et al. Petition for writ of certiorari to the Court of Appeals of Arizona, Division Two, denied. Justice O'Connor took no part in the consideration or decision of this petition.

No. 86-981. Major Media of the Southeast, Inc., dba Neagele Outdoor Advertising Co. of Raleigh-Durham, Petitioner *v.* City of Raleigh.

The motion of North Carolina Restaurant Association for leave to file a brief as *amicus curiae* is granted. The motion of Outdoor Advertising Association of America, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Advertising Council 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 Fourth Circuit denied.

No. 86-982. William T. Hanton, Petitioner *v.* Robert E. Kennedy, Jr., 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 Sixth Circuit denied.

No. 86-1003. Thomas Salinas, et al., Petitioners *v.* Roadway Express, Inc., et al. The motion of respondent Roadway Express, Inc. for damages is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1036. Double Rainbow Gourmet Ice Creams, Petitioner *v.* United States District Court for the Northern District of California (Pillsbury Company Inc., et al., Real Parties in Interest). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 86-5996. Curtis A. Barksdale, et al., Petitioners *v.* International Business Machines Corporation. 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. 86-6074. Herbert R. Gormong, Petitioner *v.* Cleveland Electric Company of Georgia, Inc. Petition for writ of certiorari to the Court of Appeals of Georgia denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 86-1039. Township of Piscataway, et al., Petitioners *v.* New Jersey Citizen Action, et al. 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. 86-1109. Kathryn Celauro, Commissioner of Revenue of the State of Tennessee, Petitioner *v.* Midland Bank & Trust Company, 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 Supreme Court of Tennessee, Western Division, denied.

No. 86-1123. Religious Technology Center, et al., Petitioners *v.* Larry Wollersheim, 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. 86-1196. Herman Sanford Bennett, Petitioner *v.* Texas. The application for stay addressed to Justice Brennan and referred to the Court is denied. The petition for a writ of certiorari to the Court of Criminal Appeals of Texas is denied.

No. 86-5846. Richard A. Hovey, Petitioner *v.* Daniel J. McCarthy, Director, California Department of Corrections. 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 California denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5902. George Michael Gwaltney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice Blackmun would grant certiorari.

#### COMMON LAW CERTIORARI DENIED

No. 86-1025. In Re Earlene Polyak, Petitioner. The petition for common law writ of certiorari is denied.

#### HABEAS CORPUS DENIED

No. 86-6161. In Re Alan Humphrey, Petitioner; and

No. 86-6261. In Re Louis Sogioian, Petitioner. The petitions for writs of habeas corpus are denied.

#### MANDAMUS DENIED

No. 86-6011. In Re Billy Grisso, Petitioner;

No. 86-6111. In Re Kwasi M. Seitu, Petitioner; and

No. 86-6123. In Re Peter R. Johl, Petitioner. The petitions for writs of mandamus are denied.

#### REHEARINGS DENIED

No. 86-615. Hewlette Rogers Brown; Petitioner *v.* Marjorie Ann Brown;

No. 86-619. Marie A. Allen, Petitioner *v.* Chilton Co.;

No. 86-667. Earlene Polyak, Petitioner *v.* Buford Evans & Sons;

No. 86-5761. Joel Bratton-Bey, Petitioner *v.* Comptroller of the Treasury;

No. 86-5863. James R. DuBose, Sr., Petitioner *v.* United States;

No. 86-5886. Ronald W. Telepo, Petitioner *v.* C. Cary Edwards, et al.; and

No. 86-5942. Mona Lisa Taft-Tsarelka, Petitioner *v.* Massachusetts, et al. The petitions for rehearing are denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul R. Adams Jr.	Tallahassee, FL	Steven Wisner Huss
John Gaylord Admire	Coral Gables, FL	Irv J. Lamel
William Sidney Aldridge	Raleigh, NC	Elizabeth Anania
Kenneth P. Alex	San Francisco, CA	David Warren Hamilton
Roy Alexander Jr.	Houston, TX	Milton Henry Fried
David C. Andersen	Grand Rapids, MI	Joseph G. Scoville
Robert Thomas Andersen Jr.	Riverside, CA	Spencer E. Covert Jr.
James Harold Anderson	Montgomery, AL	Harry Cole
Joe Weldon Bailey II	Houston, TX	Michael J. Hinton
Thomas Joseph Balch	Chicago, IL	Joseph Bopp Jr.
Leonard B. Barson	Seattle, WA	Lynn Lincoln Sarko
Bruce A. Barsook	Los Angeles, CA	Roert Maltby Dohrmann
Walter L. Bartholomew Jr.	Philadelphia, PA	Ralph W. Brenner
Ben M. Barton	Dallas, TX	Fred Time
Garrett Beaumont	Sacramento, CA	Ramon M. De La Guardia
Robert C. Bell Jr.	Washington, DC	Norton Jay Come
Patricia Watkins Bennett	Jackson, MS	Edwin Lloyd Pittman
Reuben A. Bernick	Chicago, IL	Theodore Arthur Shapero
Timothy Arthur Bittle	Sacramento, CA	Robert Kellogg Best

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Janyce Keiko Imata Blair	Los Angeles, CA	Kazuhisa Abe
James Alexander Bledsoe Jr.	Jacksonville, FL	George L. Hudspeth
Marc Bogatin	New York, NY	Stanley S. Arkin
Lee P. Breckenridge	Boston, MA	Francis X. Bellotti
Jeffery Robert Brewer	Wichita, KA	Richard T. Foster
Andrew Edward Briseno	Sacramento, CA	W. Austin Cooper
Robert B. Broughton	Raleigh, NC	Elizabeth Anania
Kingsley Richard Browne	San Francisco, CA	James Christopher Faras
James Woolsey Bruce	Evanston, IL	Thomas P. McLaughlin
Jeffrey Miles Bryant	San Francisco, CA	John Hideki Sugiyama
Minor Ferris Buchanan	Jackson, MS	E. Hugh Cunningham Jr.
Paul Willard Burke	Atlanta, GA	Clayton Henson Farnham
John Michael Burkoff	Pittsburgh, PA	Bernard D. Marcus
Virginia Pipes Butler	Washington, DC	Michael Francis Healy
Mark Wiley Butterfield	Fremont, CA	Raymond Elliot Frost
Virginia Celia Cairns	Marshall, MI	Phillip E. Harter
Anthony Calvello	West Palm Beach, FL	Richard L. Jorandby
Oswaldo Carlo-Linares	San Juan, PR	Daniel F. Lopez- Romo
Timothy J. Carlson	Yakima, WA	Donald Hobart Bond
Frank N. Carney	Memphis, TN	David C. Scruggs
Ted W. Cassman	Berkeley, CA	Penelope M. Cooper
Gregory L. Ceshker	Dallas, TX	Harold Eugene Vanberg Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Vincent Taylor Cheatham	Birmingham, AL	John David Roy Atchison
Ronald Kevin Chen	Berkeley Heights, NJ	Judge Leonald I. Garth
Mark Robert Chilson	Dayton, OH	Frederick N. Young
Nathaniel Heyward Clarkson III	Greenville, SC	Frank Huger Gibbes III
Richard R. Clouse	Upland, CA	Patrick L. Graves
David Neil Clyde	Hereford, TX	Roland Saul
John James Coleman III	Birmingham, AL	James Hugh Miller III
Hope A. Comisky	Philadelphia, PA	Robert W. Maris
Stephen James Connolly	Clarendon Hills, IL	Stephen Michael Deitsch
James douglas Cottrell	Urbana, IL	Joseph William Phebus
Gregory Byrd Crampton	Raleigh, NC	Elizabeth Anania
Steven Leon Cranford	Arkansas City, KS	John Samuel Choate Jr.
Dale E. Creech Jr.	Dayton, OH	David C. Greer
Janice Eileen Crossland	Akron, OH	Harold Kipling Stubbs
Lloyd Reid Cunningham	Houston, TX	Grant Cook
Richard Emmett Cunningham	Chicago, IL	Emily Eisner
John E. Daniel	New York, NY	John Edward Kidd
Montie S. Day	Oakland, CA	Richard Joseph Sideman
George B. Dean	Boston, MA	Francis X. Bellotti
David Carl Degner	Hillsboro, OR	Sidley I. Lezak
Jefrey John DelFuoco	Philadelphia, PA	Joseph P. Testa
Bruce Sutherland Deming	Washington, DC	Robert A. Backus
Michael Joseph Deodati	Staten Island, NY	James A. Dollard
Richard Kenneth Diamond	Los Angeles, CA	David Alan Gill
Norman C. Dick	Longview, WA	Barry Joseph Dahl

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Franklin G. Dinces	Seattle, WA	John T. Piper
Nicholas John Dombalis II	Raleigh, NC	Elizabeth Anania
Jesse Victor Dominguez	Tampa, FL	Joseph H. Ficarrotta
Timothy J. Dow	Fort Collins, CO	David R. Brougham
Terry A. Ekl	Clarendon Hills, IL	Stephen Michael Deitsch
Rita Sue Eppler	Columbus, OH	Joel Sanford Taylor
George Wensel Estess	Pensacola, FL	Josel D. Eaton
Elaine Diane Etingoff	Santa Ana, CA	Ronald Angelo Mollis
Vito Matteo Evola	Chicago, IL	Arthur Mortimer Solomon
Bertram Fields	Los Angeles, CA	Sidley J. Machtinger
Gary Stewart Fishman	Cleveland, OH	John Edward Duda
Oldrich Foucek III	Allentown, PA	Paul A. McGinley
Albert DeBate Frasier	Atlanta, GA	Robert Earl Wilson
David C. Frazier	Pascagoula, MS	Gary L. Roberts
Marcia L. Friedl	Chicago, IL	Mark L. Rotert
Jack I. Garvey	San Francisco, CA	J. Thomas McCarthy
Sheila McDonald Gill	Washington, DC	James Norman Bierman
Douglas Eugene Gonano	Fort Pierce, FL	C. R. McDonald Jr.
Kenneth Eugene Goode	Houston, TX	Billy E. Lee
William Kevin Goode	Houston, TX	Billy E. Lee
Robert Arthur Grantham	Los Angeles, CA	William Blackshear Burge
Martin L. Greenberg	Roseland, NJ	Stephen Neil Dratch
Thomas B. Greene III	Houston, TX	Gus August Schill Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David C. Greenhaw	Odessa, TX	Kathleen McCollum McCulloch
Susan A. Gromis	Pittsburgh, PA	Bernard D. Marcus
Andrew J. Groszer Jr. Janet Louise Grove	Cockeysville, MD San Francisco, CA	Charles Lee Nutt Daniel Broyles MacLeod
Rita Williamson Gruber	North Little Rock, AR	Paul Dean Capps
Wayne Andrew Gruber	North Little Rock, AR	Paul Dean Capps
William August Grunewald Jr.	Wisconsin Rapids, WI	Corliss V. Jensen
Will A. Hadden Jr.	Odessa, TX	Phillip Eugene Godwin
Mikael George Hahner Jonathan Haile William Peter Hapaniewski	Detroit, MI Springfield, IL Chicago, IL	Gary C. Berger Daniel D. Yuhas James Nicholas Gramenos
Barry Joseph Hards	Houston, TX	Joseph Houston Rentz Jr.
Irvin H. Harlamert Jr.	Dayton, OH	Frederick N. Young
Dorothy Anna Harper Thomas B. Harper III	Los Angeles, CA Philadelphia, PA	Joseph L. Feldun C. Clark Hodgeon Jr.
Daniel Bishop Harrell	Fort Pierce, FL	John Timothy Chandler
Lee S. Harris	San Francisco, CA	Lowell H. Sucherman
James Mayer Harris Jr. Michael Lee Hertzberg	Beaumont, TX New York, NY	John G. Tucker Eric M. Lieberman
Carla Jean Higginson	Friday Harbor, WA	Frederick Charles Canovor Jr.
Stanley Goumas Hilton Wesley H. Hocker	San Francisco, CA Houston, TX	J. Richard Doyle Miron Anderson Love

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas More Hollenhorst	Alexandria, VA	David F. Durenberger
Gary L. Holmen	Los Angeles, CA	Laurence Richard Clarke
David Earl Honig	Berlin, MD	Squire Padgett Jr.
Phillip D. Hout	Newport, AR	Sam H. Boyce
Steven G. Howard	Newport, AR	Sam H. Boyce
Ladson F. Howell	Beaufort, SC	Colden R. Battey Jr.
William C. Hsu	Los Angeles, CA	Maxwell Michael Blecher
Stephen P. Hughes	Beaufort, SC	Colden R. Battey Jr.
Maria D. Hummer	Los Angeles, CA	Alan I. Rothenberg
Craig R. Hunt	Champaign, IL	William R. Scott
Allan Ides	Los Angeles, CA	Michael E. Wolfson
Donald William Jansen	Phoenix, AZ	Donald Gilbert Isaacson
Diane Irene Jennings	Chicago, IL	Hugh C. Griffin
William Ken Johnson	Lubbock, TX	John Carver Ross Jr.
W. Merritt Jones Jr.	Detroit, MI	Timothy David Wittlinger
George W. Jones Jr.	Washington, DC	Rex E. Lee
Steven Ray Katzenstein	New York, NY	William I. Sussman
William J. Kayatta Jr.	Portland, ME	Fred C. Scribner Jr.
Michael Keeley	Dallas, TX	Bryan Kent Ford
Gregory Martin Kennan	Cambridge, MA	Alan J. Roth
Chaim Tzvi Kiffel	Chicago, IL	Richard F. Levy
Larry E. Killebrew	Memphis, TN	Leo M. Bearman
Philip Clyde Kimball	Louisville, KY	Cecil Davenport
George Kimball	Los Angeles, CA	William R. Nicholas
Edward John King	Chicago, IL	Michael J. Hayes

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth H. King Jr.	Nashville, TN	Alison Steiner
Mark T. Kobata	Los Angeles, CA	Wayne E. Barlow
David C. Kohler	Richmond, VA	Alexander Wellford
David P. Kula	Homewood, IL	Albert Lynn Himes
Peter G. Kumpe	Little Rock, AR	Philip S. Anderson Jr.
Henry F. Laird Jr.	Gulfport, MS	Webb M. Mize
Deanna F. Lamb	Cupertino, CA	Keith C. Monroe
Hugh R. Law	St. Louis, MO	Henry C. Lowenhaupt
Mark Alan LeVine	Miami, FL	Joel H. Brown
Neal Leader	Norman, OK	David William Lee
Wendell George Lindsay Jr.	Baton Rouge, LA	Ralph Brewer
Joel Linzner	San Francisco, CA	Michael N. Khourie
Samuel D. Lipshie	Nashville, TN	Peter Harwood Curry
David A. Logan	Washington, DC	Milton Eisenberg
James B. Loper	Tampa, FL	Guy W. Spicola
Michael Wallace Low	San Francisco, CA	John G. Milano
Charles A. Lowenhaupt	St. Louis, MO	Henry C. Lowenhaupt
John Finlay MacLennan	Jacksonville, FL	Daniel Ray Coffman Jr.
Glenn P. Marcel	Baton Rouge, LA	Ralph Brewer
Charles Stevenson Matlock Jr.	Dallas, TX	Jack Pew Jr.
William W. McAllister Jr.	Easton, MD	Michael Joseph Jacobs
Bryan L. McDougal	Salt Lake City, UT	R. Clark Arnold
Bruce W. McGee	Fort Worth, TX	Donald Oliver Pratt
Victoria Knight McHenry	New Orleans, LA	Dando B. Cellini
H. D. McNamara Jr.	Metairie, LA	Antonio E. Papale Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas D. McNeese	Columbia, MI	Dorrance Aultman
Robert Alan Merring	Los Angeles, CA	Frederic S. Le Clercq
Marilyn B. Miles	Eureka, CA	Michael Ramsey Sherwood
John Bernard Miller	San Diego, CA	Clyde C. Greco Jr.
Allen S. Miller	Detroit, MI	Gary C. Berger
Albert J. Millus Jr.	Binghamton, NY	John M. Keeler
Robert A. Morrow III	Houston, TX	Janet Elizabeth Morrow
Kaladharan M. G. Nayar	Berkeley, CA	Donald L. Ungar
Richard V. Neill Jr.	Fort Pierce, FL	Richard V. Neill
Daniel J. Nichols	Sioux Falls, SD	N. Dean Nasser Jr.
Michael Brendan Nicholson	Ann Arbor, MI	Jordan Rossen
E. Leon Nicholson	Newport, AR	Sam H. Boyce
A. P. Jack Nixon	Natchez, MS	Forrest A. Johnson
Kenneth M. Novack	Portland, OR	Jacob B. Tanzer
Alfred H. Novotne	Houston, TX	Floyd Thomas Curry
Dennis Richard O'Connor	Orlando, FL	William Marvin Hardy III
Lynne J. Omlie	Washington, DC	William E. Wallace III
Theresa Lynn Osterman	Columbia, MD	Gerald Murray Richman
Paul Papak	Iowa City, IA	Barbara A. Schwartz
Ann Mason Parker	Coral Gables, FL	Leonard Frishman
Dennis A. Pennington	Baton Rouge, LA	A. J. Spedale
Sam John Polverino	San Jose, CA	Gregory Constantine Baraskou
J. Stephen Poor	Chicago, IL	Gerald Dunlap Skoning
Stephen J. Powell	Washington, DC	Harold Peter Goldfield

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Donald Ray Price	Santa Ana, CA	Ronald Angelo Mollis
Timothy Alan Provis	Santa Clara, CA	Victor D. Vertner
Barbetta Meyer Ralphs	Tacoma, WA	Frederic C. Tausend
James R. Raup	Austin, TX	Shannon H. Ratliff
Steven Gordon Reade	Washington, DC	Richard J. Wertheimer
James Rebholz	New Orleans, LA	Gerald I. Fisher
Gail Ruth Reizenstein	Silver Spring, MD	Susan Schreiber Bowers
John Hubbard Rich III	Portland, ME	Richard Goodwin Moon
Alan Elliott Richman	Denver, CO	Thomas L. Roberts
Roger Taylor Rigney	Elizabethtown, KY	Stuart McCloy
Adelbert Carl Robinson	Muskogee, OK	Edwin L. Gage
Michael E. Rohde	Dallas, TX	Bryan Kent Ford
Peter James Rusthoven	Indianapolis, IN	Fred F. Fielding
David Lee Rutland	Annapolis, MD	James T. Wharton
James S. Salkin	Baltimore, MD	Timothy James Doory
Charles Fernando Sanders	New York, NY	O. Peter Sherwood
Jerome J. Savoy	Elyria, OH	David Anthony Myers
Phyllis Schlafly	Alton, IL	Herbert Brownell Jr.
John William Schlicher	San Francisco, CA	Robert P. Taylor
Terrance E. Schmidt	Jacksonville, FL	Samuel S. Jacobson
Stephen G. Schwarz	Rochester, NY	John Allan Bryant Jr.
Robert Lee Simmons	Orange, CA	Bonnie Kay McNeil
Andrew Thomas Sinclair Jr.	Oakland, CA	Stewart Weinberg

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul Ethan Slater	Chicago, IL	Gerald Diamond Mindell
Douglas E. Smith	Las Vegas, NV	Gary Howard Lieberman
Craig John Smith	Easton, PA	Charles Slack Smith
Jay M. Smyser	Chicago, IL	R. R. McMahan
Bruce Samuel Sperling	Chicago, IL	Gerald Diamond Mindell
John Leland Spiegel	Bucyrus, OH	John D. Sears Jr.
Henri Ilene Spiegel	Miami, FL	David Spiegel
Stephen Jay Spitz	Chicago, IL	Gerald Diamond Mindell
Christopher J. St. John	Greenville, PA	Geo. Hardy Rowley
William B. Steinbach	Peoria, IL	Thomas James Donlon
John Hampton Stennis	Jackson, MS	James Lawrence Jones
Henry Mark Stichel	Baltimore, MD	William L. Marbury Jr.
Robert I. Stier	Seattle, WA	Richard H. Holmquist
Don Lee Stockett	Sacramento, CA	Gregory Ford Gilbert
Michael P. Stone	Los Angeles, CA	Michael B. Lewis
James L. Stone	Denver, CO	Marvin Sherk Sloman
William T. Street	Saginaw, MI	Alison Steiner
J. Thomas Susich	Carson City, NV	Norman Herring
Anne E. Tate	New Orleans, LA	George J. Domas
Marvin Dell Thaxton	Newport, AR	Sam H. Boyce
Charles Welch Tiedemann	Washington, DC	Henry H. Glassie
Robert Edwin Turffs	Sarasota, FL	Robert S. McDaniel Jr.
Peter J. Turner	Dallas, TX	Neil J. O'Brien
Samuel E. Upchurch Jr.	Birmingham, AL	William G. Somerville Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Nicholas Van Wiser	Biloxi, MS	Cyril Thomas Faneca Jr.
Frank K. Walsh	Albany, NY	William Joel Kogan
Dennis Grant Webb	Knoxville, TN	James Swan Tipton Jr.
Randall Gordon Wells	Baton Rouge, LA	Daniel Lanaway Avant
Ruth Rudbarg Wessel	Philadelphia, PA	Kenneth Lee Oliver Jr.
Gregory H. Wheeler	Philadelphia, PA	Stephen A. Madva
Hurley Partin Whitaker	Orlando, FL	Dean Churchill Colson
Marc F. Wiegand	Houston, TX	William Key Wilde
Caroline Williams	Akron, OH	Harold Kipling Stubbs
Patrick J. Williams	Clarendon Hills, IL	Stephen Michael Deutsch
William M. Wohl	Cleveland, OH	Robert S. Sweeney
Sarah R. Wolff	Chicago, IL	Dean Arthur Dickie
Benjamin Churchill Wood	Lawrence, KS	Lewis C. Carter
Wayne R. Young	Santa Monica, CA	Brian James O'Neill
Barnaby W. Zall	Washington, DC	Roger L. Conner
Thomas M. Zarr	Salt Lake City, UT	Kim Royal Wilson
Robert Alan Zick	Washington, MO	William D. Kimme

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Stanton Whitehead	Chicago, IL	Rex E. Lee
Thomas J. Knapp	Chicago, IL	Richard James Schreiber

## ORAL ARGUMENTS

No. 86-39. Burlington Northern Railroad Company, et al., Petitioners *v.* Brotherhood of Maintenance of Way Employees, et al. Argued by Mr. Rex E. Lee for the petitioners and by Mr. John O'B. Clarke, Jr., for the respondents.

No. 85-1520. Russell Anderson, Petitioner *v.* Robert E. Creighton, Jr., et ux., et al. Argued by Mr. Andrew J. Pincus for the petitioner and by Mr. John Patrick Sheehy, *pro hac vice*, by special leave of Court, for the respondents.

No. 86-80. New York, Petitioner *v.* Joseph Burger. Argued by Ms. Elizabeth Holtzman for the petitioner and by Mr. Stephen R. Mahler for the respondent.

No. 85-1940. United States, Petitioner *v.* Cherokee Nation of Oklahoma. Argued by Mr. Jeffrey P. Minear for the petitioner and by Mr. James Wilcoxon for the respondent.

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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 Powell, Justice Stevens, Justice O'Connor and Justice Scalia.

## OPINIONS

No. 85-693. *Asahi Metal Industry Co., Ltd., Petitioner v. Superior Court of California, Solano County (Cheng Shin Rubber Industrial Co., Ltd., Real Party in Interest)*. On writ of certiorari to the Supreme Court of California. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Justice O'Connor announced the judgment of the Court and delivered the unanimous opinion of the Court with respect to Part I, the opinion of the Court with respect to Part II-A, and the opinion with respect to Parts II-A and III, in which the Chief Justice, Justice Powell and Justice Scalia join. Opinion by Justice Brennan concurring in part and concurring in the judgment with whom Justice White, Justice Marshall and Justice Blackmun join. Opinion by Justice Stevens concurring in part and concurring in the judgment with whom Justice White and Justice Blackmun join.

No. 85-732. *Western Air Lines, Inc., et al., Appellants v. Board of Equalization of the State of South Dakota, et al.* Appeal from the Supreme Court of South Dakota. Judgment affirmed. Opinion by Justice O'Connor. Concurring opinion by Justice White.

No. 85-759. *Maryland, Petitioner v. Harold Garrison*. On writ of certiorari to the Court of Appeals of Maryland. 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. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

No. 85-1347. *Pennsylvania, Petitioner v. George F. Ritchie*. On writ of certiorari to the Supreme Court of Pennsylvania, Western District. Judgment affirmed in part, reversed in part and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Justice Powell announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, II, III-B, III-C, and IV, and an opinion with respect to Part III-A in which the Chief Justice, Justice White and Justice O'Connor join. Opin-

ion by Justice Blackmun concurring in part and concurring in the judgment. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Dissenting opinion by Justice Stevens with whom Justice Brennan, Justice Marshall and Justice Scalia join.

No. 85-1226. Commissioner of Internal Revenue, Petitioner *v.* Robert P. Groetzinger. 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 White with whom the Chief Justice and Justice Scalia join.

No. 85-1088. Burlington Northern Railroad Company, Petitioner *v.* Alan Woods and Cara Woods. 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 Marshall.

No. 85-1589. Iowa Mutual Insurance Company, Petitioner *v.* Edward M. LaPlante, 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 Marshall. Opinion by Justice Stevens concurring in part and dissenting in part.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Terence M. Madsen	Chicago, IL	Jill Wine-Banks
Jack Donatelli	Chicago, IL	Jill Wine-Banks
Stephen Lucas Swann	Springfield, TN	Samuel Lucas Swann
Andrew M. Hochberg	Richmond, MA	Robert W. Bruce, Jr.
Frank Everett Couper	Baltimore, MD	Arthur Robb Butler
Oliver S. Thomas	Washington, DC	Samuel D. McIlwain
Frederick F. Burgess, Jr.	Washington, DC	Alfred F. Bridgman, Jr.

#### ORAL ARGUMENTS

No. 85-1581. Richard Solorio, Petitioner *v.* United States. Argued by Lt. Cmdr. Robert W. Bruce, Jr., for the petitioner, by Mr. Eugene

R. Fidell for the American Civil Liberties Union as *amicus curiae* supporting the petitioner, by special leave of Court, and by Mr. Solicitor General Charles Fried for the respondent.

No. 85-1973. Richard Pope and Charles G. Morrison, Petitioners *v.* Illinois. Argued by Mr. Glenn A. Stanko for the petitioners and by Ms. Sally Louise Dilgart for the respondent.

No. 85-2039. United States, Petitioner *v.* Frieda Joyce Johnson, Personal Representative of the Estate of Horton Winfield Johnson, Deceased, etc., et al. Argued by Mr. Donald B. Ayer for the petitioner and by Mr. Joel D. Eaton for the respondents.

No. 85-6790. Waldo E. Granberry, Petitioner *v.* Jim W. Greer, Warden. Argued by Mr. Howard B. Eisenberg for the petitioner and by Miss Marcia L. Friedl for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-1658. Federal Communications Commission, et al., Appellants *v.* Florida Power Corporation, et al.; and

No. 85-1660. Group W Cable, Inc., et al., Appellants *v.* Florida Power Corporation, et al. Appeals from the United States Court of Appeals for the Eleventh Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice Marshall. Concurring opinion by Justice Powell with whom Justice O'Connor joins.

No. 85-1708. California, et al., Appellants *v.* Cabazon Band of Mission Indians, et al. Appeal from the United States Court of Appeals for the Ninth 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 White. Dissenting opinion by Justice Stevens with whom Justice O'Connor and Justice Scalia join.

No. 85-6461. Earline Martin, Petitioner *v.* Ohio. On writ of certiorari to the Supreme Court of Ohio. Judgment affirmed. Opinion by Justice White. Dissenting opinion by Justice Powell with whom Justice Brennan and Justice Marshall join, and with whom Justice Blackmun joins with respect to Parts I and III.

No. 85-993. Paula A. Robbie, Appellant *v.* Unemployment Appeals Commission of Florida and Lawton & Company. Appeal from the District Court of Appeal of Florida, Fifth District. Judgment reversed. Opinion by Justice Brennan. Opinion by Justice Powell concurring in the judgment. Opinion by Justice Stevens concurring in the judgment. Dissenting statement by the Chief Justice.

No. 85-999. United States, Petitioner *v.* Phillip Paradise, Jr., et al. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed. Justice Brennan announced the judgment of the Court and delivered an opinion in which Justice Marshall, Justice Blackmun and Justice Powell join. Concurring opinion by Justice Powell. Opinion by Justice Stevens concurring in the judgment. Dissenting opinion by Justice O'Connor with whom the Chief Justice and Justice Scalia join. Dissenting opinion by Justice White.

No. 85-1217. City of Springfield, Massachusetts, Petitioner *v.* Lois Thurston Kibbe, Administratrix of Estate of Clinton Thurston. On writ of certiorari to the United States Court of Appeals for the First Circuit. The writ of certiorari is dismissed as improvidently granted. See *Belcher v. Stendel*, 429 U. S. 118 (1976). Opinion *per curiam* announced by the Chief Justice. Dissenting opinion by Justice O'Connor with whom the Chief Justice, Justice White and Justice Powell join.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Irvin Nathan Shapell	Washington, DC	Kevin J. Lipson
Raymond Francis Sekula	Pittsburgh, PA	Patrick Joseph Basial
Frances M. D'Antuono	Washington, DC	Ronald Alton Goodbread
William Cato Cramer, Jr.	Panama City, FL	William Cato Cramer
Mark Clifton Cramer	Charlotte, NC	William Cato Cramer

#### ORAL ARGUMENTS

No. 85-2156. Shaare Tefila Congregation, et al., Petitioners *v.* John William Cobb, et al. Argued by Ms. Patricia A. Brannan for the petitioners and by Mrs. Deborah T. Garren for the respondents.

No. 85-2169. Saint Francis College, et al., Petitioners *v.* Majid Ghaidan Al-Khazraji, etc. Argued by Mr. Nick S. Fisfis for the petitioners and by Miss Caroline Mitchell for the respondent.

No. 85-1924. National Labor Relations Board, Petitioner *v.* International Brotherhood of Electrical Workers, Local 340. Argued by Mr. Jerrold J. Ganzfried for the petitioner and by Mr. Laurence J. Cohen for the respondent.

No. 85-1804. Thomas West, Petitioner *v.* Conrail, et al. Argued by Mr. Paul Alan Levy for the petitioner and by Mr. Laurence Gold for the respondents.

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Adjourned until Monday, March 2, 1987 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 Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-1135. Bill J. Cory, Appellant *v.* Virginia. Appeal from the Court of Appeals of Virginia. The appeal is dismissed for want of a substantial federal question.

No. 86-1175. Eddie Thompson, Jr.; Appellant *v.* Robert F. Stephens, Chief Justice, Kentucky Supreme Court, et al. Appeal from the Supreme Court of Kentucky. The appeal is dismissed for want of jurisdiction.

No. 86-5829. Allen H. Kissner, Appellant *v.* South Dakota. Appeal from the Supreme Court of South Dakota. The appeal is dismissed for want of jurisdiction.

No. 86-6156. Mary D. S. Peters, Appellant *v.* Morgan J. McCutcheon, et al. Appeal from the United States District Court for the District of South Carolina. The appeal is dismissed for want of jurisdiction.

No. 86-6320. Evelyn Zerman, Appellant *v.* Kenneth Wolofsky, et al. Appeal from the District Court of Appeal of Florida, Fourth 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. 86-839. Ralph C. Behning, et ux., Petitioners *v.* Camelback Ski Corporation. On petition for writ of certiorari to the Court of Appeals of Maryland. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeals of Maryland for further consideration in light of *Asahi Metal Industry Co., Ltd. v. Superior Court of California*, 480 U.S. — (1987).

No. 86-1050. Richard L. Dugger, Secretary, Florida Department of Corrections, et al., Petitioners *v.* Earnest Lee Miller and William Riley

Jent. On petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The motions of respondents for leave to proceed *in forma pauperis* are 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 Eleventh Circuit for further consideration in light of *Pennsylvania v. Ritchie*, 480 U.S. — (1987).

#### ORDERS IN PENDING CASES

No. —. Larry Hacker, Petitioner *v.* United States. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. —. Evan J. Henry, Petitioner *v.* Minnesota Public Utilities Commission. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. —. Charles R. Stevens and Louise Helen Jahncke Stevens, Petitioners *v.* Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. D-568. In the Matter of Disbarment of Richard Keith Mountain. Disbarment order entered.

No. D-594. In the Matter of Disbarment of John R. Cerame. Disbarment order entered.

No. D-608. In the Matter of Disbarment of Benjamin D. Share. It is ordered that Benjamin D. Share, 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-609. In the Matter of Disbarment of Daniel Joseph Connolly. It is ordered that Daniel Joseph Connolly, of Concord, New Hampshire, 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-610. In the Matter of Disbarment of Vincent Cabrera Lopez. It is ordered that Vincent Cabrera Lopez, 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-611. In the Matter of Disbarment of Thomas C. Brickle. It is ordered that Thomas C. Brickle, of Fond du Lac, Wisconsin, be sus-

pended 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 City of Alamogordo, New Mexico, 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. 106, **Original.** State of Illinois, Plaintiff *v.* Commonwealth of Kentucky. It is ordered that the Honorable Robert Van Pelt, Senior Judge of the United States District Court for the District of Nebraska, is 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 Master is directed to submit such reports as he may deem appropriate.

The Master shall be allowed his actual expenses. The allowances to him, the compensation paid to his technical, stenographic and clerical assistants, the cost of printing his report, and all other proper expenses shall be charged against and be borne by the parties in such proportion as the Court may hereafter direct.

It is further ordered that if the position of Special Master in this case becomes vacant during a recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court.

No. 84-1602. Jack Anderson, et al., Petitioners *v.* Liberty Lobby, Inc. and Willis A. Carto. The motion of respondents to retax costs is denied. Justice Scalia took no part in the consideration or decision of this motion.

No. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, et al. The motion of Stephen Null for leave to file a brief as *amicus curiae*, out-of-time, is denied.

No. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. The motion of Center for Constitutional Rights, et al. for leave to file a brief as *amici curiae* is granted. The motion of Johnny Harris, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-281. John William Ray, Petitioner *v.* United States. Further consideration of the motion of the Solicitor General to vacate judgment is deferred to the hearing of the case on the merits

No. 86-509. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Beaty Mae Gilliard, et al.; and

No. 86-564. David T. Flaherty, Secretary, North Carolina Department of Human Resources, et al., Appellants *v.* Beaty Mae Gilliard, et al. The motion of the Solicitor General for divided argument is granted.

No. 86-595. United States, Petitioner *v.* Joseph A. Fausto. The motion of respondent to amend the question presented is denied. The motion of respondent to file a brief *pro se* is granted. The motion of respondent to present oral argument *pro se* is denied. John M. Nannes, Esquire, of Washington, D.C., 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. 86-935. Regents of the University of California, Appellant *v.* Public Employment Relations Board, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-1145. Timothy A. Patrick, Petitioner *v.* William M. Burget, et al. The motion of Joint Commission on Accreditation of Hospitals, 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. Justice Blackmun took no part in the consideration or decision of these orders.

No. 86-6296. Dorothy Lambert, Petitioner *v.* Director, Office of Workers' Compensation Programs, etc. The motion of petitioner to consolidate this case with No. 86-327, *Mullins Coal Co. v. Director, Office of Workers' Compensation Programs*, is denied.

No. 86-6367. In Re William T. Gray, III. The application for stay addressed to Justice Scalia and referred to the Court is denied.

#### APPEALS—JURISDICTION NOTED OR POSTPONED

No. 86-1042. City of Lakewood, Appellant *v.* Plain Dealer Publishing Co. Appeal from the United States Court of Appeals for the Sixth Circuit. In this case probable jurisdiction is noted.

No. 86-753. Richard Pennell and Tri-County Apartment House Owners Association, Appellants *v.* City of San Jose and City Council of San Jose. Appeal from the Supreme Court of California. The motion of California Association of Realtors for leave to file a brief as *amicus*

*curiae* is granted. The motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of California Apartment Association for leave to file a brief as *amicus curiae* is granted. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits.

#### CERTIORARI GRANTED

No. 86-714. Rodney P. Westfall, et al., Petitioners *v.* William T. Erwin, Sr., and Emely Erwin. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit granted.

No. 86-939. Energy Transportation Systems, Inc., Petitioner *v.* Missouri, et al.; and

No. 86-941. Donald P. Hodel, Secretary of the Interior, et al., Petitioners *v.* Missouri, et al. The motion of petitioner in No. 86-939 to substitute ETSI Pipeline Project as petitioner in place of Energy Transportation Systems, Inc. is granted. The petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit are granted. The cases are consolidated and a total of one hour is allotted for oral argument.

#### CERTIORARI DENIED

No. 85-6828. Ricky Knight, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-562. Dorothy M. Thompson, et al., Petitioners *v.* Ralph E. Kennickell, Jr. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-603. Helen Abels, et al., Petitioners *v.* Monroe County Education Association. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 86-611. Cosmo J. Caterino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-887. Larry W. Passage, et al., Petitioners *v.* Prudential-Bache Securities, Inc., et al. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 86-904. Robert B. Trainer and Sirin D. Trainer, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-922. Michael M. Rand, et al., Petitioners *v.* Anaconda-Ericsson, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-977. Ruth Thomas, Petitioner *v.* Joe D. Rhodes. Petition for writ of certiorari to the Court of Appeals of Texas, Second District, denied.

No. 86-985. Goleta Water District, et al., Petitioners *v.* A. Frank McMillan, et ux.; and

No. 86-1150. A. Frank McMillan, et ux., Petitioners *v.* Goleta Water District, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1014. Arace Brothers, et al., Petitioners *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-1062. Dorothy E. Dreyer, Petitioner *v.* ARCO Chemical Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1074. Louis G. Eastman, et al., Petitioners *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1077. Battery World, Inc., et al., Petitioners *v.* Exide Corporation. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 86-1129. Paul G. Evans, Petitioner *v.* United States District Court for the District of Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1133. 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.

No. 86-1137. Benjamin Perlman, Petitioner *v.* City of Chicago, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1147. Lawndale Medical Supply, Inc., et al., Petitioners *v.* Department of Registration and Education of the State of Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-1148. Carolyn V. Hogan, Petitioner *v.* Myrtle Springs Reverted Independent School District and Wills Point Independent

School District. Petition for writ of certiorari to the Court of Appeals of Texas, Sixth District, denied.

No. 86-1156. D. E. Rhoden, Petitioner *v.* Michael Littles. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1167. Richard L. Anderson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1169. Lawrence R. Rosano, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1173. Basil Chris Elias, Petitioner *v.* Illinois Attorney Registration and Disciplinary Commission. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-1203. Warren R. Pitts, Petitioner *v.* Commissioner of Patents and Trademarks. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1212. Rickey Whitehead, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1241. Glenn L. Rudell, et al., Petitioners *v.* Comprehensive Accounting Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1244. Stoney Gene Golden, Petitioner *v.* Clarence W. Dupnik, Sheriff, Pima County, Arizona (Arizona, Real Party in Interest). Petition for writ of certiorari to the Court of Appeals of Arizona, Division Two, denied.

No. 86-1249. Jack B. Karlin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1254. Frederick Tupper Saussy, III, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1264. Fleet Wallace Maull, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1268. Charles Warren Stelly, et ux., Petitioners *v.* Commissioner of Internal Revenue; and Charles Warren Stelly, et ux., Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of

certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1275. Jack L. Dickie, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5579. Marrion Logan, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-5827. Luis Raul Bueno-Hernandez, Petitioner *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 86-5861. Carson W. Mungo, Petitioner *v.* Stephen H. Drewes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5926. John Andrew Greschner and Ronnie Joe Criswell, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5964. Lyle E. Nelson, Petitioner *v.* Herman Solem, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5986. Vito Matarese, Petitioner *v.* Eugene LeFevre, Superintendent, Clinton Correction Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5987. Jose Rodriguez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5992. Charles Coleman, 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. 86-5993. Franklin Cuevas, 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. 86-6062. Freddie Strauder, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6076. William Stephen Courtney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6125. A. Douglas Thompson, Petitioner *v.* Richard Olson, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6154. Robert Earl Townsend, Petitioner *v.* Dale Foltz, Administrator, Michigan Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6160. Juan Moreno Haines, Petitioner *v.* A. A. Stagner, Superintendent, Correctional Training Facility at Soledad. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6164. Henry Lee Dixon, 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. 86-6166. Joseph Reynolds Garcia, 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. 86-6167. Abdullah Jihad Al-Jaami, Petitioner *v.* Jimmy Harrison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6168. Talakkottur R. David, Petitioner *v.* American Telephone & Telegraph Co., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6173. Carl Dwight Todd, Petitioner *v.* Tennessee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6176. John Clements Walter, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6177. James Lenard Small, Petitioner *v.* W. R. Barker, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6187. Harry T. Oliveri, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6192. Louis George Giavasis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6218. George Jones, Petitioner *v.* Charles Zimmerman, Superintendent, State Correctional Institution and Correctional Diagnostic Classification Center at Graterford. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6229. Richard Combs, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6244. Robert S. Howell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6250. Robert J. Andrews, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6259. Lawrence R. McCubbins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6317. George McNeill, Petitioner *v.* Charles Scully, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6329. Walter Lee Brown, Petitioner *v.* Ross Gearinger, Superintendent, Men's Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-832. Dan L. Bolden, Warden, Petitioner *v.* John Merlo. 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. 86-1064. Mario M. Cuomo, Governor of New York and Thomas A. Coughlin, III, Commissioner, New York Department of Correctional Services, Petitioners *v.* Richard J. Koehler, etc., et al. The motion of inmate respondents 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.

No. 86-1159. TCI Cablevision, Inc., et al., Petitioners *v.* Central Telecommunications, Inc. The motion of Media Institute 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.

No. 86-5867. James Calhoun, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Dissenting statement by Justice Brennan. Dissenting opinion by Justice Marshall.

No. 86-5965. Stephen L. Morgan, 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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-5991. Joseph Mulligan, 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. Justice Blackmun would grant certiorari.

No. 86-6094. William Boyd Tucker, 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. Justice Blackmun would grant certiorari.

No. 86-6204. Jasper Newton McMurtrey, III, Petitioner *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6227. Ed Clifford Thomas, 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.

#### REHEARINGS DENIED

No. 85-7163. Thaddeus M. Lockhart, Petitioner *v.* O. L. McCotter, Director, Texas Department of Corrections;

No. 86-359. Aristides Castro Gonzalez, Appellant *v.* Puerto Rico, et al.;

No. 86-710. Edwin Slade, Petitioner *v.* United States of Mexico;

No. 86-726. Walter Baker, Petitioner *v.* Los Angeles Herald Examiner, et al.;

No. 86-745. Vermont Department of Social and Rehabilitation Services, Petitioner *v.* Otis R. Bowen, Secretary, Department of Health and Human Services, et al.;

No. 86-918. City and County of San Francisco, etc., et al., Petitioners *v.* Christian Science Reading Room Jointly Maintained, etc., et al.;

No. 86-5510. Barry Jay Feldman, Petitioner *v.* United States;

No. 86-5632. Paul Scinto, Petitioner *v.* United States;

No. 86-5724. Timothy N. Tauvar, Petitioner *v.* Bar Harbor Congregation, etc.;

No. 86-5735. Bobby Lee Hubbard, Petitioner *v.* John F. Onion, etc.;

No. 86-5757. Harold H. Royal, Petitioner *v.* Exxon U.S.A. Chemical Department;

No. 86-5882. Carl Douglas Harrison, Petitioner *v.* Otis R. Bowen, Secretary, Department of Health and Human Services; and

No. 86-5978. Jessie D. McDonald, Appellant *v.* Alabama. The petitions for rehearing are denied.

No. 86-5809. Aljoe Poindexter, Petitioner *v.* Federal Bureau of Investigation. The petition for rehearing is denied. Justice Scalia took no part in the consideration or decision of this petition.

#### RECESS ORDER

The Court will take a recess from Monday, March 9, 1987, until Monday, March 23, 1987.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
M. Clay Alspaugh	Birmingham, AL	William Wayne Smith
Michael William Baker	Phoenix, AZ	Ronald S. Reinstein
Paul Baldasare Jr.	Durham, NC	Jane Roney Wettach
Virgil Victor Becker Jr.	Pasadena, CA	Virgil Victor Becker
Gregory L. Benik	Providence, RI	James DiPrete Jr.
David a. Borkovic	Pittsburgh, PA	Joseph A. Katarincic
Robert E. Boston	Nashville, TN	William Earl Boston
James P. Brady	Toms River, NJ	Robert F. Novins
Henry L. Burkholder III	Houston, TX	Peter William Lewis
Jack Gardiner Carnegie	Houston, TX	Emil Thomas Bayko

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
H. Miles Cohn	Houston, TX	Marc E. Grossberg
Joseph Charles Corsino	Flossmoor, IL	Lawrence G. Dirksen
G. Allen Dale	Washington, DC	Jean F. Dwyer
Nancy Elizabeth Ebb	Washington, DC	James David Weill
Michael Jay Faigen	Ewing, NJ	John J. Degnan
Charles K. Faillace	New York, NY	Glenn William Dopf
Scott Michael Finical	Phoenix, AZ	Calvin H. Udall
Ann Marie Flynn	New York, NY	Constantine P. Lambos
William N. Fordes	Brooklyn, NY	Mark H. Berger
Thomas Land Fowler	Durham, NC	Jane Roney Wettach
Richard A. Gammick	Sparks, NV	Mills Lane
Michael J. Hammons	Covington, KY	James C. Ware
Karen Marie Harbeck	Kalamazoo, MI	Thomas C. Grassia
Richard Ray Harris	Detroit, MI	Clarence McKinley Bradfield
Michael William Stephen Hayes	Weymouth, MA	Marvin Peter Nerseth
Gary Stewart Heggs	St. Charles, MO	Richard K. Zerr
Jerald S. Howe Jr.	Washington, DC	Matthew Joel Zinn
Michael A. Isaacs	San Francisco, CA	Wayne Lloyd Bender
Ronald S. Javor	Sacramento, CA	Catherine Morrison Bishop
Paul J. Kaleta	Washington, DC	John R. Ferguson
David Arthur Kalow	New York, NY	John Niebrugge Romans
Michael L. Kaplan	Brooklyn, NY	Leonard Goldstein
Karl Lovick Kellar	Washington, DC	Erwin N. Griswold
John R. LaParl	Kalamazoo, MI	Lorenzo Thompson Bennett Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Guy Paul Land	Eupora, MS	John Cornelius Stennis
Albert Russell Larson	Jackson, TN	Judge James Dale Todd
Daniel Crim Lavery Stanley A. Leasure	Tarzana, CA Fort Smith, AR	Jerome Cohen James Edwin West
Harry Arthur Lentz Jr.	Tulsa, OK	Patrick Arthur Williams
Douglas Brian Levinson	Santa Monica, CA	Burton S. Levinson
William Joseph Madden	Hays, KS	Craig Anson Stancliffe
Samuel McClendon	Washington, DC	Thomas H. Henderson Jr.
Daniel McIntyre Clarence E. McManus Eric L. Merl	Pittsburgh, PA Metairie, LA Santa Barbara, CA	Robert Palkovitz Paul R. Maddox Robert Marshall Sanger
Albert Peter Mokhiber	Washington, DC	James G. Abourezk
Thomas A. Nash Jr.	Savannah, GA	Upshaw C. Bentley Jr.
Ilene Jacquelyn Nathan	Baltimore, MD	Edward Julius Angeletti
Carl S. Pedigo Jr.	Savannah, GA	Richard James Harris
Alan M. Pollack Andrew H. Raines John Glover Roberts Jr.	New York, NY Memphis, TN Alexandria, VA	Martin Max Ween David C. Scruggs Chief Justice William H. Rehnquist
Susan Salisbury Kent Stephen Scheidegger Judith Ann Scott	Philadelphia, PA Sacramento, CA Washington, DC	Francis M. Milone Burnham Enersen Michael Hill Holland
Douglas Paul Seaton	Minneapolis, MN	Raymond Alfred Haik

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Carole N. Siskovic	Cleveland, OH	Sheldon Stein
Dennis L. Slivinski	San Buenaventura, CA	James L. McBride
Sanford K. Smith	Arcadia, CA	Paul Lindsey Hoffman
Karen Leigh Snell	San Francisco, CA	Judith Ellen Kurtz
Gwendolyn Spivey	Tallahassee, FL	Wm. J. Sheppard
Mark Randolph Stelmach	Pittsburgh, PA	Robert Charles Mitchel
Essie F. Stevens	Potomac, MD	Raymond Bamidele Thompson
John K. Stewart	San Francisco, CA	Daniel M. Crawford
Michael L. Stibich	Johnstown, PA	Gary L. Costlow
Andrew C. Storar	Dayton, OH	William L. Havemann
Jack Anthony Strellis	Waterloo, IL	John M. Ferguson
John Marshall True III	San Francisco, CA	Claudia Wilken
Martyn Willem Diepeveen Verster	Miami, FL	Richard J. Burton
Roy B. Ward	Flagstaff, AZ	Daniel J. Stoops
James L. Webster	Chicago, IL	Michael A. Moses
Mark Wilensky	Miami, FL	James T. Carlisle
Randy Dean Witzke	Oklahoma City, OK	Robert Louis Huckaby
Donald E. Woody	Springfield, MO	O. J. Taylor

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Theodore Sternklar	New York, NY	Ira Drogin
Garold Edward Tennis	Philadelphia, PA	Gaele McLaughlin Barthold
Mark N. Sternberger	Philadelphia, PA	Ann Carol Lebowitz

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Elizabeth Barry Haynes	St. Augustine, FL	Rogert W. Langsdorf
Adolf Olivas	Hamilton, OH	Alan I. Robbins
William David Wheeler	Newport Beach, CA	Joyce Holmes Benjamin
Thomas Conrad Wood	Costa Mesa, CA	Joyce Holmes Benjamin

#### ORAL ARGUMENTS

No. 85-1208. Fall River Dyeing & Finishing Corp., Petitioner *v.* National Labor Relations Board. Argued by Mr. Ira Drogin for the petitioner and by Mr. Louis R. Cohen for the respondent.

No. 85-2099. Pennsylvania, Petitioner *v.* Dorothy Finley. Argued by Mrs. Gaele M. Barthold for the petitioner and by Ms. Catherine M. Harper for the respondent.

No. 86-71. CTS Corporation, Appellant *v.* Dynamics Corporation of America, et al.; and

No. 86-97. Indiana, Appellant *v.* Dynamics Corporation of America, et al. Argued by Mr. James A. Strain for the appellant in No. 86-71, by Mr. John F. Pritchard for the appellant in No. 86-97, and by Mr. Lowell E. Sachnoff for the appellees in both cases.

No. 85-1963. Tyler Pipe Industries, Inc., Appellant *v.* Washington Department of Revenue; and

No. 85-2006. National Can Corporation, et al., Appellants *v.* Washington State Department of Revenue. Argued by Mr. D. Michael Young for the appellants in No. 85-2006, by Mr. Neil J. O'Brien for the appellant in No. 85-1963, and by Mr. William Berggren Collins for the appellees in both cases.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Dennis Lee Stout	Rancho Cucamonga, CA	E. Clay Shaw, Jr.
William Charles Zapalac	Austin, TX	Charles A. Palmer

## OPINIONS

No. 85-1027. Arizona, Petitioner *v.* James Thomas Hicks. On writ of certiorari to the Court of Appeals of Arizona, Division One. Judgment affirmed. Opinion by Justice Scalia. Concurring opinion by Justice White. Dissenting opinion by Justice Powell with whom the Chief Justice and Justice O'Connor join. Dissenting opinion by Justice O'Connor with whom the Chief Justice and Justice Powell join.

No. 85-998. United States, Petitioner *v.* Ronald Dale Dunn. 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. Concurring statement by Justice Scalia. Dissenting opinion by Justice Brennan with whom Justice Marshall joins.

No. 85-1277. School Board of Nassau County, Florida and Craig Marsh, Individually and as Superintendent of Schools of Nassau County, Florida, Petitioners *v.* Gene H. Arline. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed. Opinion by Justice Brennan. Dissenting opinion by the Chief Justice with whom Justice Scalia joins.

## ORAL ARGUMENTS

No. 86-104. Board of Airport Commissioners of the City of Los Angeles, et al., Petitioners *v.* Jews for Jesus, Inc. and Alan Howard Snyder, aka Avi Snyder. Argued by Mr. James R. Kapel for the petitioners and by Mr. Jay Alan Sekulow for the respondents.

No. 85-1656. James A. Lynaugh, Interim Director, Texas Department of Corrections, Petitioner *v.* Gregory Allen Petty. Argued by Mr.

Charles A. Palmer for the petitioner and by Mr. John R. Breihan for the respondent.

No. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, et al. Argued by Mr. Theodore A. Krebsbach for the petitioners, by Mr. Richard G. Taranto for the Security Exchange Commission as *amicus curiae*, supporting petitioners, by special leave of Court, and by Mr. Theodore Grant Eppenstein for the respondents.

No. 85-2067. United States, Petitioner *v.* Jose Mendoza-Lopez and Angel Landeros-Quinones. Argued by Mr. Christopher J. Wright for the petitioner and by Ms. Kathy Goudy for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Sara Beth Morgan Brown	Reno, NV	Evan J. Wallach
Dan Michael Berkovitz	Washington, DC	E. Leo Slaggie

## ORAL ARGUMENTS

No. 85-1672. United States, Petitioner *v.* William D. Merchant. Argued by Mr. Paul J. Larkin, Jr., for the petitioner and by Ms. Penelope M. Cooper for the respondent.

No. 85-1206. Charlie Wayne Rose, Appellant *v.* Barbara Ann McNeil Rose and Tennessee. Argued by Mr. Jerry S. Jones for the appellant, by Mr. Roger Clegg for the United States, as *amicus curiae* supporting appellant, by special leave of Court, and by Mr. Howell H. Sherrod, Jr., for appellee, Barbara Ann McNeil Rose and by Mr. W. J. Michael Cody for the appellee, Tennessee.

No. 85-1630. Lowell D. Hewitt, et al., Petitioners *v.* Aaron Helms. Argued by Mr. Thomas G. Saylor, Jr., for the petitioners, by Mr. Lawrence G. Wallace for the United States, as *amicus curiae* supporting petitioners, by special leave of Court, and by Mr. Robert Harold Vesely for the respondent.

No. 85-1716. Jean E. Welch, Petitioner *v.* State Department of Highways and Public Transportation, et al. Argued by Mr. Michael D. Cucullu for the petitioner and by Mr. F. Scott McCown for the respondents.

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Adjourned until Monday, March 9, 1987 at 10 o'clock.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-1178. Clay W. Dippel, Appellant *v.* Taco Bell Corp. Appeal from the Court of Appeals of Missouri, 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. 86-1198. Chevron U.S.A. Inc., Appellant *v.* LOR, Inc., et al. Appeal from the Court of Appeal of Louisiana, First Circuit. The appeal is dismissed for want of a substantial federal question.

No. 86-6266. Paul Lynn Middleton, Appellant *v.* Oregon. Appeal from the Court of Appeals of Oregon. The appeal is dismissed for want of a substantial federal question.

## CERTIORARI—SUMMARY DISPOSITION

No. 86-5699. Robert William Gorman, Petitioner *v.* Maryland. On petition for writ of certiorari to the Court of Special Appeals of Maryland. The motion of petitioner 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 Special Appeals of Maryland for further consideration in light of *Griffith v. Kentucky*, 479 U.S. — (1987).

## ORDERS IN PENDING CASES

No. —. Virgil Lee Evans, Petitioner *v.* Dale Foltz, Warden. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. —. Drivers, Chauffeurs and Helpers Local Union No. 639, a/w International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Petitioner *v.* National Labor Relations Board, et al. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. A-535. Thaddeus C. Lewingdon, et al., Applicants *v.* Richard F. Celeste, et al. The application for certificate of probable cause addressed to the Chief Justice and referred to the Court is denied.

No. A-610. In Re Edith M. Gracey, aka Mrs. J. Raymond Gracey. The application for stay addressed to Justice O'Connor and referred to the Court is denied.

No. A-633. Dorothy A. Graham, etc., Applicant *v.* Teledyne-Continental Motors, etc., et al. The application for recall and stay of mandate and injunction addressed to the Chief Justice and referred to the Court is denied. Justice Brennan and Justice Stevens would grant the application.

No. D-578. In the Matter of Disbarment of Edward C. Alker. Disbarment order entered.

No. D-596. In the Matter of Disbarment of Stuart R. Kramer. Disbarment order entered.

No. D-612. In the Matter of Disbarment of James Bing. It is ordered that James Bing, 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-613. In the Matter of Disbarment of George Sassower. It is ordered that George Sassower, of White Plains, 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-614. In the Matter of Disbarment of William Leon Briggs. It is ordered that William Leon Briggs, of Fort Wayne, Indiana, 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-615. In the Matter of Disbarment of Maurice Meier Abrahams. It is ordered that Maurice Meier Abrahams, 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-616. In the Matter of Disbarment of Kit Conelly Decious. It is ordered that Kit Conelly Decious, of Brooklyn, New York, 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. 85-1835. California, Petitioner *v.* Peter Rooney. The motion of respondent for divided argument is denied.

No. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, et al. The motion of Carvel Gordon Dillard for leave to file a brief as *amicus curiae*, out-of-time, is denied.

No. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. The motion of respondent for divided argument is denied.

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 Joan S. Tozer, et al. for leave to file a brief as *amici curiae* is granted. Justice Powell took no part in the consideration or decision of this motion.

No. 86-497. Agency Holding Corporation, et al., Petitioners *v.* Malley-Duff & Associates, Inc.; and

No. 86-531. Crown Life Insurance Company, et al., Petitioners *v.* Malley-Duff & Associates, Inc., et al. The motion of A.J. Cunningham Packing Corp., et al. for leave to file a brief as *amici curiae* is granted. The motion of HMK Corporation for leave to file a brief as *amicus curiae* is granted.

No. 86-1383. New York Land Company, et al., Petitioners *v.* Republic of the Philippines. The application of respondent for extension of time within which to file a brief in opposition to the petition for writ of certiorari, presented to Justice Marshall and by him referred to the Court, is granted and the time is extended to and including April 24, 1987. Justice Marshall took no part in the consideration or decision of this application.

No. 86-5020. John Booth, Petitioner *v.* Maryland. The motion of Sunny Von Bulow National Victim Advocacy Center, Inc., et al. for leave to file a brief as *amici curiae*, out-of-time, is denied.

#### APPEAL—JURISDICTION NOTED

No. 85-1765. Bankers Life and Casualty Company, Appellant *v.* Lloyd M. Crenshaw. Appeal from the Supreme Court of Mississippi. In this case probable jurisdiction is noted. Justice Stevens took no part in the consideration or decision of this case.

#### CERTIORARI GRANTED

No. 86-787. Cecil Hicks, District Attorney for County of Orange, California, Acting on Behalf of Alta Sue Feiock, Petitioner *v.* Phillip

William Feiock. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, granted.

No. 86-957. John A. Liljeberg, Jr., Petitioner *v.* Health Services Acquisition Corp. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 86-622. Eugene Traynor, Petitioner *v.* Thomas K. Turnage, Administrator, Veterans' Administration and Veterans Administration. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit; and

No. 86-737. James P. McKelvey, Petitioner *v.* Thomas K. Turnage, Administrator of Veterans' Affairs, et al. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The petitions for writs of certiorari are granted. 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 petitions.

No. 86-946. Employment Division, Department of Human Resources of the State of Oregon, et al., Petitioners *v.* Alfred L. Smith; and

No. 86-947. Employment Division, Department of Human Resources of the State of Oregon, et al., Petitioners *v.* Galen W. Black. Petitions for writs of certiorari to the Supreme Court of Oregon granted. The cases are consolidated and a total of one hour is allotted for oral argument.

No. 86-995. Michael F. Murray, Petitioner *v.* United States; and

No. 86-1016. James D. Carter, Petitioner *v.* United States. The petition for writ of certiorari in No. 86-995 to the United States Court of Appeals for the First Circuit is granted limited to Question I presented by the petition. The petition for writ of certiorari in No. 86-1016 to the United States Court of Appeals for the First Circuit is granted limited to Question II presented by the petition. The cases are consolidated and a total of one hour is allotted for oral argument.

#### CERTIORARI DENIED

No. 85-359. County of Wayne, et al., Petitioners *v.* Salvatore Marchese. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-1048. Roger Vippolis and Deborah Vippolis, Petitioners *v.* Village of Haverstraw, New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 85-1192. City of Shepherdsville, Kentucky and Ben Still Well, Petitioners *v.* Paul Dale Rymer. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-1485. Alfreda Walker, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 85-1585. City of Borger, Texas, et al., Petitioners *v.* Sharon Grandstaff, Individually and as Representative of the Estate of James C. Grandstaff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85-6886. Eddie Jackson, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 85-7052. Louise White, Petitioner *v.* Dorothy Arn, Superintendent, Ohio Reformatory for Women. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-554. Susan Stewart, et al., Petitioners *v.* New Prairie Classroom Teachers Association. Petition for writ of certiorari to the Court of Appeals of Indiana, Third District, denied.

No. 86-828. Southwestern Sheet Metal Works, Inc., Petitioner *v.* Semco Manufacturing, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-878. Gladys Hobson, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 86-880. John C. Humphrey, W. C. Garbez, and Robert D. Smith, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-909. Russell Jackson, et al., Petitioners *v.* People's Republic of China. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-926. Timothy Eling, Paul C. Johnson and Anthony Dent, Petitioners *v.* C. Paul Jones, Minnesota Public Defender. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-979. Vickey Dorsey and Timothy D. McCollum, Petitioners *v.* George T. Howard, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-989. Benjamin Ward, Police Commissioner of City of New York, et al., Petitioners *v.* Michael J. Olivieri, et al.; and

No. 86-1177. Michael J. Olivieri, et al., Petitioners *v.* Benjamin Ward, Police Commissioner of City of New York, et al. Petitions for

writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-991. Sybil Jamieson Coombs, natural Mother of Christopher J., Petitioner *v.* Maine Department of Human Services. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 86-998. Japan Air Lines Company, Ltd., et al., Petitioners *v.* Elizabeth Hanford Dole, Secretary of Transportation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-1000. Rodney Wheeler, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1004. Technograph Liquidating Trust, Petitioner *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1012. Jerry Ruth, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1043. Julio T. Gonzalez, Petitioner *v.* Shell Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1092. City of Cape Girardeau, Missouri, Petitioner *v.* Westborough Mall, Inc., et al.; and

No. 86-1166. May Department Stores Company, et al., Petitioners *v.* Westborough Mall, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1154. Letterman Brothers Energy Program 1980-2, et al., Petitioners *v.* BancTexas Dallas, N. A. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1157. County of Suffolk, Petitioner *v.* Arthur V. Graseck, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1164. Ruth Rayner and Jesse L. Davis, Petitioners *v.* Shirley Clendening. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1165. Sarah M. Goostree, Petitioner *v.* Montgomery County Quarterly Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1176. Bruce Lippo, dba "Walden-Woodfield Service Station", Petitioner *v.* Mobil Oil Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1179. 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. 86-1180. Bernice Richard, Petitioner *v.* Julian Sherrier. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1181. Roy B. Keener, et al., Petitioners *v.* Washington Metropolitan Area Transit Authority, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-1183. Joseph Leon Fowler, Jr., Petitioner *v.* City of Louisville, Kentucky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1190. R. E. Fraver, et al., Petitioners *v.* North Carolina Farm Bureau Mutual Insurance Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1197. Sheela A. Gideon, Petitioner *v.* Riverside Community College District. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1208. Ian C. Chappell, Petitioner *v.* GTE Products Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1235. Edward Gluklick, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1308. Faried Baiani, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1313. Daniel J. Shapiro, Petitioner *v.* Margarita Rosa. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 86-5629. Stanley Jones, Petitioner *v.* Police Officer Arthur Smith, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5701. Theodore Griffin, Petitioner *v.* George N. Martin, III, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5702. Steven Halczynczak, et al., Petitioners *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-5775. Howard R. Hershops, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 86-5837. Richard Anthony Lee, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-5872. Harold Joseph Rosenthal, Petitioner *v.* United States;

No. 86-5917. Larry Roger Stewart, Petitioner *v.* United States; and

No. 86-6143. Rose Marie Junker, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-5880. Charles Lemmons, Jr., Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 86-5889. William H. Boyd, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-5900. Ronnie Atwell, Petitioner *v.* Frank C. Blackburn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-5930. Gregory T. Granado, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5952. Nicholas Trunzo, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 86-5974. Paul B. Owens, Petitioner *v.* Michael J. Quinlan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6009. Earl Gregg, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6057. Ricardo Rojas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6067. Paul H. Nunley, Petitioner *v.* Jerry Johnson, Attorney General of Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6179. Henry Matthews, Petitioner *v.* Charles Scully, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6180. Darrell Burns, Petitioner *v.* Myrna Trickey. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6184. Edwardo Rosario, Petitioner *v.* Theodore Thomas. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6185. Harold J. Vincent, Petitioner *v.* Harold H. Brown, Judge, etc. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 86-6190. Clarence Craig, Petitioner *v.* Kenneth Fleming, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6196. Roosevelt Humphrey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6200. Leon Strange, Petitioner *v.* John Brown, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6206. Kamal B. Mahdavi, Petitioner *v.* Bahman Shirani. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 86-6210. Edgar E. Oliver, 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. 86-6215. Marcus Cazares, Petitioner *v.* Rockwell International Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6219. LaVerne Koenig, 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. 86-6225. Michael L. Shipley, aka Zeke, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6226. Michael Lewis Sigler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6230. Frederick A. R. Drew, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6236. Thomas D. Stanton, Petitioner *v.* Warren Young, Superintendent, Waupun Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6237. Zvi Saar, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6238. Chaka Ashanti Zulu, aka Rickey Robinson, Petitioner *v.* Frank Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6246. Frank Hanner, Jr., Petitioner *v.* Mississippi, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6249. Anthony Hall, Petitioner *v.* Michael 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. 86-6252. Earl E. Gunderson, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District III, denied.

No. 86-6256. Eugene R. Henry, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6262. Victor Hugh McMichael, Petitioner *v.* W. F. Rouse, Superintendent, Lancaster Correctional Institution, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6264. Jerry L. Word, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6265. Wilfredo Perez Sanchez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6277. Peter Lancaster, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-6280. William Allen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6290. James I. Freeman and Larry Lee Bass, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6310. Jorge Mendez-Ortiz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6335. Isaac Jackson and Peter Bennerson, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6342. Terry de Jesus Capote-Monterrey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 85-1813. City of Rensselaer, New York, et al., Petitioners *v.* Mary C. Fiacco. 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.

No. 86-776. U S West, Inc., Petitioner *v.* United States and American Telephone and Telegraph Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-1126. United Church of the Medical Center, et al., Petitioners *v.* Illinois Medical Center Commission. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 86-1153. FBK Realty Corp., Petitioner *v.* Paul A. Crotty, Commissioner, Department of Housing Preservation and Development of the City of New York. The motion of Associated Builders and Owners of Greater New York Inc. for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, First Judicial Department, denied.

No. 86-5307. Lewis Williams, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan in this case and in No. 86-6015, *post*. Dissenting

opinion by Justice White with whom Justice Brennan joins. Dissenting opinion by Justice Marshall in this case and in No. 86-6015, *post*.

No. 86-5953. Jay D. Scott, 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. 86-6015. Danny Joe Bradley, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan in this case and in No. 86-5307, *ante*. Dissenting opinion by Justice Marshall in this case and in No. 86-5307, *ante*.

No. 86-6082. Emile Pierre Duhamel, 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. 86-6101. Sterling C. Barnes, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6129. Edward Anthony Ellis, 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. 86-6171. Robert O'Neal, Jr., Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6201. Judith Ann Neelley, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6285. Louis Pirovolos, Petitioner *v.* United States. The motion of petitioner to consolidate this case with No. 86-6009, *Gregg v. United States*, is denied. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit, before judgment, denied.

#### MANDAMUS DENIED

No. 86-6207. In Re George Hamm, Petitioner. The petition for writ of mandamus is denied.

#### REHEARINGS DENIED

No. 86-631. City of Watseka, et al., Appellants *v.* Illinois Public Action Council, et al.;

No. 86-860. Walter T. Walker, III, etc., Petitioner *v.* Action Industries, Inc., et al.;

No. 86-5654. Harold Barr, Petitioner *v.* United States;  
 No. 86-5799. In Re Peter R. Johl, Petitioner; and  
 No. 86-5816. A. W. James, Petitioner *v.* Georgia. The petitions for rehearing are denied.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frederick B. Alexius	Alexandria, LA	Richard B. Sadler Jr.
Victoria M. Almeida	Cumberland, RI	Edward P. Sowa Jr.
Kurt Michael Anderson	Minneapolis, MN	Bernard P. Becker
Ervin A. Apffel III	Galveston, TX	Gordon Elliott Davenport Jr.
Thomas W. Arafe	Los Angeles, CA	David Leonard Ross
Christine Elaine Arquit	Washington, DC	K. Martin Worthy
Edward Roy Bajer	Alexandria, VA	James F. Schoener
Steven M. Basha	Sacramento, CA	Lee Berry Elam
John Barney Beckworth	Houston, TX	Thomas R. McDade
John R. Beem	Glen Ellyn, IL	Aldo E. Botti
Jennifer Jones Bercier	Cameron, LA	Richard Phillip Ieyoub
Gregg L. Bernstein	Baltimore, MD	Marion Albert Finginski
Ira Scott Bieler	New York, NY	A. Robert Pietrzak
Lee A. Biggs III	Searcy, AR	James E. Lightle Jr.
John William Bilby	Louisville, KY	O. Grant Bruton
Ernest Ambrose Bouveron	Huntington Beach, CA	John Guerin
James M. Bowie	Portland, ME	Linda D. McGill
Araz Renee Brumfield	Bossier City, LA	James B. Wells
Glen A. Burbridge	Denver, CO	Dirk W. de Roos

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Patrick Edward Cafferty	Chicago, IL	Frederick B. Bellamy
Philip L. Carter	Kirkland, WA	Malcolm L. Edwards
Thomas Alcade Casey Jr.	New Orleans, LA	Edward Dirk Wegmann
Eugene J. Chiarelli	San Francisco, CA	John L. Hosack
Gail E. Cohen	Los Angeles, CA	Kent Russel Keller
Robert John Collins	Houston, TX	Jery Edwin Smith
Charles B. Corces	Tampa, FL	Charles Corces Jr.
Randall T. Cox	Buffalo, WY	Bruce A. Salzburg
Mark Davis Cummings	Arlington, VA	Brian Patrick Gettings
Richard B. Cutler	Los Angeles, CA	Robert Alan Merring
Michael J. Darlow	Houston, TX	Michael Alan Lamson
Paul L. Davis	Anchorage, AK	Edgar Paul Boyko
Elliott T. Dennis	Anchorage, AK	Edgar Paul Boyko
Nicholas Michael Williston Di Bella	Bowling Green, KY	Morton J. Holbrook
John H. Doran	Wilkes-Barre, PA	Solomon Lubin
Elizabeth T. Dunning	Salt Lake City, UT	David Brent Watkiss
William J. Eggleston	Houston, TX	Randolph A. McDonald
Joseph B. Farrell	Mountaintop, PA	Joseph J. Savitz
Timothy M. Flaherty	San Francisco, CA	J. Morrow Otis
Ronald Duane Flansburg	Anchorage, AK	Edgar Paul Boyko
Hector Luis Flores	Indianapolis, IN	David Paul Freund
Chester S. Fosse	Pittsburgh, PA	Warren Duane Ferry
Eric O. Freeberg	San Diego, CA	Gerald S. Davee
Robert L. Freeman Jr.	Newport News, VA	Herbert V. Kelly
John Dudley Fricke	New Orleans, LA	Robert A. Kutcher

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Annie S. Garcy	Houston, TX	Candace Lillian Cowa
Steven Ashley Gibbins	Austin, TX	Arthur Mitchell
Larry Mark Golub	Los Angeles, CA	Steven H. Weinstein
Lance Gotthoffer	New York, NY	Stephen M. Shapiro
A. Courtney Guild Jr.	Louisville, KY	Wesley Price Adams Jr.
William Carley Halsey	Vista, CA	F. Latimer Gould
Marie Candice Hattan	Lafayette, LA	John K. Hill Jr.
Leslie Anne Hayes	Philadelphia, PA	Arnold Peter Borish
Michael Edward Hennessy	Newport Beach, CA	Wayne A. Condict
Bryan Scott Henry	Ft. Lauderdale, FL	Richard Hawes Gaunt Jr.
Mary Carol Holbert	Charleston, WV	Jack C. McClung
David A. Jacobson	Omaha, NB	Dirk W. de Roos
Laurene Kucera Janik	Chicago, IL	William Denson North
James William Johnson	Philadelphia, PA	Richard M. Jordan
Thomas Rufus Johnston	Little Rock, AR	John Charles Cruden
Martin S. Kaye	San Francisco, CA	Dane R. Gillette
Robert F. Kidd	San Francisco, CA	Lawrence A. Callaghan
Morris Klein	Washington, DC	Bennett Boskey
Jeanne E. LaFazia	Little Compton, RI	Raymond A. LaFazia
Raymond Alan LaFazia	Harmony, RI	Raymond A. LaFazia
Sylvia Landry	New Orleans, LA	Wood Brown III
Forrest Stephen Latta	Mobile, AL	Bert Sheffield Nettles
Robert J. Leo	New York, NY	John E. Baisley
Richard Frederick Lesser	Cincinnati, OH	Arthur J. Goldberg

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Steven J. Levitas	Raleigh, NC	Robert W. Spearman
Michael S. Lieberman	Alexandria, VA	John Kenneth Zwerlin
Seth M. Lloyd	Detroit, MI	James Donald Tracy
Maureen C. Mason	San Francisco, CA	Mary Cynthia Dunlap
Peter Robert Mathers	Washington, DC	Alan H. Kaplan
Richard Walker McHugh	Detroit, MI	Jordan Rossen
Robert B. McKenna	Washington, DC	Leon Thomas Knauer
Stafford McNamee Jr.	Nashville, TN	William Nelson Ozier
Michael David Melinek	Miami, FL	Bennett H. Brummer
Nester M. Mendez-Gomez	San Juan, PR	Abelardo Ruiz-Suria
Larry Edward Metz	Lauderhill, FL	John W. Fleming
M. Scott Michel	Chicago, IL	Hugh C. Griffin
Marc Paul Mishkin	Denver, CO	Ronald Edgar Gregson
Larry G. Mittendorf	Union, MO	Richard H. Sindel
Beatrice Mladenka-Fowler	Houston, TX	J. Patrick Wiseman
Joseph Thomas Moldovan	New York, NY	Eugene Ronald Scheiman
Glenn Edward Murray	Buffalo, NY	John W. Condon Jr.
Clarence A. Noble III	Hazard, KY	Warren N. Scoville
Rita M. Novak	Chicago, IL	John Powers Crowley
Robert Christopher Nowalis	Wilkes-Barre, PA	Solomon Lubin
Donna R. Nuyen	Detroit, MI	Thomas H. Schwarze

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Martin E. O'Malley	Chicago, IL	Aaron J. Racusin
Robert V. Percival	Washington, DC	Michael J. Bean
Denneen L. Peterson	Tucson, AZ	D. Dale Haralson
Robert N. Piper III	Hamilton, OH	Daniel Gilbert Eiche
George J. Prappas	Houston, TX	Robert Lewis Most
Robert Rosenberg	Toms River, NJ	Robert F. Novins
Judith Ann Rowland	San Diego, CA	Frank G. Carrington Jr.
L. Lane Roy	Lafayette, LA	John K. Hill Jr.
William C. Rumer	Columbus, GA	Douglas L. Breault
Michael J. Rutenberg	Philadelphia, PA	Burton K. Stein
Mary Beth Sax	Detroit, MI	John Alfred Entenman
Michael H. Schroder	Atlanta, GA	Glover McGhee
Daniel Segal	Philadelphia, PA	Arnold Peter Borish
Jerry K. Selman	Jasper, AL	Thomas Nicholson
David Serko	New York, NY	Joseph Solte Kaplan
William H. Shawn	Washington, DC	Kim Dennehey Mann
Holly Anne Silver	Washington, DC	Carlton James Trosclair
Marie P. Simonelli	Roseland, NJ	Robert Saul Ellenport
Randall Gene Simpson	Anchorage, AK	William K. Jermain
Jack L. Slobodin	San Francisco, CA	David Jay Brezner
David Joseph Smith	Kirkland, WA	Robert L. Fletcher
John Houston Spelman	Philadelphia, PA	William A. Harvey
Steven Barry Stabler	Los Angeles, CA	Michael Brian Scott
Shelley Stark	Pittsburgh, PA	Paul D. Boas

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeffrey W. Steinberger	Beverly Hills, CA	Arnold L. Ross
Ralph G. Sullivan	Fanwood, NJ	Robert A. Kopnicki
James R. Sullivan	New York, NY	William T. Marshall Jr.
F. Rae Donaldson Swent	Alexandria, LA	Richard B. Sadler Jr.
Thomas B. Taylor	Houston, TX	Randolph A. McDonald
William D. Temko	Los Angeles, CA	Peter R. Taft
Eduardo E. Toro-Font	San Juan, PR	Daniel F. Lopez- Romo
Charles R. Walker III	New York, NY	Herbert Brownell Jr.
Phillip Lewis Warburton	Hudson, OH	Thomas B. McGowan II
Travis S. Ware	Lubbock, TX	Russell J. Thornton
Anita M. Warner	New Orleans, LA	Paul Edward Hurley
Albert G. Webber	Decatur, IL	Albert G. Webber III
Gary O. Welch	Tampa, FL	Charles Corces Jr.
Nina S. White	Fall River, MA	Richard N. LaSalle
Raymond R. Wiss	Old Tappan, NJ	Robert Marc Jacobs
Robert M. Wolff	Cleveland, OH	Stuart Alan Friedman

## OPINIONS

No. 85-184. J. B. Stringfellow, Jr., et al., Petitioners *v.* Concerned Neighbors in Action, et al. 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 with instructions to dismiss the appeal for want of jurisdiction. Opinion by Justice Powell. Opinion by Justice Brennan concurring in part and concurring in the judgment with whom Justice Marshall joins.

No. 85-1449. *Town of Newton, etc., et al., Petitioners v. Bernard E. Rumery, Jr.* On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment reversed and case remanded to the United States District Court for the District of New Hampshire for dismissal of the complaint. Justice Powell announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, II, III-A, IV, and V, and an opinion with respect to Part III-B in which The Chief Justice, Justice White and Justice Scalia join. Opinion by Justice O'Connor concurring in part and concurring in the judgment. Dissenting opinion by Justice Stevens with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

No. 85-608. *Illinois, Petitioner v. Albert Krull, George Lucas and Salvatore Mucerino.* On writ of certiorari to the Supreme Court of Illinois. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Blackmun. Dissenting opinion by Justice Marshall. Dissenting opinion by Justice O'Connor with whom Justice Brennan, Justice Marshall and Justice Stevens join.

No. 85-782. *Immigration and Naturalization Service, Petitioner v. Luz Marina Cardoza-Fonseca.* On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Stevens announced by the Chief Justice. Concurring opinion by Justice Blackmun. Opinion by Justice Scalia concurring in the judgment. Dissenting opinion by Justice Powell with whom the Chief Justice and Justice White join.

No. 85-1092. *Keystone Bituminous Coal Association, et al., Petitioners v. Nicholas DeBenedictis, Secretary, Pennsylvania Department of Environmental Resources, et al.* On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Justice Stevens announced by the Chief Justice. Dissenting opinion by the Chief Justice with whom Justice Powell, Justice O'Connor and Justice Scalia join.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frank Douglas Wagner	Falls Church, VA	Henry Curtis Lind
Michael S. Allred	Jackson, MS	Michael A. Hess

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bernard P. Ingold	Sault Ste. Marie, MI	William Kent Suter
William Ronald Medsger	Phoenix, AZ	William Kent Suter
Michael S. Child Sr.	San Diego, CA	William Kent Suter
Donald H. Dubia	San Antonio, TX	William Kent Suter
Michael Dennis Graham	San Francisco, CA	William Kent Suter
Paul Jeffrey Hutter	Honolulu, HI	William Kent Suter
Michael J. Kelleher	Coronado, CA	William Kent Suter
Dennis Patrick Gallaher	Washington, DC	William Kent Suter
Daniel Anthony Perkowski	Fairfax, VA	William Kent Suter
David Jeffrey Fletcher	Tallahassee, FL	William Kent Suter
George Baker Thomson Jr.	Miami, FL	William Kent Suter
Carl Merrill Wagner	Charlottesville, VA	William Kent Suter
Larry G. McPherson Jr.	Kirkland, WA	William Kent Suter
Patrick J. Parrish	Boise, ID	William Kent Suter
Leonard L. Lucey	Burke, VA	William Kent Suter
Debra L. Luzietti-Myers	Annapolis, MD	William Kent Suter
David H. Myers	Annapolis, MD	William Kent Suter
Michael A. Toepfer	Stockton, IL	William Kent Suter
Dan Trimble	Alexandria, VA	William Kent Suter

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Denise P. Contento	Endwell, NY	William Kent Suter
Mark James Romaneski	Boston, MA	William Kent Suter
Wellington Theodore Matthews Jr.	Baltimore, MD	William Kent Suter
Emmanuel Michael Chiapas	Dexter, ME	William Kent Suter
David Eugene Bell	Sedalia, MO	William Kent Suter
Ralph L. Littlefield	Kansas City, MO	William Kent Suter
John Mayland McFarland	Kansas City, MO	William Kent Suter
Gary Lee Hausken	Helena, MT	William Kent Suter
Earle D. Munns Jr.	Lincoln, NB	William Kent Suter
John Baltzly Garver III	Charlottesville, VA	William Kent Suter
Frank Jefferson Hughes	Charlottesville, VA	William Kent Suter
Alexander William Charters	Syracuse, NY	William Kent Suter
James Michael Hohensee	Buffalo, NY	William Kent Suter
Harold Edwin Brown Jr.	Tulsa, OK	William Kent Suter
John Joseph Saye	Clayton, OK	William Kent Suter
Philip H. Lynch	Steilacoom, WA	William Kent Suter
Patrick W. P. Lisowski	Simpson, PA	William Kent Suter
Terence Michael Cleary	Columbia, SC	William Kent Suter
Robert Lee Swann	Nashville, TN	William Kent Suter

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Hance Ibbotson	Mission, TX	William Kent Suter
Michael R. McMillion	Houston, TX	William Kent Suter
Howard Gregory Cooley	Petersburg, VA	William Kent Suter
Robert Bruce Lloyd Jr.	Charlottesville, VA	William Kent Suter
Christopher Michael Maher	New Orleans, LA	William Kent Suter
David Clinton Rodearmel	Ventura, CA	William Kent Suter
Andrew McCoy Warner	Charleston, WV	William Kent Suter
David Allen Basinski	Elyria, OH	Martin Mathias Heberlin
Gary Charles Bennett	Elyria, OH	Martin Mathias Heberlin
James L. Blaszak	Elyria, OH	Martin Mathias Heberlin
Jack Wayne Bradley	Lorain, OH	Martin Mathias Heberlin
Larry E. Coey	Elyria, OH	Martin Mathias Heberlin
Corinne Keys Dawson	Elyria, OH	Martin Mathias Heberlin
James Anthony Deery	Elyria, OH	Martin Mathias Heberlin
Thomas J. Dougan	Amherst, OH	Martin Mathias Heberlin
Michael Brian Keys	Elyria, OH	Martin Mathias Heberlin
Quentin James Nolan	Lorain, OH	Martin Mathias Heberlin
Kenneth P. Rothgery	Elyria, OH	Martin Mathias Heberlin
Thomas Herbert Sanborn	Amherst, OH	Martin Mathias Heberlin

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Scott F. Serazin	Elyria, OH	Martin Mathias Heberlin
Terry Smith Shilling	Elyria, OH	Martin Mathias Heberlin
Allen Seth Spike	Elyria, OH	Martin Mathias Heberlin
Thomas Alan St. Marie	Elyria, OH	Martin Mathias Heberlin
Paul Rene' St. Marie	Elyria, OH	Martin Mathias Heberlin
Irene Elizabeth Svete	Lorain, OH	Martin Mathias Heberlin
James Leo Walsh	Oberlin, OH	Martin Mathias Heberlin
Katherine Herald Walsh	Oberlin, OH	Martin Mathias Heberlin
Barbara Silverman Baggett	Brick, NJ	John J. DeVincens
Joan Bettio-Crowley	Toms River, NJ	John J. DeVincens
Paul John Carr	Toms River, NJ	John J. DeVincens
Henry F. Collins III	Toms River, NJ	John J. DeVincens
Edmund J. Corrigan	Toms River, NJ	John J. DeVincens
Joseph J. Garvey	Toms River, NJ	John J. DeVincens
Richard S. Haines	Toms River, NJ	John J. DeVincens
Gilbert E. Hiscott	Toms River, NJ	John J. DeVincens
Kathleen Whaley Hofstetter	Toms River, NJ	John J. DeVincens
Douglas James Hull	Toms River, NJ	John J. DeVincens
Morris Joseph Kurzrok	Tuckerton, NJ	John J. DeVincens
James A. Liguori	Toms River, NJ	John J. DeVincens
Robert C. Novy	Toms River, NJ	John J. DeVincens
Daniel D. Olszak Jr.	Lakewood, NJ	John J. DeVincens
Michael S. Paduano	Toms River, NJ	John J. DeVincens
Kim A. Pascarella	Toms River, NJ	John J. DeVincens
John S. Pehlivanian	Toms River, NJ	John J. DeVincens
Francis P. Piscal	Toms River, NJ	John J. DeVincens
Ronald E. Prusek	Atlantic Highlands,	John J. DeVincens
Anthony M. Sellitto Jr.	Forked River, NJ	John J. DeVincens

MONDAY, MARCH 9, 1987

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stuart David Snyder	Surf City, NJ	John J. DeVincens
Laura Desmond Thompson	Toms River, NJ	John J. DeVincens
Peter Jon VanDyke	Toms River, NJ	John J. DeVincens

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Adjourned until Monday, March 23, 1987 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 Powell, Justice Stevens, 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."

## OPINIONS PER CURIAM

No. 86-5504. Gloria Rodriguez, aka Carmen Santiago, Petitioner *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* 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 in conformity with the opinion of this Court. Opinion *per curiam*. Justice Blackmun would grant certiorari and reverse the judgment of the Court of Appeals. Justice Marshall would grant the petition and afford the parties an opportunity to brief the merits of the case. See *City of Newport, Kentucky v. Iacobucci*, — U.S. — (1986).

No. 86-5530. Louis J. Truesdale, Jr., Petitioner *v.* James Aiken, Warden, et al. On petition for writ of certiorari to the Supreme Court of South Carolina. The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari is granted. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. See *Lockett v. Ohio*, 438 U.S. 586 (1978), *Skipper v. South Carolina*, 476 U.S. — (1986). See also *United States v. Johnson*, 457 U.S. 537, 549 (1982). Opinion *per curiam*. Dissenting opinion by Justice Powell with whom the Chief Justice and Justice O'Connor join.

## APPEALS—SUMMARY DISPOSITION

No. 86-1252. William D. O'Kelley, Donna O'Kelley Kilgore and Patricia Williams, etc., Appellants *v.* Hospital Authority of Gwinnett County, etc., et al. Appeal from the Supreme Court of Georgia. The appeal is dismissed for want of a substantial federal question.

No. 86-1125. David L. Wilkinson, Attorney General of the State of Utah, Appellant *v.* Connie R. Jones, et al. Appeal from the United

States Court of Appeals for the Tenth Circuit. The judgment is affirmed. The Chief Justice and Justice O'Connor would note probable jurisdiction and set the case for oral argument.

No. 86-1272. Rodney F. Stich, Appellant *v.* Superior Court of California, Solano County, 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.

No. 86-6228. Terrance Andrew Mackie, Appellant *v.* Arnold Olsen, District Judge, et al. Appeal from the Supreme Court of Montana. 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. 86-1300. John E. Reardon, Appellant *v.* United States Postal Service, et al. Appeal from the United States District Court for the District of New Jersey. The appeal is dismissed for want of jurisdiction.

#### CERTIORARI—SUMMARY DISPOSITION

No. 86-997. Pennsylvania, Petitioner *v.* Charles E. Lutz. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Supreme Court of Pennsylvania, Western District, for further consideration in light of *United States v. Dunn*, 480 U.S. — (1987).

No. 86-1007. United States, Petitioner *v.* Messina Builders and Contractors Co. 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 *Jersey Shore State Bank v. United States*, 479 U.S. — (1987).

#### ORDERS IN PENDING CASES

No. —. John E. Dawson and Pagan Inmates of FCI Tallahassee, Petitioners *v.* M. C. Lennon, Warden, et al. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. A-626. Thomas J. Kavanagh, Applicant *v.* Richard E. Coven. The application for stay addressed to Justice O'Connor and referred to the Court is denied.

No. A-651. McDonald Welding and Machine Company, Inc., et al., Applicants *v.* John Lehman, Secretary of the Navy. The application to vacate stay addressed to the Chief Justice and referred to the Court is denied.

No. D-600. In the Matter of Disbarment of Robert L. Tucker. Robert L. Tucker, of Chicago, Illinois, 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 January 12, 1987, is hereby discharged.

No. D-617. In the Matter of Disbarment of William Franklin Casler. It is ordered that William Franklin Casler, of Saint 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-618. In the Matter of Disbarment of David Rock Whitten. It is ordered that David Rock Whitten, of Wilmington, 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. D-619. In the Matter of Disbarment of Rhodes Cherry Stokes. It is ordered that Rhodes Cherry Stokes, of Greenville, 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. 85-2068. Walter H. Rankin, etc., et al., Petitioners *v.* Ardith McPherson. The motion of the Solicitor General to permit Glen D. Nager, Esquire, to present oral argument *pro hac vice* is granted.

No. 86-228. Juozas Kungys, Petitioner *v.* United States. The motion of World Jewish Congress for leave to file a brief as *amicus curiae* is granted. The motion of Anti-Defamation League of B'nai B'rith, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. The motion of N. Patrick Flanagan, III, Esquire, to withdraw as counsel and to substitute M. Daniel Markoff, Esquire, is granted.

No. 86-357. American Trucking Associations, Inc., et al., Appellants *v.* James I. Scheiner, Secretary, Department of Revenue, et al. The motion of Canadian Trucking Association for leave to file a brief as *amicus curiae* is granted.

No. 86-495. K Mart Corporation, Petitioner *v.* Cartier, Inc., et al.;  
No. 86-624. 47th Street Photo, Inc., Petitioner *v.* Coalition to Preserve the Integrity of American Trademarks, et al.; and

No. 86-625. United States, et al., Petitioners *v.* Coalition to Preserve the Integrity of American Trademarks, et al. The motion of the Solicitor General for divided argument is granted.

No. 86-781. Kansas Gas and Electric Company, Appellant *v.* State Corporation Commission of Kansas, et al.; and

No. 86-793. Kansas City Power & Light Company, Appellant *v.* State Corporation Commission of Kansas, et al. The motion of appellants to dispense with printing the joint appendix is granted. Justice Powell took no part in the consideration or decision of this motion.

No. 86-877. United States, Petitioner *v.* James Joseph Owens. The motion for appointment of counsel is granted and it is ordered that Allan Ides, Esquire, of Los Angeles, California, is appointed to serve as counsel for the respondent in this case.

No. 86-964. David A. Thompson, Petitioner *v.* Susan A. Thompson, aka Susan A. Clay. The motion of Sacramento County, California, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-1102. Manufacturers Association of Tri-County, et al., Petitioners *v.* James W. Knepper, Jr., et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-6169. William Wayne Thompson, Petitioner *v.* Oklahoma. The motion for appointment of counsel is granted and it is ordered that Harry F. Tepker, Jr., Esquire, of Norman, Oklahoma, is appointed to serve as counsel for the petitioner in this case.

#### CERTIORARI GRANTED

No. 86-751. Arkansas Best Corporation, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 86-1128. Immigration and Naturalization Service, Petitioner *v.* Assibi Abudu. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

#### CERTIORARI DENIED

No. 86-388. Immigration and Naturalization Service, Petitioner *v.* Ana Estela Guevara Flores. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-784. Silas V. Cross, et al., *Petitioners v. United States and Commissioner of Internal Revenue*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-876. Star-Kist Foods, Inc., *Petitioner v. County of Los Angeles, et al.* Petition for writ of certiorari to the Supreme Court of California denied.

No. 86-913. Robert W. Heinemann, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-932. Jeffrey Scott Nielsen, *Petitioner v. Utah*. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 86-996. McKenzie County Social Services Board, et al., *Petitioners v. V. G.* Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 86-1015. Troxler Hosiery 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. 86-1020. Ted G. Green, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1023. Blue Cross Association and Blue Cross/Blue Shield of Greater New York, *Petitioners v. Department of Health and Human Services and Group Health Incorporated*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1032. Morris Thigpen, Commissioner, Mississippi Department of Corrections, et al., *Petitioners v. Kenneth W. Wheat*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1033. Sidney L. Jaffe, et al., *Petitioners v. Charles W. Grant, etc.* Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1040. Welton J. Scott, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-1045. Carl Whorton, et al., *Petitioners v. Surtran Taxicabs, Inc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1051. John Monteleone, *Petitioner v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1060. Mark Heimbach, etc., et al., Petitioners *v.* Village of Lyons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1061. Tribune Company, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1063. Jeffrey K. Rafsky, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1068. Lawrence Duncan and Margaret Duncan, Petitioners *v.* Georgia; and

No. 86-1081. Delvin Richard Van Nice, Pamela Jean Long and David Wayne Van Nice, Petitioners *v.* Georgia. Petitions for writs of certiorari to the Court of Appeals of Georgia denied.

No. 86-1098. Charles Dunn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1104. Michael LeShoure, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 86-1105. Roy Dan Jackson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1110. Enterprise Tools, Inc., and E.B. Bennett, Petitioners *v.* Export-Import Bank of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1162. Cecil Rex McCalla, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1168. Avis Mitchell, Petitioner *v.* David Greiner. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1184. Betty Lou Batey, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-1185. Ernest Kettelson, Petitioner *v.* MCI Telecommunications Corporation. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 86-1192. James W. Kerr, Jr., Petitioner *v.* El Paso Times, Inc. Petition for writ of certiorari to the Court of Appeals of Texas, Eighth District, denied.

No. 86-1194. John F. Fegurur, Petitioner *v.* Territory of Guam. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1202. Charles Gerald Wilson, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1204. City of Baton Rouge, et al., Petitioners *v.* Brice Achord, et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 86-1209. Sam Polur, Petitioner *v.* New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-1214. Frederick W. A. Knight, Petitioner *v.* U. S. Fire Insurance Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1215. Missouri Pacific Railroad Company, Petitioner *v.* Enrique Maldonado. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1216. Rediehs Express, Inc., Petitioner *v.* Patricia Maple and James Maple. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 86-1221. William J. Harnett, Petitioner *v.* Tom J. Billman and Clayton C. McCuiston. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1222. County of Pierce, et al., Petitioners *v.* Dale E. Kraus, et ux., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1223. Pennsylvania, Petitioner *v.* John J. Potts. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 86-1225. Robert L. Krause, Petitioner *v.* Mark K. Kim, et al. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 86-1227. Robert J. Bavisotto, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Fourth Judicial Department, denied.

No. 86-1228. Celso Morales, Petitioner *v.* Mack Trucks, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1230. Gary T. Hodges and Liberty Mutual Insurance Company, Petitioners *v.* Evissea Maritime Co., S. A. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1231. Janet McCourt, Petitioner *v.* Robert A. McCourt, Nancy A. Rich (Nee McCourt), Susan M. Miller (Nee McCourt), and Mary C. Riley. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Fourth Judicial Department, denied.

No. 86-1233. William Kuntz, III, Petitioner *v.* Winters National Bank and Trust Company, et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied.

No. 86-1237. Bay Area Rapid Transit System, Petitioner *v.* Paperless Accounting, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1243. Stoney Gene Golden, Petitioner *v.* Candie Sherri Golden. Petition for writ of certiorari to the Court of Appeals of Arizona, Division Two, denied.

No. 86-1245. Houston David Hughes, Petitioner *v.* Louisiana State Board of Dentistry. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 86-1246. Old Orchard Brands, Inc., et al., Petitioners *v.* Michigan, Department of Agriculture, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-1250. Dirk Vincent Terry, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 86-1251. Associated Film Distribution Corporation, et al., Petitioners *v.* Robert Casey, Governor of Pennsylvania, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1253. Jack E. Fleming, Petitioner *v.* Grievance Committee Council of Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 86-1255. Olympia Equipment Leasing Company, et al., Petitioners *v.* Western Union Telegraph Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1256. J. P. Jones, et al., Petitioners *v.* Clark Equipment Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1258. Dierk Hagemann, Petitioner *v.* American Savings and Loan Association. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1259. Robert C. Spratt, Petitioner *v.* County of Kent, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1262. Department of Transportation, Federal Aviation Administration, Petitioner *v.* David A. Fitzgerald, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1265. Adrian L. Grass, Adrian L. Grass, Jr., Sharon Elizabeth Grass and Ramona Rebecca Lopez, Petitioners *v.* Credito Mexicano, S.A., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1266. Gloria Les Weiss Marmion Kilkenny, Personal Representative of the Estate of Matthew Kane Marmion, Deceased, Petitioner *v.* Atlantic Richfield Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1267. Marcus Ardrey, et al., etc., Petitioners *v.* United Parcel Service. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1269. Henry Neal, Administrator of the Estate of Roger F. Stroh, Petitioner *v.* Midwestern Distribution, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1271. Santo L. Ruiz, et al., Petitioners *v.* People Express Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1273. Steven Lanier Cumbie, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 86-1276. City of Wilmington, Petitioner *v.* Wilmington Stevedores, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1279. Cincinnati Firefighters Union, Local Union No. 48, Petitioner *v.* Tilford Youngblood, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1282. Brookside Limited Partnership, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1285. Julius Jonas Jodele, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1293. Alexander Malick, Petitioner *v.* Sandia Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1299. Richard R. Syre, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 86-1309. Aurea Aponte Caratini, 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 First Circuit denied.

No. 86-1319. Victor H. Van Sant, 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. 86-1320. Swift Textiles, Inc., Petitioner *v.* Watkins Motor Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1321. Thurman S. Alphin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1325. Anthony J. Chesney, et ux., Petitioners *v.* Carol H. Spraggins. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-1326. James W. Steeley and Janet D. Steeley, Petitioners *v.* Harold Burton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1335. Larry D. Barnette, Allied Management Corp., and Jets Venture Capital Corp., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1347. Shell Oil Company, Petitioner *v.* Piamco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1352. Gary Leo Montgomery, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 86-1356. Jeffrey Guy Lea, Petitioner *v.* Joseph N. Myers, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1394. Mark A., as parent and next friend of Alleah A., Petitioner *v.* Grant Wood Area Education Agency, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5600. Mark Douglas Bowden, Petitioner *v.* Reginald Pulley. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5862. Fadallah Amhaz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-5866. James King, Petitioner *v.* Charles Zimmerman, Superintendent, State Correctional Institution and Correctional Diagnostic Classification Center at Graterford. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-5915. James Stephen Meyer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-5920. Robert McNeil, Petitioner *v.* Nathan Rice, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-5923. Richard Dalton Pinion, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5940. Ozol Scott, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-5943. Anna L. Spencer, Petitioner *v.* Department of Human Resources, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6050. Ellen M. Reasonover, Petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 86-6134. John Meadows, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-6145. James M. Carpenter, Petitioner *v.* Robert K. Leonard. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6199. Donald Webster, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6212. Tommy Moore, Petitioner *v.* Otie Jones, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6214. William B. Westfall, Petitioner *v.* Otis R. Bowen, Secretary of Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6231. Terry Lee Clifton, Petitioner *v.* Howard Cook, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6232. Donald White, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Gallia County, denied.

No. 86-6239. Favis Clay Martin, Petitioner *v.* Gerald E. Lewis, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6240. David Jackman, Petitioner *v.* John D. Rees, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6242. Rayfus Graves, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 86-6245. Ronald Benedict, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Third Judicial Department, denied.

No. 86-6254. Frank Curtis Collatt, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 86-6257. William Cole, Petitioner *v.* James A. Chrans, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6258. Gerald L. Ditsch, Petitioner *v.* Marie T. Buckley. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6260. Ruchell Cinque Magee, Petitioner *v.* Robert Borg, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 86-6267. Kenneth Leron Satterwhite, Petitioner *v.* James A. Lynaugh, Interim 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. 86-6268. Richard Alan Starkes, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6271. John Ronald Bertram, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-6274. Richard Haefner, Petitioner *v.* County of Los Angeles, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6276. Daniel Curtis, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 86-6278. Royce Gilreath, Petitioner *v.* Bill Armontrout, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6281. Elmer Cartee, Petitioner *v.* Crispus Nix, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6282. Steven Schandelmeier, Petitioner *v.* Richard Cunningham, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6283. Richard L. Thompson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6286. Solomon Sample, 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. 86-6287. David L. Tedder, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6288. Edward Mathis, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-6292. Delward C. Covington, Petitioner *v.* Gene Scroggy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6301. George Montoya Ortega, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 86-6302. James C. Mullen, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Third Judicial Department, denied.

No. 86-6304. Wali Farid Rashed, Petitioner *v.* Delaware County, Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6306. Charles Warner, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-6308. Linda Kay Sherwood, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6311. William Bernard Randolph, III, 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. 86-6313. Manuel Monteiro, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6315. John Eugene Sellner, Petitioner *v.* Federal Bureau of Investigation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6316. Edward Allen Moore, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6318. James Larry Thompson, Petitioner *v.* Southeastern Toyota, et al. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-6324. Donald Wayne Tyson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6341. Earthel B. Hill, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6343. Conrad R. Himes, et ux., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6345. Jerry L. Montgomery, Petitioner *v.* Internal Revenue Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6347. Thomas Lee Taylor, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6379. Rodney Patterson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6388. Tommy Lynn Hurst, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6409. Guy C. Bullen, Petitioner *v.* Morris Derego, et al. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 86-6418. Douglas Whitley, Petitioner *v.* Robert Lecureux, Superintendent, Kinross Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-1864. Randall Book Corporation, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Justice Brennan and Justice Marshall would grant the petition for a writ of certiorari and reverse the judgment of conviction.

No. 85-6272. Andre Stanley Deputy, Petitioner *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6003. Stephen Albert McCoy, 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. 86-6013. Calvin Jerold Burdine, 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. 86-6108. Richard James Wilkerson, 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. 86-6121. Rodney Lawrence Griffin, 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. 86-6195. Garnett William Cape, Petitioner *v.* Ralph Kemp, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6222. James Brewer, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6243. J. B. Hubbard, 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. 86-6247. Fred H. Kornahrens, III, 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. 86-6365. Benjamin 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. 86-6380. Byron Ashley Parker, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-980. Duke B. Kelly, Petitioner *v.* Wauconda Park District. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Justice White would grant certiorari.

No. 86-1006. Marathon Oil Company, Petitioner *v.* United States, et al. The motion of American Petroleum Institute 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. Justice Stevens took no part in the consideration or decision of this motion and this petition.

No. 86-1057. Drummond Company, Inc., Petitioner *v.* Donald P. Hodel, Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Powell took no part in the consideration or decision of this petition.

No. 86-1260. Major League Baseball Players Association, et al., Petitioners *v.* Baltimore Orioles, Inc., et al. The motion of National Football League Players Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of Associated Actors and Artistes of America, AFL-CIO, 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. 86-6055. Gregory Arnold Murphy, Petitioner *v.* Dewey Sowers, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Justice White and Justice Powell would grant certiorari.

No. 86-6371. Dawud Shahid, Petitioner *v.* Texas. The application for stay presented to Justice White and by him referred to the Court is denied. The petition for a writ of certiorari to the Court of Appeals of Texas, Fourteenth District, is denied.

#### REHEARINGS DENIED

No. 86-558. Hirotooshi Yamamoto, Petitioner *v.* Charles R. Klenske, et al.;

No. 86-814. White Mountain Apache Tribe, et al., Petitioners *v.* Arizona State Transportation Board, et al.;

No. 86-827. Kewal Jain, Petitioner *v.* ITT Grinnell Corporation;

No. 86-5647. Roy Bercau, Petitioner *v.* N. G. Mandak, Judge;

No. 86-5681. Robin K. Kovacs, Petitioner *v.* Merit Systems Protection Board;

No. 86-5901. John Thomas Fugitt, Petitioner *v.* Georgia;

No. 86-5939. Charles Lincoln Thomas, Petitioner *v.* Lincoln University;

No. 86-5973. John Eugene Sellner, Petitioner *v.* James Robert Panagoulis, etc., et al.;

No. 86-6037. John Eugene Sellner, Petitioner *v.* George J. Panagoulis, etc., et al.; and

No. 86-6128. James T. Jackson, Petitioner *v.* Lanson Newsome, Warden. The petitions for rehearing are denied.

No. 85-685. Cheryl Ann Eschler, et al., Petitioners *v.* Boeing Company. 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>
Bruce H. Abrahamson	Omaha, NB	Keith I. Frederick
Malcolm B. Allen Jr.	Denver, CO	Dirk W. de Roos
Manuel Alvarado-Garces	San Juan, PR	Jose A. Rey-Diaz
Pamela H. Anderson	Silver Spring, MD	Philip J. Harvey

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gavin S. Appleby	Atlanta, GA	R. Lawrence Ashe Jr.
Geoffrey F. Aronow	Washington, DC	Philip Allen Lacovara
Thomas R. Ashley	Newark, NJ	Paul Martin Klein
James David Askren II	Atlanta, GA	James Francis Jordan
Joseph R. Aubuchon	Union, MO	Richard H. Sindel
Richard Stewart Bayer	Denver, CO	Dirk W. de Roos
Alan R. Berkowitz	San Francisco, CA	Morton H. Orenstein
David Wayne Birdsong	New Orleans, LA	Jacob J. Amato Jr.
Christopher Blake	San Diego, CA	Classen Gramm
Mark Seymour Boardman	Birmingham, AL	Jack B. Porterfield Jr.
George Angelo Bozeka	Akron, OH	Max Rothal
Stephen Nave Brannon	San Francisco, CA	Robert E. Borton
Richard Edmiston Brown	San Francisco, CA	Melvin Belli Sr.
Robert Conrad Burkholz	Kalamazoo, MI	Lorenzo Thompson Bennett Jr.
Alvaro R. Calderon Jr.	San Juan, PR	Francisco Ponsa Feliu
James R. Carroll	Chicago, IL	Michael J. Hayes
Raymond Robert Coletta	Miami, FL	Barry Hart Dubner
J. Leah N. Culp	Alvin, TX	Robin Winchester Goodenough
David Scott Cummings	Ponca City, OK	Brian Thomas Hermanson
Deborah J. Daniels	Indianapolis, IN	Bobby Jay Small
Mark Ralph Davis	Richmond, VA	Mary Sue Terry
Ben F. Easterlin IV	Americus, GA	Wallace Miller Jr.
Douglas Dean Eike	Fremont, CA	Raymond Elliot Frost
Deborah K. Ellis	Saint Paul, MN	Douglas W. Thomson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Wilson Emery	Lombard, IL	William Thomas Freeman Jr.
Neil G. Epstein	Philadelphia, PA	Arnold Peter Borish
Michele McDowell Fields	Washington, DC	Ronald G. Precup
William Francis Fitzpatrick Jr.	Chicago, IL	Roger B. Gomien
Laura Anne Foggan	Washington, DC	Judith L. Lichtman
George P. Ford	Gadsden, AL	Curtis Wright
Charles F. Forer	Philadelphia, PA	Arnold Peter Borish
Michael J. Forster	Saginaw, MI	Kerry Duane Alexander
Clarke David Forsythe	Chicago, IL	Dennis J. Horan
Arthur J. Frawley Jr.	Lynn, MA	Robert G. Phelan
Gary Patrick Gentile	Fresno, CA	Paul E. Caprioglio
Stephen Davis Good	Dallas, TX	Vester T. Hughes Jr.
Richard Francis Gorman III	Richmond, VA	Mary Sue Terry
Paul Grandinetti	Washington, DC	Eugene Sabol
Catherine Burcham Hagen	Los Angeles, CA	Stephen Phillip Pepe
James S. Haines Jr.	Wichita, KS	Ralph Bush Foster
Abbey Gail Hairston	West Palm Beach, FL	Rosemary Barkett
J. Richard Hammett	Atlanta, GA	Jefferson D. Kirby III
Roslyn S. Harrison	Newark, NJ	John L. McGoldrick
John Edmond Harvey	Salt Lake City, UT	David Brent Watkiss
David Wesley Hauber	Overland Park, KS	Kenneth Eugene Holm
Brian S. Haughton	San Francisco, CA	John D. Hoffman

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bruce James Highman	San Francisco, CA	Louis A. Highman
Henry Hinton	Middlesex, VT	William A. Nelson
William Fredrick Hoelscher	Portland, OR	Bromleigh Smithson Lamb
Kathleen F. Holbrook	Jacksonville, FL	H. Leon Holbrook
Ivy M. Holden	Los Angeles, CA	Ann Aphrodite Hatchion
Robert Neal House	Cleveland, OH	William Wilkens Allport
Andrew R. Hricko	Washington, DC	Ronald G. Precup
Moshe Jacobius	Chicago, IL	Michael J. Hayes
John J. Jennings	Lynn, MA	Robert G. Phelan
Bradley Alan Johnson	Saint Paul, MN	Steven C. DeCoster
George Burton Jurgens III	New Orleans, LA	M. Hampton Carver
Robert Alan Koenig	Toledo, OH	Thomas Gregory Pletz
John S. Koppel	Washington, DC	John F. Cordes Jr.
Joseph J. Kunzeman	East Williston, NY	Edwin Kassoff
William L. Kutmus	Des Moines, IA	Richard H. Doyle IV
John Lory LaMancuso	Jamestown, NY	Lucian L. Lodestro
Joseph A. LaZara	Chicago, IL	Nicholas F. Maniscalco
Mitchell C. Laird	Phoenix, AZ	Wallace L. Larson
Daniel M. Landry III	Lafayette, LA	J. Nathan Stansbury
Michael William Lebron	Tampa, FL	Manuel Menendez Jr.
Bryan Edward Lessley	Durham, NC	Charles Roberson Holton
Michael A. Likavec	Richmond, VA	Mary Sue Terry
Peter F. Lovato III	Chicago, IL	William Paul Sutter
John Carlton Lovett	Tulsa, OK	Graydoñ Dean Luthey

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Dean Lynch	Hackensack, NJ	Arthur Uscher
James S. MacDonald	Knoxville, TN	Fred Gray Musick
Elizabeth Ann MacDonald	Denver, CO	Dirk W. de Roos
Andrew P. Maggio Jr.	Chicago, IL	Nicholas F. Maniscalco
Arthur Mallory	LaGrange, GA	Thomas Ensley Greer
Christopher Kent Mangold	Annapolis, MD	Joseph H. Koonz Jr.
Christopher Howard Marine	Vero Beach, FL	Byron Thomas Cooksey
Albert G. Marquis	Las Vegas, NV	Robert D. Faiss
Janet W. Mason	Philadelphia, PA	Gordon Gelfond
Lawrence Herbert Matasar	Portland, OR	Phillip Michael Margolin
Donald Ian Nesbitt McKenzie	Nashville, TN	William Waller
Richard Alan Melnick	Vancouver, WA	Arthur D. Curtis
James R. Mendillo	Belleville, IL	William Boyd Starnes
Michael J. Milodragovich	Missoula, MT	Harold V. Dye
Laurence Wayne Mooney	Los Angeles, CA	Linda K. Lefkowitz
Hamilton Dana Moore	Las Vegas, NV	James E. Rogers
Gregory Alden Morgan	Clarksburg, WV	Jack C. McClung
Stephen C. Moses	Billings, MT	Charles F. Moses
John Thomas Moshier	Phoenix, AZ	Francis Pendleton Gaines III
Robert E. Murrell	Bradenton, FL	David Paul Montgomery
William Wayne Muse	Richmond, VA	Mary Sue Terry
Timothy Alan Nelsen	Chicago, IL	Wayne W. Whalen
J. Brendan O'Neill	Santa Monica, CA	Brian J. O'Neill
Samuel S. Olens	Atlanta, GA	Harry Rand
M. Chadwick Pellerin	New Orleans, LA	Amos L. Ponder Jr.
Thomas A. Peters	Mount Carmel, TN	William Wyatt Hawkins

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Steven Pflaum	Chicago, IL	Pierce Henry O'Donnell
Peter A. Pizzani Jr.	Fort Lee, NJ	Carolyn Ruth Kristal
Jessica Lynne Powers	Glenside, PA	Joseph Burns Kelly
Brian E. Prindle	South Windsor, CT	John R. FitzGerald
Patricia Anne Pritchard	Denver, CO	Alan Elliott Richman
M. Frederick Pritzker	Boston, MA	Marilyn D. Stempler
Jeffrey V. Puff	Woodbury, NJ	Michael D. Spagnuola
Francis Steven Rath	Washington, DC	Robert A. Jaffe
McGavock Dickinson Reed	Nashville, TN	Anne White Foley
A. Leonard Reicher	Los Angeles, CA	John Dutton Bauersfeld
Allen M. Ressler	Seattle, WA	Timothy K. Ford
Richard Franklin Riley Jr.	Washington, DC	K. Martin Worthy
Elizabeth Ann Ritvo	Boston, MA	Matthew Brown
Carol Ann Robb	New Waterford, OH	Jerry O. Stephens
James Francis Roberts	Los Angeles, CA	Warren J. Abbott
Jack Ray Robinson	Rockport, IN	Charles L. Berger
Claire Rocco	Philadelphia, PA	Arnold Peter Borish
Stephen Ralph Romine	Richmond, VA	Walter Francis Witt Jr.
Terence Patrick Ross	Washington, DC	John J. Ross III
John A. Rothstein	Milwaukee, WI	Laurence C. Hammond Jr.
Yvon D. Roustan	Chicago, IL	Patrick G. Reardon
Robert J. Saalfeld	Salem, OR	David William Hittle
David M. Sanders	Livermore Falls, ME	Edward H. Cloutier

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Karen Michele Schneider	Washington, DC	Greta Conway Van Susteren
Jane Smith Scholl	Hartford, CT	Richard John Lynch
Sandra Lynn Schweitzer	Potomac, MD	Donald Baxter Craven
D. J. Sekany	Sacramento, CA	Arnold O'Neill Overoye
Charles Henry Self Jr.	Birmingham, AL	Ina Branham Leonard
James M. Shannon	Boston, MA	John F. Cogan Jr.
Bartley Richard Simeral	Indiana, PA	W. Joseph Engler Jr.
William Ashley Smith	Birmingham, AL	Luther J. Strange III
George Roger Smith Jr.	Toledo, OH	Robin Molyneaux Kennedy
David Leigh Sobiloff	New York, NY	Anthony A. Mascolo
Milton David Soiferman	Philadelphia, PA	Gene David Cohen
Steven F. Spender	Flint, MI	Charles Robert Beltz
William H. Stone	Columbus, IN	Patrick Woods Harrison
Karen L. Tachiki	Los Angeles, CA	Warren J. Abbott
James Edward Thomas	Glastonbury, CT	John Mark Massameno
Kelly Lee Turner	Reno, NV	Donald Carlyle Hill
Jacqueline E. Turner	New Brunswick, NJ	Sheri Woliver
Roger Roland Ullman	Swarthmore, PA	Michael P. Dignazio
Jack C. Vieley	Peoria, IL	Jay H. Janssen
J. Randolph Ward	Durham, NC	Charles B. Nye
Carole L. Weidman	New York, NY	Herman Mark Harris
Paul Michael Weiss	Baltimore, MD	Paul Ross Kramer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Rebecca Westerfield	Louisville, KY	Fred M. Goldberg
William Merritt Wilcoxon II	Laguna Beach, CA	William Albert Wittman Jr.
Arthur Cameron Willey	Denver, CO	Dirk W. de Roos
Amy Zapp	Harrisburg, PA	Gregory R. Neuhauser

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Craig Alan Wilson	Washington, DC	W. Michael Tupman

#### ORAL ARGUMENTS

No. 85-1772. Utah Division of State Lands, Petitioner *v.* United States, et al. Argued by Mr. Dallin W. Jensen for the petitioner and by Mr. Edwin S. Kneedler for the respondents.

No. 85-2068. Walter H. Rankin, etc., et al., Petitioners *v.* Ardith McPherson. Argued by Mr. Billy E. Lee for the petitioners, by Mr. Glen D. Nager for the United States as *amicus curiae, pro hac vice*, supporting petitioners, and by Mr. Lloyd Cutler for the respondent.

No. 86-130. Vickie Lorene Rock, Petitioner *v.* Arkansas. Argued by Mr. James M. Luffman for the petitioner and by Mr. J. Steven Clark for the respondent.

No. 86-243. City of Houston, Texas, Appellant *v.* Raymond Wayne Hill. Argued by Mr. Robert J. Collins for the appellant and by Mr. Charles Alan Wright for the appellee.

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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 Powell, Justice Stevens, Justice O'Connor and Justice Scalia.

## OPINIONS

No. 85-1200. California Coastal Commission, et al., Appellants *v.* Granite Rock Company. Appeal from the United States Court of Appeals for the Ninth Circuit. Appeal dismissed for want of jurisdiction. Treating the jurisdictional statement as a petition for writ of certiorari, certiorari granted. 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 Powell concurring in part and dissenting in part with whom Justice Stevens joins. Dissenting opinion by Justice Scalia with whom Justice White joins.

No. 85-1140. Atchison, Topeka and Santa Fe Railway Company, Petitioner *v.* Jim Buell. On writ of certiorari to the United States Court of Appeals for the Ninth 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 Stevens.

No. 85-1239. Amoco Production Company, et al., Petitioners *v.* Village of Gambell, Alaska, et al.;

No. 85-1406. Donald P. Hodel, Secretary of the Interior, et al., Petitioners *v.* Village of Gambell, et al.; and

No. 85-1608. Village of Gambell, et al., Petitioners *v.* Donald P. Hodel, Secretary of the Interior, et al. On writs of certiorari to the United States Court of Appeals for the Ninth Circuit. The cross-petition in No. 85-1608 is granted. The judgment of the Court of Appeals is reversed in part, vacated in part and the cases are remanded to the United States Court of Appeals for the Ninth Circuit for further proceedings in conformity with the opinion of this Court. Opinion by Justice White. Opinion by Justice Stevens concurring in part and concurring in the judgment with whom Justice Scalia joins.

No. 85-1672. United States, Petitioner *v.* William D. Merchant. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The writ of certiorari is dismissed as improvidently granted. Opinion *per curiam* announced by the Chief Justice.

## ADMISSION TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Janet Gallagher	Brooklyn, NY	Rhonda Copeion

## ORAL ARGUMENTS

No. 85-1722. Edward O'Lone, etc., et al., Petitioners *v.* Estate of Ahmad Uthman Shabazz and Sadr-Ud-Din Nafis Mateen. Argued by Ms. Laurie M. Hodian for the petitioners, by Mr. Roger Clegg for the United States, as *amicus curiae*, supporting petitioners, by special leave of Court, and by Mr. James Katz for the respondents.

No. 86-341. Fort Halifax Packing Company, Inc., Appellant *v.* P. Daniel Coyne, Director, Bureau of Labor Standards of Maine, et al. Argued by Mr. John C. Yavis, Jr., for the appellant and by Mr. Thomas D. Warren for the appellees.

No. 86-270. San Francisco Arts & Athletics, Inc. and Thomas F. Waddell, Petitioners *v.* United States Olympic Committee and International Olympic Committee. Argued by Ms. Mary C. Dunlap for the petitioners and by Mr. John G. Kester for the respondent.

No. 86-5020. John Booth, Petitioner *v.* Maryland. Argued by Mr. George E. Burns, Jr., for the petitioner and by Mr. Charles O. Monk, II, for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-920. Alaska Airlines, Inc., et al., Petitioners *v.* William E. Brock, Secretary of Labor, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Justice Blackmun.

No. 85-1129. Paul E. Johnson, Petitioner *v.* Transportation Agency, Santa Clara County, California, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Brennan. Concurring opinion by Justice Stevens. Opinion by Justice O'Connor concurring in the judgment. Dissenting opinion by Justice White. Dissenting opinion by Justice Scalia with whom the Chief Justice joins and with whom Justice White joins in Parts I and II.

No. 85-303. Missouri, Petitioner *v.* Zola Blair. On writ of certiorari to the Supreme Court of Missouri. The writ of certiorari is dismissed as improvidently granted. Opinion *per curiam* announced by the Chief Justice.

No. 86-1656. James A. Lynaugh, Interim Director, Texas Department of Corrections, Petitioner *v.* Gregory Allen Petty. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The writ of certiorari is dismissed as improvidently granted. 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>
Ira Edward Yellin	Los Angeles, CA	Martin Lobel
Kenneth Harlan Lewis	Los Angeles, CA	Arthur Lewis

## ORAL ARGUMENTS

No. 86-337. Burlington Northern Railroad Company, Petitioner *v.* Oklahoma Tax Commission, et al. Argued by Mrs. Betty Jo Christian for the petitioner, by Mr. Albert G. Lauber, Jr., for the United States

as *amicus curiae*, supporting petitioner, by special leave of court, and by David W. Lee for the respondents.

No. 86-108. Gary Hilton, Superintendent, New Jersey State Prison, et al., Petitioners *v.* Dana Braunskill. Argued by Mr. John G. Holl for the petitioners and by Mr. Mark H. Friedman for the respondent.

No. 85-1835. California, Petitioner *v.* Peter Rooney. Argued by Mr. Arnold T. Guminski for the petitioner and by Mr. Arthur Lewis for the respondent.

No. 86-98. Gregory L. Rivera, Appellant *v.* Jean Marie Minnich. Argued by Mr. William Watt Campbell for the appellant and by Ms. Mary Louise Barton for the appellee.

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Adjourned until Monday, March 30, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-701. Janet Cooper, Appellant *v.* Eugene School District No. 4J, et al. Appeal from the Supreme Court of Oregon. The appeal is dismissed for want of a substantial federal question. Justice Brennan, Justice Marshall and Justice O'Connor would note probable jurisdiction and set the case for oral argument.

No. 86-1286. K Mart Corporation, Appellant *v.* Idaho State Tax Commission. Appeal from the Supreme Court of Idaho. 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 Stevens took no part in the consideration or decision of this case.

No. 86-1291. Rafael M. Montano, Appellant *v.* Prince George's County, Maryland, 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.

## CERTIORARI—SUMMARY DISPOSITION

No. 85-1099. Glen Adkins, Petitioner *v.* Chesapeake and Ohio Railway Company and W. T. Brady. 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 *Atchison, Topeka and Santa Fe Railway Company v. Buell*, 480 U.S. — (1987).

No. 86-303. Donald P. Hodel, Secretary of the Interior, et al., Petitioners *v.* Tribal Village of Akutan, et al.; and

No. 86-304. Amoco Production Company, et al., Petitioners *v.* Tribal Village of Akutan, et al. On petitions for writs of certiorari to the

United States Court of Appeals for the Ninth 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 Ninth Circuit for further consideration in light of *Amoco Production Company v. Village of Gambell*, 480 U.S. — (1987).

No. 86-6059. Wardell Patterson, Jr., Petitioner *v.* James Aiken, Warden, et al. On petition for writ of certiorari to the Court of Commons Pleas of South Carolina, York County. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Commons Pleas of South Carolina, York County, for further consideration in light of *Truesdale v. Aiken*, 480 U.S. — (1987).

No. 86-6071. Paul F. Koon, Petitioner *v.* James Aiken, Warden. On petition for writ of certiorari to the Court of Common Pleas of South Carolina, Aiken County. The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Common Pleas of South Carolina, Aiken County, for further consideration in light of *Truesdale v. Aiken*, 480 U.S. — (1987).

#### ORDERS IN PENDING CASES

No. D-586. In the Matter of Disbarment of Stanley L. Seligman. Disbarment order entered.

No. D-598. In the Matter of Disbarment of Martin Manuel Gorin. Disbarment order entered.

No. D-603. In the Matter of Disbarment of Irving Weinsoff. Disbarment order entered.

No. D-620. In the Matter of Disbarment of Anthony V. DeCello. It is ordered that Anthony V. DeCello, of Pittsburgh, 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-621. In the Matter of Disbarment of Thomas J. Folan. It is ordered that Thomas J. Folan, of Pittsburgh, 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-622. In the Matter of Disbarment of Barton A. Pasternak. It is ordered that Barton A. Pasternak, 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-623. In the Matter of Disbarment of Jerome F. Connell. It is ordered that Jerome F. Connell, of Pasadena, 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. 85-673. Neil F. Hartigan, Attorney General of the State of Illinois, etc., et al., Appellants *v.* David Zbaraz and Allan G. Charles, etc. Oral argument in this case, set for Wednesday, April 1, 1987, is deferred to a later date. No. 85-6725, *Bourjaily v. United States*, will be argued in its stead.

No. 85-2079. Laborers Health and Welfare Trust Fund, for Northern California, et al., Petitioners *v.* Advanced Lightweight Concrete Co., Inc. The motion of petitioners to dispense with printing the joint appendix is granted.

No. 86-327. Mullins Coal Company, Inc. of Virginia, et al., Petitioners *v.* Director, Office of Workers' Compensation Programs, United States Department of Labor, et al. The motion of National Coal Association for leave to file a brief as *amicus curiae* is granted.

No. 86-422. David Carpenter, Kenneth P. Felis, and R. Foster Winans, Petitioners *v.* United States. The motion of petitioners for divided argument is denied.

No. 86-964. David A. Thompson, Petitioner *v.* Susan A. Thompson, aka Susan A. Clay. The motion of Women's Legal Defense Fund, et al. for leave to file a brief as *amici curiae* is granted.

#### CERTIORARI GRANTED

No. 86-1278. Hustler Magazine and Larry C. Flynt, Petitioners *v.* Jerry Falwell. The motion of Richmond Newspapers, Inc., et al. for leave to file a brief as *amici curiae* is granted. The motion of Reporters Committee for Freedom of the Press for leave to file a brief as *amicus curiae* is granted. Petition for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 86-6060. Dale Robert Yates, Petitioner *v.* James Aiken, Warden, et al. The motion of petitioner for leave to proceed *in forma pauperis* granted. The petition for a writ of certiorari to the Supreme Court of South Carolina granted.

No. 86-6109. Frederick Mathews, Petitioner *v.* United States. 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 Seventh Circuit is granted limited to Question I presented by the petition.

#### CERTIORARI DENIED

No. 85-1702. Norfolk and Western Railway Company, Petitioner *v.* Gary C. Lancaster. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-898. George Dunbar Prewitt, Jr., Petitioner *v.* United States Postal Service. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-923. Toyota of Berkeley, Petitioner *v.* Automobile Salesmen's Union, Local 1095, United Food and Commercial Workers Union. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-925. Florence Y. Barnes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-952. Daniel L. Fierro, Petitioner *v.* Otis R. Bowen, Secretary, Department of Health and Human Services. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1026. Irwin A. Schiff, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1071. Alaska, Petitioner *v.* Richard E. Lyng, Secretary of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1089. Stacey Lynn Merkt and John B. Elder, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1106. Richard J. Beck, Petitioner *v.* Department of Transportation, Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1205. Isadora Karash, etc., Petitioner *v.* County of San Diego. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-1270. J. Vincent Aprile, II and William M. Radigan, Petitioners *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 86-1274. Arthur Andersen & Co., Petitioner *v.* Sidney J. Rudolph, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1280. Tennessee, Petitioner *v.* John Herrington, Secretary of Energy. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1290. Charlotte Louise Wilson, etc., et al., Petitioners *v.* Burlington Northern Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1292. Vincente B. Chuidian, Petitioner *v.* Superior Court of California, Santa Clara County (Philippine Export and Foreign Loan Guarantee Corporation, Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Sixth Appellate District, denied.

No. 86-1296. Air Line Pilots Association, International, Petitioner *v.* United Air Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1301. John L. Cheek, Petitioner *v.* Thomas P. Beck, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1303. H. J. Lubbehusen, et al., Petitioners *v.* Indiana, et al. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 86-1305. City of Irvine, Petitioner *v.* County of Orange, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1306. Illinois, Petitioner *v.* Cary Wayne Wiseman. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-1307. Windon Third Oil and Gas Drilling Partnership, et al., Petitioners *v.* Federal Deposit Insurance Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1310. Frank Kustina, Petitioner *v.* City of Seattle. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1314. Karl E. Hubbard, Petitioner *v.* Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1315. Philip J. Clough, Roswell E. Hubbard, John F. McDermott and Richard G. Miekka, Petitioners *v.* Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1317. 49er Chevrolet, Inc., et al., Petitioners *v.* General Motors Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1318. Monoclonal Antibodies, Inc., Petitioner *v.* Hybritech, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1323. James R. Schwander, et ux., Petitioners *v.* Albert E. Cordova. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1324. Lavoyd Wayne "Bill" Hardin, Petitioner *v.* Clifford F. McMaster. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1337. W. T. "Butch" Burns, et al., Petitioners *v.* Chisum Independent School District, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1341. Connecticut Performing Arts Foundation, Inc., Petitioner *v.* George F. Brown, Tax Commissioner of the State of Connecticut. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1362. Oreste Lodi and Tommie Jo Lodi, Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1384. Rodney J. Baker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-1389. Matt Myslakowski, Individually and as next friend of Marie Myslakowski, a minor, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1395. Roy B. Brooks, et al., Petitioners *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. 86-5979. George C. Morgan, Petitioner *v.* United States Postal Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6032. Joseph Gelb, Petitioner *v.* Royal Globe Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6034. Eugene Worsley, Petitioner *v.* W. P. Rogers, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6044. Jackie Jones, Petitioner *v.* Tennessee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6063. Dennis Thomas, Petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-6090. Glenn S. Passman, Petitioner *v.* Frank Blackburn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6120. Daniel Henderson Jones, Petitioner *v.* George W. Wilson, Secretary, Kentucky Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6297. Daniel Hitchcock, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 86-6307. Tonya Wilcher, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-6321. Joseph H. Shaw, Petitioner *v.* Samuel Garrison, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6323. Gilbert G. Velilla, Petitioner *v.* United Technologies Corporation, Hamilton Standard Division, et al. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 86-6325. Lloyd G. Perry, Petitioner *v.* Paul D. Gresk, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6327. Michael Hoover, Petitioner *v.* Garfield Heights Municipal Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6328. Gilbert G. Beezley, Petitioner *v.* Fremont Indemnity Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6332. James T. Dunham, Petitioner *v.* Tar Heel Container Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6333. Lloyd G. Perry, Petitioner *v.* George Astrike, et al. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 86-6338. Ernest Jackson, Petitioner *v.* Charles Zimmerman, Superintendent, State Correctional Institution and Correctional 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. 86-6339. Willard S. Carlock, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6340. Edward L. Adams and Ormise S. Scott, Petitioners *v.* Department of Public Safety and Corrections, etc. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 86-6344. Johnny Reed, Jr., Petitioner *v.* Norman A. Carlson. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-6348. Haywood Williams, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6349. Michele Monroe Morgan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6352. Herman Esry Sammons, 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. 86-6353. Victor R. Munford, Petitioner *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 86-6354. Keith B. Wiley, Petitioner *v.* Daffy Carpenter. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6368. Willard S. Carlock, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6385. Eduardo Lambert, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6386. Benjamin Goldhammer, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 86-6389. Donald F. Ferris, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6399. George Knost, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6400. Tommy Gene Clark, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6403. Carlos Orlando Acosta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6404. Patrick Dennis Harris, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6405. John Michael Matusavage, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6411. Ernest Wagner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6412. Jalil Ibn Musa, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6413. Floyd Stephens, Petitioner *v.* United States; and

No. 86-6414. Al Patton, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6415. Robert Swierski, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6419. Gianna Gizelle Lee, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6432. Louis Philippe Bourgeois, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6435. Glen Adkins and Tom Adkins, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-857. Burlington Northern Railroad Company, Petitioner *v.* Romesh Gulati. The motion of National Railway Labor Conference for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 86-999. New York, et al., Petitioners *v.* Elizabeth H. Dole, Secretary of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-1070. Mountain States Legal Foundation, et al., Petitioners *v.* Donald P. Hodel, Secretary of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice O'Connor took no part in the consideration or decision of this petition.

No. 86-1171. Richard L. Dugger, Secretary, Florida Department of Corrections, Petitioner *v.* Richard T. Dorman. 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. 86-6035. Clifford Smith, 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. 86-6087. Alfred Albrecht, Sr., 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. 86-6203. Thomas Dewey Pope, 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. 86-6293. Anthony Hall, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6294. Milton Johnson, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6309. Richard L. Whitley, Petitioner *v.* Toni V. Bair, 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. 86-6479. Edward Earl Johnson, Petitioner *v.* Morris Thigpen, Commissioner, Mississippi 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. 86-6370. Eli Raitport, Petitioner *v.* I.B.M., 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.

#### MANDAMUS DENIED

No. 86-6298. In Re Ronald Edward Gillette, Petitioner. The petition for writ of mandamus is denied.

#### REHEARINGS DENIED

No. 86-5982. Ariel G. Falcon, Petitioner *v.* United States;

No. 86-5989. Pearly Wilson, Petitioner *v.* George Denton, et al.;

No. 86-6078. Luis Tomas Jacob Leal, Petitioner *v.* Eric Dahlberg, Superintendent, Ohio State Reformatory; and

No. 86-6119. Daniel Henderson Jones, Petitioner *v.* William Murphy Howard, et al. The petitions for rehearing are denied.

No. 86-6074. Herbert R. Gormong, Petitioner *v.* Cleveland Electric Company of Georgia, Inc. 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, April 6, 1987 until Monday, April 20, 1987.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph L. T. Ardery	Louisville, KY	Philip P. Ardery
Gottlieb John Baer	Sacramento, CA	Dennis Paul Eckhart
Robert Russell Bailey	Wake Island	Daniel Stephen Kozma
Henry Edmund Billingsley II	Cleveland, OH	Joseph Timothy Stearns
Marc Patrick Bouret	Lafayette, CA	Robert Lewis Van Blois
Taylor D. Buntin III	Hernando, MS	Robert L. Williams
Phililp Raphael Carter	New York, NY	Michael J. Silverberg
Gordon Malone Carver III	Houston, TX	Linda Latimer Kelly
Jack W. Caskey	Lake Charles, LA	Allen L. Smith Jr.
Donna Lee Clontz	Ventura, CA	Gary Raymond Hahn
James R. Cox	Louisville, KY	R. Van Young
Ken Cross	Austin, TX	James Albon Mattox
Lauren Elizabeth Dana	Los Angeles, CA	Franklin E. Dana
Martha Frances Davis	New York, NY	Robert Louis Davis
James Eugene DePasquale	Pittsburgh, PA	Saul Davis
Mark A. Dienstag	Miami, FL	B. J. Layne
David Drexler	Los Angeles, CA	William Jerome Pollack
Mary M. Dryovage	San Francisco, CA	Peter B. Broida
Richard D. English	Austin, TX	Richard Kennon Willard
Robert Lewis Fairchild	Center, TX	Bill F. Griffin Jr.
Marie Louise Garibaldi	Weehawken, NJ	Daniel J. O'Hern
Paul M. Glenn	Jacksonville, FL	Samuel S. Jacobson
Rochelle Grimbau	Chicago, IL	Maureen J. McGann-Ryan

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert F. Gusky	San Diego, CA	Howard Charles Cohen
Barbara Jean Gustafarro	Richmond Heights, OH	David J. Richards Jr.
Stephen Emil Haberfeld	Malibu, CA	Archibald Cox
Sharon Burton Haberfeld	Malibu, CA	Laurence Freeman Jay
Susan Mara Hais	St. Louis, MO	Richard L. Murray
Jeffrey Allan Halm	Canton, OH	Arthur Stern Leb
Donald J. Hanaway	Madison, WI	James D. Jeffries
Robert Quentin Harris	Richmond, VA	Mary Sue Terry
Arthur I. Harris	Cleveland, OH	James Matthew Cain
Kenneth B. Howard Jr.	Coeur d'Alene, ID	Lloyd J. Webb
Scott W. Howe	Washington, DC	David Adam Reiser
Ralph P. Huber	New York, NY	Peter Carroll Gould
Gregg Berry Hughes	Los Angeles, CA	Robert G. Drees
Janet P. Jakubowicz	Louisville, KY	R. Van Young
Robert M. Jarvis	New York, NY	Lawrence Walker Newman
Charles Martin Johnson	Denver, CO	David G. Palmer
Einar William Johnson	Torrance, CA	Keith Karlton Hilbig
Michael K. Kellogg	Washington, DC	Charles Fried
Herbert Sinclair Kerr Jr.	San Francisco, CA	Amitai Schwartz
Mark Peter Kovalchuk	Minneapolis, MN	Michael Leonard Flanagan
Steven Charles Krane	New York, NY	Stephen Rackow Kaye
Michael Francis Kuzow	Tulsa, OK	Robert S. Rizley
Dan Alan Leeman	Dallas, TX	David K. Park
Jeffrey SEan Lehman	Arlington, VA	Leonard Lehman
Richard Ware Levitt	New York, NY	Leon Friedman
John Phillips Linton	Charleston, SC	Charles Haskell Gibbs

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Warren Nelson Loar IV	Mt. Vernon, IL	John Ernest Howath Sherry
Gregory Thomas Lodge	Toledo, OH	Donald M. Mewhort Jr.
William Gordon Luckhardt	Santa Rosa, CA	Edwin C. Anderson Jr.
Joanna A. Mauer	Montpelier, VT	Susan Ruth Harritt
William Maya	Orange, CA	Mark Allyn Hiller
Mark Thomas McDermott	Washington, DC	Arthur J. Gajarsa
Charles Rufus McNair III	Little Rock, AR	John Steven Clark
Vanzetta Penn McPherson	Montgomery, AL	Tyrone Carlton Means
Terrence J. Miglio	Detroit, MI	Thomas H. Schwarze
Michael Patrick Mullins	Charlotte, NC	Philip Marshall Van Hoy
Brenda Marie Nelson	Philadelphia, PA	C. Oliver Burt III
Billy H. Nolas	New York, NY	Mark Evan Olive
Mark P. Pazuhanich	Stroudsburg, PA	Raymond T. Cullen
Robert Michael Peak	Washington, DC	Wayne Alan Cross
James A. Perkins	Yakima, WA	James E. Davis
Curtis E. Pew	New York, NY	Lawrence Walker Newman
David Alan Pines	Los Angeles, CA	Frank John Peragine
Nicholas Pizzolatto Jr.	Lake Charles, LA	Allen L. Smith Jr.
Martin Postic Jr.	Oklahoma City, OK	William Robert Burkett
Elizabeth Jane Rickenbacker	Miami, FL	B. J. Layne
Richard J. Romello	Des Plaines, IL	Donald James Storino
John Leslie Schaub	Atlanta, GA	John L. Taylor Jr.
Ronald Malcolm Sinoway	Phillipsville, CA	Marshall Warren Krause
Jane E. Slenkovich	Saratoga, CA	Paul J. Mason

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jack Lawrence Smith	Denver, CO	Robert Eugene Benson
Joseph F. Spitzzeri	Chicago, IL	Michael J. Hayes
Helene Stone	Ventura, CA	Wendy Cole Lascher
Donald R. Taylor	San Antonio, TX	Robert Edward Goodfriend
Barbara Childs Wallace	Jackson, MS	Michael Brunson Wallace
Gerard J. Walls	New York, NY	Michael C. Barr
Frank Alan Weiser	Los Angeles, CA	David Bruce Bloom
James Donald Whitmire	Decatur, AL	Albert Preston Brewer
Glen David Wieland	Orlando, FL	William Gregory Lockeby
Barbara L. Wilcox	Geneva, IL	Joseph J. Hasman
John O. Williams	Tallahassee, FL	John Hendrick Beck
Victoria Elizabeth Young	Shreveport, LA	John Robert Halliburton
Bryant L. Young	San Francisco, CA	Alvin H. Pelavin
Suzanne Zitser	New Haven, CT	Richard Emanuel

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Adelaide Daniell Hogan	San Diego, CA	William H. Drummond
Jonathan Redington Fiske	Evanston, IL	William Paul Sutter
Blanche C. Bersch	Los Angeles, CA	Carol Agate
Michael Jay Karger	Gardena, CA	Katherine Watson Stone
Michael H. Miller	Los Angeles, CA	Katherine Watson Stone
Elizabeth A. Tunks	Alexandria, VA	Myrna E. Friedman

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Lloyd Massey	Little Rock, AR	John Patrick Baker
Gary Manning Ford	Washington, DC	Peter Henry Gould
Carol Connor Flowe	Washington, DC	Peter Henry Gould

## ORAL ARGUMENTS

No. 85-2116. Puerto Rico, Petitioner *v.* Terry E. Branstad, et al. Argued by Mr. Lino J. Saldana for the petitioner and by Mr. Brent R. Appel for the respondents.

No. 86-133. James Patrick Nollan, et ux., Appellants *v.* California Coastal Commission. Argued by Mr. Robert K. Best for the appellants and by Ms. Andrea Sheridan Ordin for the appellee.

No. 86-5375. Christopher A. Burger, Petitioner *v.* Ralph Kemp, Warden. Argued by Mr. Joseph M. Nursey for the petitioner and by Mr. William B. Hill, Jr., for the respondent.

No. 86-421. Board of Directors of Rotary International, et al., Appellants *v.* Rotary Club of Duarte, et al. Argued by Mr. William P. Sutter for the appellants, by Ms. Judith Resnik for the appellees, and by Ms. Marian M. Johnston for the Intervenor, California, supporting appellees, by special leave of Court.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-530. Dennis M. O'Connor, et al., Petitioners v. Magno J. Ortega. 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 judgment of this Court. Justice O'Connor announced the judgment of the Court and delivered an opinion in which the Chief Justice, Justice White and Justice Powell join. Opinion by Justice Scalia concurring in the judgment. Dissenting opinion by Justice Blackmun with whom Justice Brennan, Justice Marshall and Justice Stevens join.

No. 85-1940. United States, Petitioner v. Cherokee Nation of Oklahoma. 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 the Chief Justice.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jon William Thompson	Flagstaff, AZ	John G. Verkamp, III
Mark Stephen Mann	Washington, DC	Herbert N. Harmon

## ORAL ARGUMENTS

No. 86-177. Anthony R. Tanner and William M. Conover, Petitioners v. United States. Argued by Mr. John A. DeVault, III, for the petitioners and by Mr. Richard J. Lazarus for the respondent.

No. 86-179. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, et al., Appellants v. Christine J. Amos, et al.; and

No. 86-401. United States, Appellant v. Christine J. Amos, et al. Argued by Mr. Rex E. Lee for the appellants in No. 86-179, by Mr.

William Bradford Reynolds for the appellant in No. 86-401, and by Mr. David B. Watkiss for the appellees in both cases.

No. 85-2121. Arizona, Petitioner v. William Carl Mauro. Argued by Mr. Jack Roberts for the petitioners and by Mrs. Kathleen Kelly Walsh for the respondent.

No. 86-251. Rockford Life Insurance Company, Appellant v. Illinois Department of Revenue, et al. Argued by Mr. Erwin N. Griswold for the appellant and by Ms. Patricia Rosen for the appellees.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORAL ARGUMENTS

No. 86-461. Board of Pardons and Henry Burgess, Petitioners v. George Allen and Dale Jacobsen, etc. Argued by Mr. Clay R. Smith for the petitioners and by Mr. Stephen L. Pevar for the respondents.

No. 85-1626. Charles Goodman, et al., Petitioners v. Lukens Steel Company, et al.; and

No. 85-2010. United Steelworkers of America, AFL-CIO-CLC, et al., Petitioners v. Charles Goodman, et al. Argued by Mr. Robert M. Weinberg for the United Steelworkers of America, AFL-CIO-CLC, et al. and by Mr. William H. Ewing for Charles Goodman, et al.

No. 86-6. James G. Ricketts, Director, Arizona Department of Corrections, et al., Petitioners v. John Harvey Adamson. Argued by Mr. William J. Schafer, III, for the petitioners, by Mr. Roy T. Englert, Jr., for the United States as amicus curiae supporting petitioners, by special leave of Court, and by Mr. Timothy K. Ford for the respondent.

No. 85-6725. William John Bourjaily, Petitioner v. United States. Argued by Mr. Stephen Allan Saltzburg for the petitioner and by Mr. Lawrence S. Robbins for the respondent.

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Adjourned until Monday, April 6, 1987 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 Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-5656. Charles Bairnsfather, Appellant *v.* Louisiana. Appeal from the Court of Appeal of Louisiana, Second Circuit. The appeal is dismissed for want of a substantial federal question. Justice Brennan, Justice Powell and Justice Scalia would note probable jurisdiction and set the case for oral argument. Justice Stevens would dismiss the appeal for want of jurisdiction.

## CERTIORARI—SUMMARY DISPOSITION

No. 84-1936. Corporate City of South Bend, et al., Petitioners *v.* Timothy Janowiak. 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 *Johnson v. Transportation Agency*, 480 U. S. — (1987) and *Wygant v. Jackson Board of Education*, 476 U. S. — (1986).

No. 86-468. Preston R. Tisch, in his capacity as Postmaster General of the United States, Petitioner *v.* Darlene Shidaker. 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 *Johnson v. Transportation Agency*, 480 U. S. — (1987).

No. 86-1351. Utica Mutual Insurance Company, Petitioner *v.* Eugene Talley, 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 *Burlington Northern Railroad Company v. Woods*, 480 U. S. — (1987).

## ORDERS IN PENDING CASES

No. A-674. Charles R. Knowles, Applicant *v.* United States. The application for bail addressed to Justice Brennan and referred to the Court is denied.

No. A-693. Burton Linne, Applicant *v.* United States. The application for bail addressed to Justice Brennan and referred to the Court is denied.

No. A-716. Western Airlines, Inc., et al., Applicants *v.* International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Airline Division, et al. The motion of Air Transport Employees and the motion of International Brotherhood of Teamsters, Airline Division, et al. to vacate the stay orders entered by Justice O'Connor on April 1, 1987 and April 2, 1987, pending the timely filing and disposition of a petition for writ of certiorari are denied. Justice Stevens took no part in the consideration or decision of these motions.

No. D-624. In the Matter of Disbarment of Joseph H. Hallows. It is ordered that Joseph H. Hallows, of Milwaukee, 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. D-625. In the Matter of Disbarment of Thomas J. Ernst. It is ordered that Thomas J. Ernst, 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-626. In the Matter of Disbarment of Morris Mazelis. It is ordered that Morris Mazelis, 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-627. In the Matter of Disbarment of Peter H. Gerns. It is ordered that Peter H. Gerns, 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. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. The out-of-time motion of Johnny Harris, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is denied. The order, hereto-

fore entered on December 8, 1986, appointing N. Patrick Flanagan, III, Esquire, is vacated and it is ordered that M. Daniel Markoff, Esquire, of Las Vegas, Nevada, is appointed to serve as counsel for the respondent in this case.

No. 86-344. Ohio, et al., Appellants *v.* Fleet Aerospace Corporation, et al. The motion of appellants to defer consideration in No. 86-71, *CTS v. Dynamics Corporation*, and No. 86-97, *Indiana v. Dynamics Corporation*, and note probable jurisdiction in this case is denied.

No. 86-870. Phillips Petroleum Company and Cinque Bambini Partnership, Petitioners *v.* Mississippi and Saga Petroleum U. S., Inc. The motion of respondent Mississippi to dismiss the writ of certiorari as improvidently granted is denied.

No. 86-1172. Goodyear Atomic Corporation, Appellant *v.* Esto Miller and Industrial Commission of Ohio. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-1387. John H. Mackey, et al., Petitioners *v.* Lanier Collections Agency & Service, Inc. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

#### CERTIORARI GRANTED

No. 86-1408. Pearlle Mai Haynie, et al., Petitioners *v.* Ross Gear Division of TRW, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. Justice Marshall took no part in the consideration or decision of this petition.

#### CERTIORARI DENIED

No. 86-1030. County of Santa Clara, Petitioner *v.* Joe P. Ramirez. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1059. Mildred Bailey Bell, Petitioner *v.* John Thomas Bell, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1155. International Primate Protection League, et al., Petitioners *v.* Institute for Behavioral Research, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1158. Conrad Schellong, Petitioner *v.* U. S. Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1316. Ethel R. Harris, Trustee under the Trust Agreement dated March 1, 1973, et al., Petitioners *v* Sentry Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1331. Yuri Fashions Co., Ltd., Petitioner *v* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1332. Carl D. McCarty, Jr., Petitioner *v* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Harrisburg Office, denied.

No. 86-1411. Harry P. Miller, Jr., Petitioner *v* Federal Deposit Insurance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1422. Elijah W. Ratcliff, Petitioner *v* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1441. Leonard Solties and Cecilia Solties, Petitioners *v* Massey-Ferguson, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1444. Michael Bigley, Gene Amicarelli and Saleem Azad, Petitioners *v* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1465. Vaughn Desha, Petitioner *v* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-5888. Jack Allen Dale, Petitioner *v* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 86-5999. Ronald Turner, Petitioner *v* Pansophic Systems, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6001. Christopher D. Wilmer, Petitioner *v* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6031. Jose Cruz Rodriguez, Petitioner *v* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District I, denied.

No. 86-6054. James Edward Williams, Petitioner *v* Neil Rone, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6130. Dwayne Eddie Lockett, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 86-6148. Gary Donald Reed, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-6159. Jerry Wanzer, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Second District, denied.

No. 86-6191. David L. Hoffman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6202. Edward Ross Clark, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6213. Morgan Doubleday, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6220. Geoffrey Adams, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 86-6269. Carl Richard Talbott, aka Pinball, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6275. Doris Daniels Kimbrough, Petitioner *v.* American Telephone and Telegraph Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6337. Socorro C. Clemente, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6356. Frank Wayne Pehringer, aka James Louis Whittlesey, 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. 86-6357. Craig S. Price and Andrew Scott Netro, Petitioners *v.* Baltimore Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6358. Darlene Frappier, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6359. Luis Thomas Jacob Leal, Petitioner *v.* WRQN, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6363. Danny Benito Taylor, Petitioner *v.* Herman C. Davis, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6366. Tyrone K. Jackson, Petitioner *v.* County of Armstrong Children and Youth Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6395. Donnis Glen Humphrey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6396. Wayne Douglas Grant, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-6407. Martin Brent Diggs, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Correctional Institution and Correctional 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. 86-6430. George H. Cook, Jr., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6440. Salvadore Reynoso-Barrios, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6455. Gary L. Ridge, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6456. Carlos Cruz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6463. Owen O. White, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-6465. George D. Gates, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-6467. Donald Coleman, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-6477. Russell Bonner and Wayne Bonner, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6480. Herman L. Hampton, Petitioner *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 86-6499. Jerome Hogan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 85-958. Illinois, Petitioner *v.* Larry W. Eyler. 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. 86-291. George Sumner, Director, Nevada Department of Prisons, Petitioner *v.* Charles Albert Phelps. 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. 86-1311. A. L. Laboratories, Inc., et al., Petitioners *v.* North American Philips Corporation. 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. 86-1338. Lourdes Lendian Deya, Petitioner *v.* Board of Supervisors of Louisiana State University, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-6197. Merwyn Austin Gipson, Petitioner *v.* Stanley D. Rosenberg, et al. The motion of respondents for damages is denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6208. Roderick Herman Frey, 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. 86-6334. Fletcher Thomas Mann, 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. 86-6355. Robert Kubat, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6372. Keith W. Zettlemyer, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Harrisburg Office, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6470. Jesse Lee Morrison, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6600. Anthony Charles Williams, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. The application for stay of execution of the 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.

#### MANDAMUS DENIED

No. 86-6367. In Re William T. Gray, III, Petitioner. The petition for writ of mandamus is denied.

#### REHEARINGS DENIED

No. 86-1025. In Re Earlene Polyak, Petitioner;

No. 86-6006. Javier Lyda, et al., Petitioners *v.* John K. and Janice K., et al.; and

No. 86-6077. John R. Kucher, Petitioner *v.* Antonio M. Maderios, et al. The petitions for rehearing are denied.

No. 85-703. Ursula J. Schoenborn, etc., et al., Petitioners *v.* Boeing Company. 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>
Amy Adelson	New York, NY	Marc David Stern
Robin W. Allen	Sacramento, CA	Richard Keith Corbin
David Kent Anderson	Houston, TX	William Fred Hagans
Gregory L. Arnold	Toledo, OH	John C. Wasserman

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Carroll Barrett, Jr.	Toledo, OH	John C. Wasserman
Douglas A. Berguson	Covington, PA	Barry M. Hartman
William W. Bowser	Wilmington, DE	Allen McKay Terrell, Jr.
Richard Boydston	Cincinnati, OH	Peter Edward Koenig
Randall Joseph Bramer	Washington, DC	James Franklin Rill
John Newman Bryant	Jacksonville, FL	Louis O'Melville Frost, Jr.
Jack W. Burnett	Billings, MT	Lewis E. Brueggemann
Michael A. Caddell	Houston, TX	William Fred Hagans
Francisco Campos-Lora	San Juan, PR	Jose L. Verdiales Morales
Robert J. Carr	Sarasota, FL	Jefferson F. Riddell
Michael Anthony Catanzaro	Springfield, OH	James Harry Lagos
David Paul Christianson	Orange, CA	Stanley I. Goldman
Robert John Cosentino	Providence, RI	Norman E. D'Andrea
Lawrence G. Crahan	St. Louis, MO	D. Jeff. Lance
R. Randall Cunliffe	Agana, Guam	James Bradley Klemm
Edward J. DaRin	Pasadena, CA	Joseph Harold Berg
Robert M. Disch	Washington, DC	Robert W. Steele
Nancy Kane Donnellan	Sarasota, FL	Jefferson F. Riddell
Joseph T. Doyle, Jr.	Boston, MA	David John Buczowski
Patrick Joseph Duffy	Tustin, CA	Paul J. Cooksey
Deborah A. Dupont	Washington, DC	Wayne Alan Cross

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frank Lawrence Ehrle	Dallas, TX	Judge James Wallace Kerr, Jr.
Marsena Mabel Farris	New York, NY	Peter G. Bergmann
Jesse A. Finkelstein	Wilmington, DE	Allan McKay Terrell, Jr.
Albert J. Flora, Jr.	Wilkes-Barre, PA	Basil Gregory Russin
John R. Fornaciari	Washington, DC	Robert W. Steele
Sally Belinkoff Frank	Bayonne, NJ	Nadine Hope Taub
Paul A. Frederiksen	Parker, CO	Gary H. Hemminger
Alexa Perry Freeman	Washington, DC	Alvin J. Bronstein
Charles Straith Frigerio	San Antonio, TX	James E. Barlow
James George Geanuracos	Hartford, CT	Louis B. Blumenfeld
Stephen R. Gible	Lancaster, PA	Kenelm Lawrence Shirk, Jr.
Vincent Shane Goetz	Arlington, TX	Chester G. Ball, Jr.
Frank Gotay-Barquet	San Juan, PR	Stanley L. Feldstein
Douglas Lawrence Hallett	Los Angeles, CA	John Joseph Connolly, III
Alan Joseph Haus	Berkel�y, CA	Natalie Elsa West
Ann Elizabeth Henkener	Columbus, OH	Roger J. Henkener
James A. Hennefer	San Francisco, CA	Alexander Kirk McKenzie
Samuel William Hudson, III	Dallas, TX	Kevin Joseph Clancy
John Strate Huiskamp	San Diego, CA	Thomas P. Nugent
Emery E. Jacques, Jr.	Walled Lake, MI	Leonard A. Peres
Ralph A. Kalal	Madison, WI	Alan G. Habermehl

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Campbell Kean	Houston, TX	Richard Haynes
Linda R. Koenig	San Francisco, CA	Joseph W. Rogers, Jr.
Joel David Kuperberg	Costa Mesa, CA	Michael Dallet Rubin
David E. Leefers	Jacksonville, FL	Theodore C. Rammelkamp
William P. Leeson	Bethlehem, PA	Joseph Francis Leeson
John B. Meadows	Austin, TX	James Standifer Ludlum
Rayford Allen Means	Philadelphia, PA	Gaele McLaughlin Barthold
James G. Middlebrooks	Charlotte, NC	E. Barrett Prettyman, Jr.
James William Mills, III	Dallas, TX	Charles Robert Hodges
Peter J. Minkow	Laconia, NH	Arthur H. Nighswander
James F. Mulligan	Coatesville, PA	Robert M. Landis
Mark Edward Musolf	Madison, WI	James D. Jeffries
James Niss	New York, NY	Jed S. Rakoff
Jeffrey Douglas Otto	Austin, TX	James Standifer Ludlum
Mario L. Paniagua-Guzman	San Juan, PR	Alberto Pico
Thomas E. Parker, Jr.	Huntsville, AL	Paul Averyt Pate
Glenn W. Patterson, Jr.	Houston, TX	Carl Theobold Schultz, III
Linda G. Peck	Laconia, NH	Arthur H. Nighswander
Charles H. Rennick	El Paso, TX	Elizabeth Major
Henry Thomas Rosser	Raleigh, NC	Marcella Ann Reed
Richard R. Rulon	Philadelphia, PA	Henry Kolowrat
Brian Keith Schaner	Cleveland, OH	Adrian B. Fink, Jr.
Steven George Schember	Sarasota, FL	Jefferson F. Riddell

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joel Schneider	Philadelphia, PA	Joseph G. Manta
Paul J. Schoff	Bethlehem, PA	Alan M. Black
Constance Hoke Shaner	Carlsbad, CA	Richard Rothschild Ravreby
Betty-Ellen Shave	Washington, DC	Neal M. Sher
Michael T. Shor	Washington, DC	Leonard Harry Becker
Mary Bridget Spaulding	Brooklyn, NY	A. Lawrence Washburn, Jr.
Mark Victor Stanga	Washington, DC	Jon Ferguson Kelly
Howard Steven Toland	Fort Lauderdale, FL	Dennis G. Kainen
David Gary Tripp	Washington, DC	John R. Quarles, Jr.
Arthur Ya-Shih Tsien	Washington, DC	David Frank Weeda
Donald L. Turbyfill	Houston, TX	Jeffrey A. Lehmann
Kenneth Xavier Warren	Baltimore, MD	J. Hardin Marion
Richard L. Welch	Austin, TX	James Standifer Ludlum
John Armstrong West	Lexington, KY	Phillip D. Scott
David B. Woodruff	Jacksonville, IL	Theodore C. Rammelkamp
William Roy Worthen.	Springfield, VA	Robert John Cynkar
Durwood J. Zaelke, Jr.	Juneau, AK	Daniel S. Mason
E. Richard Zamecki	Houston, TX	Kenneth Edwin Kuffner
Robert Alfred Zauner	Washington, DC	Seymour M. Chase

## OPINIONS

No. 85-1043. Pilot Life Insurance Company, Petitioner *v.* Everate W. Dedeaux. 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.

No. 85-686. Metropolitan Life Insurance Company, Petitioner *v.* Arthur Taylor; and

No. 85-688. General Motors Corporation, Petitioner *v.* Arthur Taylor. On writs of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Justice O'Connor. Concurring opinion by Justice Brennan with whom Justice Marshall joins.

No. 85-1804. Thomas West, Petitioner *v.* Conrail, 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 Stevens.

No. 85-1798. Pennzoil Company, Appellant *v.* Texaco, Inc. Appeal from the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of New York with instructions to vacate its order and dismiss the complaint. The judgment of this Court shall issue forthwith. Opinion by Justice Powell. Opinion by Justice Brennan concurring in the judgment with whom Justice Marshall joins. Opinion by Justice Marshall concurring in the judgment. Opinion by Justice Blackmun concurring in the judgment. Opinion by Justice Stevens concurring in the judgment with whom Justice Marshall joins. Concurring statement by Justice Scalia with whom Justice O'Connor joins.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John J. Respeliars	Omaha, NB	Francis Aloysius McDermott
Brigham Paul Jones	Paradise, CA	Maynard Chalmer Craig
Ronald Ralph Austin	Washington, DC	Richard Joseph Hirn
Debra Bentley Hendrickson	Indianapolis, IN	Douglas Ross
Richard Eugene Hendrickson	Indianapolis, IN	Douglas Ross
Susan G. Bailo	South Lyon, MI	Dennis M. Hertel

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
W.E.B. Blackmon	Houston, TX	Dennis M. Hertel
Nancy Anne Craddock	Fresno, CA	Dennis M. Hertel
Gary R. Danielson	Detroit, MI	Dennis M. Hertel
Lawrence Michael Doyle	Livonia, MI	Dennis M. Hertel
M. Catherine Farrell	Southfield, MI	Dennis M. Hertel
Suzanne Marie Lockwood Fish	Kalamazoo, MI	Dennis M. Hertel
Donald M. Fulkerson	Detroit, MI	Dennis M. Hertel
Siri Gottlieb	Flint, MI	Dennis M. Hertel
Denise Diane Green	Detroit, MI	Dennis M. Hertel
Kevin John Heinl	Southfield, MI	Dennis M. Hertel
Mary Catherine Rose Kedzior	Huntington Woods, MI	Dennis M. Hertel
Michael Owen Kenney	Grand Rapids, MI	Dennis M. Hertel
Donald Allmand Loose	Phoenix, AZ	Dennis M. Hertel
Edward J. Maciak	Saginaw, MI	Dennis M. Hertel
Dennis F. Martini	Livonia, MI	Dennis M. Hertel
Richard John Mathews	Flint, MI	Dennis M. Hertel
Leonard E. Miller	Detroit, MI	Dennis M. Hertel
Harriet McGruder Morman	Detroit, MI	Dennis M. Hertel
Robert Louis Pugh	Farmington Hills, MI	Dennis Hertel
Jon L. Sandler	Columbia, MD	Dennis M. Hertel
Susan Wise Sitron	Southfield, MI	Dennis M. Hertel
Thomas W. Spiroff	Dearborn, MI	Dennis M. Hertel
Rodney B. Weeks	Birmingham, MI	Dennis M. Hertel
Howard N. Gould	Los Angeles, CA	Sherman Louis Cohn
Linda E.F. Lach	San Jose, CA	Sherman Louis Cohn
Terri L. Combs	Joplin, MO	Sherman Louis Cohn
Pamela Beck Danner	Washington, DC	Sherman Louis Cohn
Charles Robinson Davies	Washington, DC	Sherman Louis Cohn
Robert J. O'Regan	Boston, MA	Sherman Louis Cohn

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Shelia Footer	Rockville, MD	Sherman Louis Cohn
Thomas Francis Schlaffy	St. Louis, MO	Sherman Louis Cohn
Thomas M. Swartwood	New York, NY	Sherman Louis Cohn
Gregory John Tarone	Palm Harbor, FL	Sherman Louis Cohn
Thomas J. Cullen	Norwalk, CT	William Hughes Mulligan
Jill A. Jacobson	Norwalk, CT	William Hughes Mulligan
Carol Lombard Lutz	Greenwich, CT	William Hughes Mulligan
David R. Schachter	Clearwater, FL	William Hughes Mulligan
Bernard Vincent Carlesimo	Montclair, NJ	William Hughes Mulligan
Howard William Crusey, Jr.	Princeton, NJ	William Hughes Mulligan
James P. Dugan	Roseland, NJ	William Hughes Mulligan
Steven M. Friedman	Washington, DC	William Hughes Mulligan
Robert Andrew Galison	Whippany, NJ	William Hughes Mulligan
Michael Barclay	New York, NY	William Hughes Mulligan
Robert L. Barry	New York, NY	William Hughes Mulligan
Charles Wakeman Benton	New York, NY	William Hughes Mulligan
Robert Joseph Bishop	New York, NY	William Hughes Mulligan
Marcia Ann Bowles	New York, NY	William Hughes Mulligan
Eileen Edith Celia Bransten	New York, NY	William Hughes Mulligan

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John V. Bresnahan	New York, NY	William Hughes Mulligan
William R. Brick, Jr.	New York, NY	William Hughes Mulligan
Dennis P. Casey	New York, NY	William Hughes Mulligan
Gregory Cooper	Fairfax, VA	William Hughes Mulligan
William J. Cosgrove	New York, NY	William Hughes Mulligan
Patricia D'Alvia	New York, NY	William Hughes Mulligan
Joseph G. DeMaria	Rochester, NY	William Hughes Mulligan
John C. Dillon	Chappaqua, NY	William Hughes Mulligan
James Patrick Dowd	New York, NY	William Hughes Mulligan
Irving Eng	New York, NY	William Hughes Mulligan
Mark F. Farrell	White Plains, NY	William Hughes Mulligan
Sidney Fenster	New York, NY	William Hughes Mulligan
Edward Charles Fleischer	Lynbrook, NY	William Hughes Mulligan
Eileen Fox	New York, NY	William Hughes Mulligan
John J. Gallione	New York, NY	William Hughes Mulligan
Richard Michael Gardella	White Plains, NY	William Hughes Mulligan
Daniel F. Gaven	New York, NY	William Hughes Mulligan
Carl Leon Glassberg	New Canaan, CT	William Hughes Mulligan
Anthony J. Grant	Mount Kisco, NY	William Hughes Mulligan

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gary J. Groot	Scarsdale, NY	William Hughes Mulligan
Patricia Hackett	Leonia, NJ	William Hughes Mulligan
Gerard V. Hannon	New York, NY	William Hughes Mulligan
Joan T. Harnes	New York, NY	William Hughes Mulligan
Joseph William Henneberry	Yonkers, NY	William Hughes Mulligan
Gail D. Hollister	New York, NY	William Hughes Mulligan
Clark Evans Howard	Huntington, NY	William Hughes Mulligan
William F. Huschle	Garden City, NY	William Hughes Mulligan
Paul Robert Hymas	Edison, NJ	William Hughes Mulligan
Frank Clifford Ingriselli	Scarsdale, NY	William Hughes Mulligan
Agnes Boyan Jordan	Garden City, NY	William Hughes Mulligan
Stephen H. Kaufman	New York, NY	William Hughes Mulligan
Daniel Joseph Kennaghan	New York, NY	William Hughes Mulligan
Donald Joseph Kennedy	New York, NY	William Hughes Mulligan
Patrick John Kenny	New York, NY	William Hughes Mulligan
James J. Killerlane	West Nyack, NY	William Hughes Mulligan
Peter J. LaRose	New York, NY	William Hughes Mulligan
Peter Constantine Lambos	New York, NY	William Hughes Mulligan
Garrett Patrick Lewis	New York, NY	William Hughes Mulligan

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edward D. Loughman, III	New Rochelle, NY	William Hughes Mulligan
E. Barry Lyon	Stamford, CT	William Hughes Mulligan
William J. Lyons	New York, NY	William Hughes Mulligan
Marilyn L. Lytle	New York, NY	William Hughes Mulligan
Marjorie Andrette Martin	Brooklyn, NY	William Hughes Mulligan
William Hughes Mulligan, Jr.	Bronxville, NY	William Hughes Mulligan
Eugene Francis Murphy	New York, NY	William Hughes Mulligan
James Panos	Garden City, NY	William Hughes Mulligan
Kim Marie Parker	New York, NY	William Hughes Mulligan
Robert Edward Patterson	East Rockaway, NY	William Hughes Mulligan
Philip Michael Perlah	Westport, CT	William Hughes Mulligan
Henry M. Rosler	New York, NY	William Hughes Mulligan
James Francis Xavier Rudy	Ewing Township, NJ	William Hughes Mulligan
J. Richard Ryan	New York, NY	William Hughes Mulligan
Francis J. Sweeney, Jr.	New York, NY	William Hughes Mulligan
Josephine Cecilia Swigert	New York, NY	William Hughes Mulligan
Claudia L. Taft	New York, NY	William Hughes Mulligan
Edward G. Williams	New York, NY	William Hughes Mulligan
Joel A. Windman	New York, NY	William Hughes Mulligan

MONDAY, APRIL 6, 1987

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<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles John Caridi	Fairfax County, VA	William Hughes Mulligan
Malcolm Deller Keen	Fairfax, VA	William Hughes Mulligan

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Adjourned until Monday, April 20, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. 85-673. Neil F. Hartigan, Attorney General of the State of Illinois, etc., et al., Appellants *v.* David Zbaraz and Allan G. Charles, etc. The parties are directed to file supplemental briefs addressing the merits of the second question presented in appellants' jurisdictional statement, as well as the question whether the Court of Appeals' decision is sufficiently final to permit this Court to take jurisdiction over the case under 28 U.S.C. Sec. 1254(2) to review both questions presented. Rule 35 of the Rules of this Court prescribes the time for filing these supplemental briefs.



## SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-1350. 423 South Salina Street, Inc., Appellant *v.* City of Syracuse, 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. 86-1363. Robert W. Wangrud, Appellant *v.* Oregon. Appeal from the Court of Appeals of Oregon. 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. 86-1403. Nancy A. Konig, Appellant *v.* Jay Picking. 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.

No. 86-6427. Steve Stevenson, Appellant *v.* Department of Labor and Industrial Relations, etc. 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. 86-1370. Automatic Music and Vending Corporation, et al., Appellants *v.* Michigan Liquor Control Commission. Appeal from the Supreme Court of Michigan. The appeal is dismissed for want of a substantial federal question.

No. 86-1396. Boyd R. Baty, Appellant *v.* Oregon. Appeal from the Court of Appeals of Oregon. The appeal is dismissed for want of a substantial federal question.

No. 86-6008. Jimmy Lewis James, Appellant *v.* Iowa. Appeal from the Supreme Court of Iowa. The appeal is dismissed for want of a properly presented federal question.

## CERTIORARI—SUMMARY DISPOSITION

No. 85-1839. Berry Gallon, Petitioner *v.* Levin Metals Corporation, et al. On petition for writ of certiorari to the United States Court of Appeals for the Ninth 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 Ninth Circuit for further consideration in light of *West v. Conrail*, 481 U. S. — (1987).

No. 86-1207. Immigration and Naturalization Service, et al., Petitioners *v.* National Center for Immigrants' Rights, et al. On petition for writ of certiorari to the United States Court of Appeals for the Ninth 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 Ninth Circuit for further consideration in light of the Immigration Reform and Control Act of 1986, Pub. L. No. 99-603.

## ORDERS IN PENDING CASES

No. —. Walter S. James, Petitioner *v.* City of Troy, et al. The motion to direct the Clerk to file a petition for writ of certiorari, out-of-time, is denied.

No. —. Magdaline M. Hansen, etc., Appellant *v.* City of San Buenaventura. The motion of appellant to dispense with printing portions of the appendix to the jurisdictional statement is denied.

No. A-732. Karl Linnas, Applicant *v.* Immigration and Naturalization Service. The application for stay of deportation presented to Justice Marshall and by him referred to the Court is denied. The order heretofore entered by Justice Marshall on April 6, 1987, is vacated. Justice Brennan, Justice Blackmun and Justice O'Connor would grant the application for stay.

No. D-588. In the Matter of Disbarment of Victor Allen Speert. Disbarment order entered.

No. D-599. In the Matter of Disbarment of James Vance Henry. Disbarment order entered.

No. D-601. In the Matter of Disbarment of Anthony Intini, III. Disbarment order entered.

No. D-607. In the Matter of Disbarment of Robert F. Eimers. Disbarment order entered.

No. D-610. In the Matter of Disbarment of Vincent Cabrera Lopez. Vincent Cabrera Lopez, of Chicago, Illinois, 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 2, 1987, is hereby discharged.

**No. D-628.** In the Matter of Disbarment of H. Alva Brumfield, III. It is ordered that H. Alva Brumfield, III, of Baton Rouge, 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. D-629.** In the Matter of Disbarment of Peter G. Mirto. It is ordered that Peter G. Mirto, of Brooklyn, 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. 9, Original.** United States of America, Plaintiff *v.* State of Louisiana, et al. The Supplemental Report of the Special Master on the Alabama and Mississippi boundary cases is received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed by the parties within 45 days. Replies thereto, if any, with supporting briefs, may be filed within 30 days. Justice Marshall took no part in the consideration or decision of this order.

**No. 108, Original.** State of Nebraska, Plaintiff *v.* State of Wyoming and State of Colorado. The motion of Wyoming for leave to file a counterclaim is granted. Answers to the counterclaim may be filed within sixty days.

**No. 85-1409.** Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Janet J. Yuckert. The motion of respondent for leave to file a supplemental brief after argument is granted. The motion of the Solicitor General for leave to file a supplemental brief after argument is granted.

**No. 86-337.** Burlington Northern Railroad Company, Petitioner *v.* Oklahoma Tax Commission, et al. The motion of respondents for leave to file a supplemental brief after argument is granted.

**No. 86-594.** National Labor Relations Board and Rosemary M. Collyer, General Counsel, National Labor Relations Board, Petitioners *v.* United Food and Commercial Workers Union, Local 23, AFL-CIO. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

**No. 86-836.** Hazelwood School District, et al., Petitioners *v.* Cathy Kuhlmeier, et al. The motion of National School Boards Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of

School Board of Dade County, Florida, for leave to file a brief as *amicus curiae* is granted.

No. 86-863. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Kenneth Kizer, Director of California Department of Health Services, et al. The motion of respondents for divided argument is denied.

No. 86-1108. Vermont, Petitioner *v.* Rick Cox. The motion of respondent for leave to proceed further herein *in forma pauperis* is denied. Henry Hinton, Esquire, of Montpelier, Vermont, a member of the Bar of this Court, is invited to brief and argue this case in support of the judgment below, as *amicus curiae*.

No. 86-6060. Dale Robert Yates, Petitioner *v.* James Aiken, Warden, et al. The motion for appointment of counsel is granted and it is ordered that David I. Bruck, Esquire, of Columbia, South Carolina, is appointed to serve as counsel for the petitioner in this case.

No. 86-6139. Clara Watson, Petitioner *v.* Fort Worth Bank and Trust. The Solicitor General is invited to file a brief in this case expressing the views of the United States limited to Question 1 presented by the petition.

No. 86-6562. Jessie D. McDonald, Petitioner *v.* Metropolitan Government of Nashville and Davidson County, Tennessee. The application for temporary injunction and other relief addressed to Justice O'Connor and referred to the Court is denied.

#### CERTIORARI GRANTED

No. 86-805. Billy J. "B. J." Pinter, et al., Petitioners *v.* Maurice Dahl, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 86-1217. Joseph P. Russoniello, et al., Petitioners *v.* Jose J. Olagues, et al. Petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. In addition to the Questions Presented by the petition for a writ of certiorari, the parties are invited to brief and argue the question of possible mootness.

#### CERTIORARI DENIED

No. 85-1400. Continental Baking Company, Petitioner *v.* Walter Macon. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-340. Local 710, International Brotherhood of Teamsters, Petitioner *v.* Jack Thomsen. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-672. Trans World Airlines, Inc., Petitioner *v.* Ramon Elisalde. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-715. Subclass IV (Unitholders), Petitioner *v.* Fox and Company, Reavis & McGrath, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-765. Missouri Pacific Railroad Company, et al., Petitioners *v.* C. Rudolph Evans. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1022. Government Development Bank for Puerto Rico, et al., Petitioners *v.* Zaida Lydia de Choudens. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1024. Conference of State Bank Supervisors, et al., Petitioners *v.* Board of Governors of the Federal Reserve System and U. S. Trust Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1080. Washington Metropolitan Area Transit Authority, Petitioner *v.* William R. Brock, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-1118. Steven John Cinnante, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1127. Patrick H. Wright, Jr. and William E. Armstrong, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1143. Nabor Ortega and Aurelio Gonzalez, etc., Petitioners *v.* Bill M. Rowe, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1163. Vera Rogers Jones, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1187. Canisius College, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1188. S. Franklin Burford, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1199. James L. Kington and Don Earney, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1200. Roth Steel Tube Company, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1213. Arnaldo Jimenez-Fuentes, et al., Petitioners *v.* Jaime Torres Gaztambide, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1219. John H. Lary, Jr., Petitioner *v.* Republic of China. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1226. John Morrell & Co., Petitioner *v.* Local Union 304A of the United Food and Commercial Workers, AFL-CIO and CLC, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1229. Ray A. Garcia, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 86-1232. James W. Newton, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1236. Loy Ree B. Marlowe Ballam, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1238. Michael U. Dempsey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1239. County of Mariposa, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1248. James Curtis, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-1298. J. Lawrence Wright, 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. 86-1333. National Elevator Industry, Inc., Petitioner *v.* International Union of Elevator Constructors. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1344. Ahmed Srour, Petitioner *v.* United Arab Emirates. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1348. Malinee Chinakool, Petitioner *v.* Trustees of the California State Universities and Colleges, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1355. Richard Anthony Chirpich, Petitioner *v.* Minnesota. Petition for writ of certiorari to the Court of Appeals of Minnesota denied.

No. 86-1360. Constellation Lines, S.A. and Entermar Shipping Co., S.A., Petitioners *v.* George Karvelis. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1361. Andrea Reynolds, Petitioner *v.* Martha von Bulow, by her next friends Alexander Auersperg and Annie Laurie Auersperg Kneissl. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1365. Ronald R. Shaw, Petitioner *v.* Robert Winter, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1367. A. Adam, et al., Petitioners *v.* Brotherhood Railway Carmen of the United States and Canada, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1369. Michael L. Mattingly, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 86-1372. Carlos Manuel Soberats, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fifth District, denied.

No. 86-1375. Ralph L. Harvey, Petitioner *v.* Holt Oil & Gas Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1378. Hanil Bank, Petitioner *v.* Carlyle Michelman, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1379. Clarence Moyer, Jr., Petitioner *v.* Richard Petty, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1385. Sheikh Mohammed Al-Fassi, Petitioner *v.* Sheikha Dena Al-Fassi. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1388. Compton Community College District and Board of Trustees of the Compton Community College District, Petitioners *v.* Northwestern National Casualty Company and Landmark Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1390. Ohio Citizens for Responsible Energy, Inc., Petitioner *v.* Nuclear Regulatory Commission, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1391. Eunice Russell, et ux., Petitioners *v.* Superior Court of California, County of Los Angeles (Robert H. Fraser; Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1392. Philadelphia Fast Food Partnership, et al., Petitioners *v.* A. Copeland Enterprises, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1393. Gissendaner Mortgage Company, et al., Petitioners *v.* Central Bank of the South. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 86-1397. Willie D. Phillips, et al., Petitioners *v.* Amoco Oil Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1398. Richard L. Dugger, Secretary, Florida Department of Corrections, Petitioner *v.* Paul Beasley Johnson. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-1401. Bobby Gay Beazley, Petitioner *v.* State Bar of Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 86-1402. Kenneth S. Cameron, Petitioner *v.* Matthew Fogarty and John Halbig. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1404. Missouri Pacific Railroad Company, Petitioner *v.* Jimmy Paul Besse. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 86-1405. Bose Corporation, Petitioner *v.* Consumers Union of the United States, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1407. G. Daniel Woodring, et al., Petitioners *v.* Ida Mae McQuade. Petition for writ of certiorari to the Superior Court of Pennsylvania, Harrisburg Office, denied.

No. 86-1412. Sanford Rosenbloom, et al., Petitioners *v.* Benjamin Rothberg. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1413. John Storey, et al., Petitioners *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-1418. Richard J. McDonald, Petitioner *v.* Board of Equalization, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1420. Massachusetts, Petitioner *v.* Russell M. Lahti. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 86-1423. Tinley Park Community Consolidated School District No. 146, et al., Petitioners *v.* Kathryn M. Jennings. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1426. T. L. Tucker, Petitioner *v.* Brad Bennett, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1437. H. Alva Brumfield, III, Petitioner *v.* Mississippi State Bar Association. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 86-1445. First Team Auction, Inc., Petitioner *v.* First State Bank of Clay County. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1459. Law Enforcement Insurance Company, Petitioner *v.* James P. Corcoran, Superintendent of Insurance of New York, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1460. Peter Espenschied, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1463. Ray L. Corona and Rafael L. Corona, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1467. Stella Anne Stemer, Petitioner *v.* Wayne County Department of Health and Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1479. Elijah W. Ratcliff, Petitioner *v.* Robert M. McKeever, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1481. Lawrence M. Holloway, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1486. Michael Thomas Timmermann, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1489. John Mellett, Petitioner *v.* Federal Deposit Insurance Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1494. Domnick J. Sorise, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1500. Alan Charles Mobley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1504. Stanley Tranowski, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1525. Luis Javier Restrepo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-5959. Jackie R. Lovett, Petitioner *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 86-5960. Lee Travis Andrews, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-5967. Harold Joseph Vincent, Petitioner *v.* Frank C. Blackburn, Warden. Petition for writ of certiorari to the 30th Judicial District Court, Louisiana, Parish of Vernon, denied.

No. 86-6042. Heidi L. Howell, Petitioner *v.* Dallas County Child Welfare Unit. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 86-6085. Ricky Vernon Brooks, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6114. Marvin Gene Price, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6163. Michael Grayson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6170. Thomas F. Stockheimer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6233. Adam Rodriguez, Petitioner *v.* David W. Schweiger and Roger D. Terry. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6279. McArthur Edwards, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6295. Edward Engler, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6312. Timothy V. Hymen, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6361. Martin C. Shaw, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6362. Hernando Rueda-Gomez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6369. Dexter Deangelo Cox, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6373. Todd Kevin Wallace, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6376. Cipriano Almanza, Jr., Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 86-6378. Gilbert C. Williams, Petitioner *v.* Frank C. Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6382. Richard Worthan, Petitioner *v.* Bill Armontrout, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6383. Lue Elbert Sullivan, Petitioner *v.* Frank Blackburn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6390. Jay Caldwell, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Ninth District, denied.

No. 86-6391. Edward J. Brennan, Petitioner *v.* Beverly Griffeth, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6394. Charles Alvin Brown, 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. 86-6398. Patricia D. Burnett, Petitioner *v.* Richard Cox, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-6401. Rodney O. Skurdal, Petitioner *v.* City of Billings, Montana. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 86-6406. Irving James Berry, Jr., Petitioner *v.* Dick D. Moore, Director, Missouri Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6408. Johnny Holley, Jr., Petitioner *v.* Freddie V. 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.

No. 86-6410. James Reardon and Perry Hawkins, Petitioners *v.* Raymond M. Lopes, Commissioner, Connecticut Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6416. Frederico Gonzalez, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 86-6417. John Robert Lay, Petitioner *v.* Robert F. Horan, Commonwealth Attorney. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6420. Michael Anthony Conway, Petitioner *v.* R. M. Muncy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6423. Jack Larry Bonds, Petitioner *v.* Gerald Willis, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6424. Orrin Scott Reed, Petitioner *v.* Douglas B. Morton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6426. Raymond Rochon, Petitioner *v.* Consolidated Construction Company, et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Third Circuit, denied.

No. 86-6428. Vaso Mraovic, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6429. Henry L. McCone, Petitioner *v.* District Court of Albany County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6434. Clifton Franklin, Petitioner *v.* Carl White, Superintendent, Algoa Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6437. John Ray Murvin, Petitioner *v.* Mary Kaye. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6438. James L. Martin, Petitioner *v.* Michael J. Perezous, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6439. Said Issaq Said, Petitioner *v.* Southern California Rapid Transit District. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6441. Howard Wingos, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-6444. John David Cox, 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. 86-6446. Nathan J. Croghan, Petitioner *v.* Hal Farrier, Director, Iowa Department of Corrections, et al. Petition for writ of certio-

rari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6448. William Bernard Randolph, III, 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. 86-6450. Nathan O. Marshall, Petitioner *v.* Joseph J. Bauer. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6454. Teofilo Arevalo Estupinan Paredes, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6457. Johnnie Lee McGhar, Petitioner *v.* Theodore Koehler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6458. Evelyn Zerman, Petitioner *v.* Kenneth Wolofsky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6459. John Belk, Petitioner *v.* James C. Chrans, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6460. Jose F. Cardelle, Petitioner *v.* Delta Air Lines. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6461. William Moss, Petitioner *v.* T. L. Morris, Superintendent, Southern Ohio Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6462. Ronnie Teague, Petitioner *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 86-6464. Shirley Refle, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 86-6468. Charles William Lynch, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6475. Elizabeth LaVergne, Petitioner *v.* Holy Name Hospital. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-6478. Billy Earl Reeves, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6496. William Rhys Comstock, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6498. Edward Donoghue, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 86-6504. Monty Eugene Hamlor, 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. 86-6508. Richard Richter, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6511. Alfred Charles Villaume, Petitioner *v.* United States Department of Justice. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6512. James Westbrook, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6527. Layton Lee Fay, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6529. Thomas J. Bassford, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6535. Heriberto Vega, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6538. James R. Brewer, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6539. Udom Walitwarangkul, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6542. Ahmed Al-Kurna, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6548. John L. Thomas, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-49. American Electric Power Company, Inc., et al., Petitioners *v.* Kentucky Public Service Commission, et al. The motion of Edison Electric Institute for leave to file a brief as *amicus curiae* is granted. The motion of Eastern Utilities 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 Sixth Circuit denied.

No. 86-546. New Orleans Public Service, Inc., Petitioner *v.* City of New Orleans, et al. The motion of System Energy Resources, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Edison Electric Institute for leave to file a brief as *amicus curiae* is granted. The motion of National Association of Regulatory Utility Commissioners for leave to file a brief as *amicus curiae* is granted. The motion of Eastern Utilities 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 Fifth Circuit denied.

No. 86-806. L. Brooks Patterson, et al., Petitioners *v.* Lawrence E. Joseph and R. Frank Joseph. The motion of Prosecuting Attorneys Association of Michigan 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 Sixth Circuit denied. Justice White and Justice O'Connor would grant certiorari.

No. 86-1082. Church of Scientology of California, Petitioner *v.* Larry Wollersheim. The motion of National Association for the Advancement of Colored People for leave to file a brief as *amicus curiae* is granted. The motion of National Council of Churches of Christ in the U. S. A. for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Justice Brennan took no part in the consideration or decision of these motions and this petition.

No. 86-1116. Samuel Lewis, et al., Petitioners *v.* Anthony Lee Chaney. 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. 86-1191. Bob Warren, 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.

No. 86-1283. Robert Kamean, et al., Petitioners *v.* Local 363, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Justice White would grant certiorari.

No. 86-1495. Corina Ann Gonzales, Individually and as spouse of Abenicio Gonzales, Deceased, et al., Petitioners *v.* Roger Sealy, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Justice White would grant certiorari.

No. 86-1346. Robert Matcha and Anne Morgan Matcha, Petitioners *v.* Jim Mattox, Attorney General of Texas. The motion of Legal Foundation of America for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Court of Appeals of Texas, Third District, denied.

No. 86-6377. Bobby Earl Lusk, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6384. Larry Romine, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6471. Thomas H. Provenzano, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6510. Frederick Lashley, 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.

#### HABEAS CORPUS DENIED

No. 86-1545. In Re Frank Kowalik, Jr., Petitioner;

No. 86-6559. In Re Martin F. Troche, Petitioner; and

No. 86-6607. In Re Dennis Nelson Fixel, Petitioner. The petitions for writs of habeas corpus are denied.

#### REHEARINGS DENIED

No. 85-998. United States, Petitioner *v.* Ronald Dale Dunn;

No. 85-1277. School Board of Nassau County, Florida and Craig

Marsh, Individually and as Superintendent of Schools of Nassau County, Florida, Petitioners *v.* Gene H. Arline;

No. 85-6461. Earline Martin, Petitioner *v.* Ohio;

No. 85-6783. Patrick H. Wright, Petitioner *v.* Illinois;

No. 85-7232. David Loomus Cargill, Petitioner *v.* Georgia;

No. 86-969. Irving A. Kanarek, Petitioner *v.* Joseph Wambaugh, et al.;

No. 86-1113. Ralph Roger Bergman, et ux., Petitioners *v.* Commissioner of Internal Revenue;

No. 86-5207. Samuel Morgan, Petitioner *v.* Illinois;

No. 86-5434. Perry Olinger, Petitioner *v.* Illinois;

No. 86-5906. John Szabo, Petitioner *v.* Illinois;

No. 86-5991. Joseph Mulligan, Petitioner *v.* Ralph Kemp, Warden;

No. 86-5994. Reginald Brooks, Petitioner *v.* Ohio;

No. 86-6022. Robert Martin Barritt, Petitioner *v.* Donald Bordenkircher, Warden;

No. 86-6030. Matt Wilkie, Petitioner *v.* Dale Foltz, Regional Administrator, Michigan Department of Corrections;

No. 86-6072. Clarke Dunlap, Petitioner *v.* Steven L. Beshear, etc., et al.;

No. 86-6098. James Green, Petitioner *v.* United States District Court for the Northern District of California;

No. 86-6123. In Re Peter R. Johl, Petitioner;

No. 86-6168. Talakkottur R. David, Petitioner *v.* American Telephone & Telegraph Co., etc., et al.;

No. 86-6200. Leon Strange, Petitioner *v.* John Brown, Warden, et al.;

No. 86-6210. Edgar E. Oliver, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections;

No. 86-6218. George Jones, Petitioner *v.* Charles Zimmerman, Superintendent, State Correctional Institution and Correctional Diagnostic Classification Center at Graterford; and

No. 86-6246. Frank Hanner, Jr., Petitioner *v.* Mississippi, et al. The petitions for rehearing are denied.

No. 86-5210. Thomas Jimmie Lightfoot, Petitioner *v.* J. D. White, Warden, et al. 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>
Richard M. Aronson	Santa Ana, CA	Sylvan B. Aronson
Roger Scott Bernstein	New Orleans, LA	Gilberg Bernstein
William Hugh Black, Jr.	Philadelphia, PA	James Welton Ferriman
Toby Sharron Bordin	Castro Valley, CA	Harry L. Meyers
John Michael Bredehoft	Washington, DC	Charles Frederick Lettow
James Douglas Brice	Greenville, SC	Frank Huger Gibbes, III
Kevin Frank Calcagnie	Mission Viejo, CA	Jeffrey Alan Joseph
Donald David Candell	Gonzales, LA	Ralph Tureau
Larry A. Carver	Wurtland, KY	Richard Rinaldo Dailey
Alexandro Cruz Castro	Saipan, Northern Mariana Islands	John F. Biehl
Sharon S. Chandler	San Francisco, CA	James A. Hennefer
Douglas L. Christian	Phoenix, AZ	Mark I. Harrison
Larry L. Coats	Raleigh, NC	Sidney Smith Eagles, Jr.
Jane Cooper-Hill	Houston, TX	James Davis Cooper-Hill
Dee Anna Cordell	Clearwater, FL	Robert E. Jagger
G. Ware Cornell, Jr.	Fort Lauderdale, FL	Davis W. Duke, Jr.
Bruce Arne Craner	New Orleans, LA	John Robert Martzell
Steven D. Crews	Natchitoches, LA	William P. Crews, Jr.
Eric Ross Cromartie	Dallas, TX	Clifton Trigg Hutchinson
Hector R. Cuprill	Ponce, PR	Charles Cuprill-Oppenheimer
Eugene Michael Daly	Chicago, IL	Albert L. Zimmer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
M. Taylor Darden	New Orleans, LA	John Catlett Christian
Eli Whitney Debevoise, II	Washington, DC	William Dill Rogers
Jane Lynn Dolkart	Washington, DC	Sarah E. Burns
Judith Lockman Dubbs	Torrance, CA	Virginia Lee Massey
Kevin Anthony Dunne	Baltimore, MD	Jervis Spencer Finney
William Dunnegan	New York, NY	J. Joseph Bainton
Carolou Perry Durham	Nashville, TN	Bart C. Durham, III
Henry Watkins Ellerson, III	Orange, VA	Brian J. Donato
Paul Elliott	Austin, TX	James Albon Mattox
James E. Elmer	Sacramento, CA	John Fitsos
Isaac P. Espy	Tuscaloosa, AL	Russell J. Drake
Larry R. Etzweiler	Lawrenceville, NJ	Catherine A. Foddai
David Geoffrey Evans	Lawrenceville, NJ	Michael Louis Perlin
Jeffrey Heath Ewait	Houston, TX	Rick Sherman Butler
Richard Stratford Eynon	Columbus, IN	Harold Victor Jones, Jr.
Michael Paul Falzone	Richmond, VA	Charles F. Witthoefft
Walter L. Farmer	Riverside, CA	Leighton B. Tegland
Robert B. Flaig	Los Angeles, CA	Andrew J. Nocas
Stephanie L. Franklin- Suber	Philadelphia, PA	William H. Brown, III
Theodore Freeman	Atlanta, GA	Charles Lane Drew
Robert P. Gallagher	Washington, DC	William Francis Hanrahan
Paul E. Gaspari	San Francisco, CA	John L. Hosack

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Geoffrey Lynn Giles	Reno, NV	George V. Postrozny
Virginia Ruth Gilson	San Diego, CA	Charles W. Rees, Jr.
Jeffrey Lee Gingold	Parker, CO	Dennis Marc Gingold
David C. Godbey	Dallas, TX	Vester T. Hughes, Jr.
B. Randall Griffiths	St. Petersburg, FL	John C. Wolfe
Theodore R. Groom	Arlington, VA	William Francis Hanrahan
Robert Fred Hansen	Paso Robles, CA	Thomas A. Wong, Jr.
Marilyn E. S. Hansen	Paso Robles, CA	Thomas A. Wong, Jr.
Joseph J. Haspel	New York, NY	Harvey Stephen Barr
F. Townsend Hawkes	Tallahassee, FL	J. Robert McClure, Jr.
John Douglas Hays	Pikeville, KY	Henry D. Stratton
Richard Bruce Herman	White Plains, NY	Allen Jay Hershberg
Robert F. Higgins, Jr.	Macon, GA	Denmark Groover, Jr.
Stephen L. Hogg	Pikeville, KY	Henry D. Stratton
John Charles Hohnhorst	Twin Falls, ID	John C. Hepworth
John S. Hollister	Troy, PA	Gaele McLaughlin Barthold
Rebecca Geraldine Holloway	Tampa, FL	Jess J. Yado, III
Judith Larrabee Holmes	New York, NY	Susan V. Tipograph
Greta Frances Hudspeth	Redlands, CA	Harry Morgan Dougherty
Thomas Sterling Hudspeth	Redlands, CA	Harry Morgan Dougherty
Richard S. Humphrey	Little Compton, RI	Kathleen Managhan

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Ulysses Hyden, Jr.	Trion, GA	William Jerry Westbrook
Abdeen M. Jabara	Detroit, MI	Albert Peter Mokhiber
Steven Harris John	North Myrtle Beach, SC	Carroll D. Padgett, Jr.
Richard Lentz Johnson	Agana, Guam	James Bradley Klemm
Charles J. Kahn, Jr.	Pensacola, FL	Louis K. Rosenbloum
Glenn Kaplan	Maplewood, NJ	Larry Lewis Leifer
Robert Louis Kaufman	Santa Monica, CA	Robert M. Dato
Jeffrey A. Kaufman	Milwaukee, WI	Franklyn M. Gimbel
Richard B. Kelsky	New York, NY	Madonna M. Malin
Marguerite Kern Kingsmill	New Orleans, LA	M. Truman Woodward, Jr.
Michael L. Kinney	Tampa, FL	Thomas V. McAliley
William James Krueger	Saint Paul, MN	John Joseph Horvei
Mary Margaret Lee	Oklahoma City, OK	Gary Peterson
John S. Legasey	Danvers, MA	Robert L. Holloway, Jr.
Joan Therese Anne Lettieri	Century City, CA	Robert N. Cleaves
William H. Lewis, Jr.	Washington, DC	John Hale Shenefield
John Thomas Lezamiz	Twin Falls, ID	John C. Hepworth
Joshua D. Lock	Harrisburg, PA	Robert Niels Tarman
Ann-Louise Lohr	Chicago, IL	Friedrich Fred Herzog
Eric W. Ludwig	Orlando, FL	James C. Mize, Jr.
Jerry Carlos Lyell	Arlington, VA	Peter Maxwell Baskin
Nancy Nada Lynch	Austin, TX	James Albon Mattox

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William M. Lyons	Sacramento, CA	Richard F. Mills
Bradford Neal Martin	Greenville, SC	Fletcher C. Mann
Sonia Gracieia Martinez	Trenton, NJ	Walter N. Read
Harry P. Mattern	Wilkes-Barre, PA	Joseph J. Savitz
John P. McAllister	Kensington, MD	William Francis Hanrahan
Timothy C. McCarthy	Toledo, OH	Donald M. Mewhort, Jr.
Joseph Albert McDonald, II	Pomona, CA	Ronald Franklin Keeler
Joseph Michael McGuinness	Elizabethtown, NC	Edwin Ledbetter Harris, III
Robert Joseph McGuirl	Newark, NJ	William J. Prout, Jr.
Michael J. McLane	Danvers, MA	Robert L. Holloway, Jr.
Brian S. Mead	Thompson, CT	Abbot B. Schwebel
Kathryn L. Mershimer	Harrisburg, PA	Sally Alicia Lied
James Dale Morefield	Abingdon, VA	James Parker Jones
Mark Allen Moreno	Pierre, SD	Ronald G. Schmidt
Ross E. Morris	Lewistown, IL	John E. Cassidy, Jr.
Duane Clark Musfelt	San Francisco, CA	James A. Hennefer
Cecil Thomas Nail	Birmingham, AL	Arthur E. Parker
Thomas Stanton O'Brien	Dallas, TX	Christopher R. Turner
James Michael O'Reilly	Gardnerville, NV	Richard H. Bryan
Glen L. Ortman	Washington, DC	Clinton Andrew Vince
Barry J. Parker	Denver, CO	Dirk W. de Roos
Howard Alan Pell	Gainesville, FL	Dulaney L. O'Roark, Jr.
Thomas M. Peterson	San Francisco, CA	George Anderson Cumming, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul Joseph Pierson	Sullivan, IN	George E. Taylor
Terry L. Polley	Los Angeles, CA	Charles Richard Ajalat
Steven Mark Popko	San Diego, CA	John T. Popko
Alphonse John Pranaitis	Alton, IL	Michael J. McDonald
William Odell Pressley, Jr.	Spartanburg, SC	Franklin M. Mann
Will Pryor	Dallas, TX	Charles M. Wilson, III
Donald Joseph Purser	Salt Lake City, UT	Jonathan Cooper Thacher
Gerald Laeb Richman	Bethesda, MD	Paul Michael Donovan
J. Roberto Rodriguez	McAllen, TX	Ronald Bruce Layer
Ildo John Rossi	Des Moines, IA	Garry D. Woodward
Toby E. Rubin	San Francisco, CA	Peter D. Roos
Stephen O'Neal Russell	Washington, DC	Michael Lasley
John C. Sahradnik	Toms River, NJ	Franklin H. Berry, Jr.
Stephen M. Saxon	Bethesda, MD	William Francis Hanrahan
Alan Bradley Schaeffer	Dayton, OH	Bradley J. Schaeffer
Wendell L. Schollander	Winston-Salem, NC	Grover Michael Myers
Jon B. Schuster	Des Moines, IA	Philip F. Miller
Thane D. Scott	Boston, MA	Daniel O'Connell Mahoney
Jacalyn D. Scott	Houston, TX	Eugene Blackwell Wilshire, Jr.
Elliott H. Shaller	Washington, DC	James A. Treanor, III
Robert John Shea	Harrisburg, PA	Spencer A. Manthorpe
Lynn R. Shoen	Las Vegas, NV	Stephen Stein
Ron Shortes	Austin, TX	Stephen M. Orr

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Bruce Simpson, Jr.	Lexington, KY	Gregory Yost Neal
James Warren Smith, Jr.	Pearsall, TX	Grady Lawrence Roberts, Jr.
Rodney A. Smolla	Fayetteville, AR	Wylie H. Davis
Michael J. Solner	Birmingham, MI	Robert J. Solner
Leon Fred Spies	Iowa City, IA	Lester Vern Robinson, III
David W. Starfield	Fort Washington, PA	Mark E. Goldberg
Dennis M. Stark	Columbus, IN	Harold Victor Jones, Jr.
Phillip Leon Stewart	Indianapolis, IN	Kenneth L. Nunn
Victor L. Streib	Cleveland, OH	Thomas D. Buckley, Jr.
John Alexander Sturgeon	Los Angeles, CA	Don T. Hibner, Jr.
Matthew H. Talty, III	Houston, TX	Ronald James Beylotte
Marna M. Tess-Mattner	Milwaukee, WI	Franklyn M. Gimbel
Shan K. Thever	Torrance, CA	David Moran Harney
Robert Walter Thompson	Tustin, CA	Peter Michael Callahan
Gary Howard Torgow	Detroit, MI	Gary C. Berger
Robert O. VanNorte	Atlanta, GA	William C. Joy
Lois Waldman	New York, NY	Seymour Morton Waldman
David Hill Walter	Austin, TX	Tom H. Davis
Jeffrey D. Wedekind	Washington, DC	John Cushman Truesdale
Mark David Weller	Cleveland, OH	Arthur P. Steinmetz
Ralph Glenn Wellington	Philadelphia, PA	James Douglas Crawford
John J. White, III	Philadelphia, PA	John Pettit Nelson, Jr.
Virgil James Wilson, III	Honolulu, HI	Gerald Caréy Sterns

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Morrison Wright	Farmington Hills, MI	Samuel Eric Hans Ericson
Donald A. Ziskin	Los Angeles, CA	David Arthur Berkovitz

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
A. Bruce Schimberg	Chicago, IL	Rex E. Lee
Bernard Nash	Washington, DC	D. Brian McKay
Joseph Patrick Kwiatkowski	Cheboygan, MI	Samuel Rosenthal
Roy Walter Shaw	Temple City, CA	Stephen Ewbank Lawton
William T. Garcia	Washington, DC	William F. Garcia

#### ORAL ARGUMENTS

No. 86-88. Citicorp Industrial Credit, Inc., Petitioner *v.* William E. Brock, Secretary of Labor. Argued by Mr. Rex E. Lee for the petitioner and by Mr. Charles A. Rothfeld for the respondent.

No. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. Argued by Mr. D. Brian McKay for the petitioners and by Mr. M. Daniel Markoff for the respondent.

No. 86-5324. Joseph G. Griffin, Petitioner *v.* Wisconsin. Argued by Mr. Alan G. Habermehl for the petitioner and by Mr. Barry M. Levenson for the respondent.

No. 86-510. United States, Petitioner *v.* William Hohri, et al. Argued by Mr. Solicitor General Charles Fried for the petitioner and by Mr. Benjamin L. Zelenko for the respondents.

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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 Powell, Justice Stevens, Justice O'Connor and Justice Scalia.

## OPINIONS

No. 85-5939. Eulogio Cruz, Petitioner *v.* New York. On writ of certiorari to the Court of Appeals of New York. Judgment reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Scalia. Dissenting opinion by Justice White with whom the Chief Justice, Justice Powell and Justice O'Connor join.

No. 85-1433. Gloria Richardson, Warden, Petitioner *v.* Clarissa Marsh. 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 Scalia. Dissenting opinion by Justice Stevens with whom Justice Brennan and Justice Marshall join.

No. 84-6075. Ricky Wayne Tison and Raymond Curtis Tison, Petitioners *v.* Arizona. On writ of certiorari to the Supreme Court of Arizona. Judgments vacated and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice O'Connor. Dissenting opinion by Justice Brennan with whom Justice Marshall joins and with whom Justice Blackmun and Justice Stevens join as to Parts I, II, III, and IV-A.

No. 85-1613. United States, Petitioner *v.* John Doe, Inc. I, 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 Stevens. Dissenting opinion by Justice Brennan with whom Justice Marshall and Justice Blackmun join. Justice White took no part in the consideration or decision of this case.

No. 85-6790. Waldo E. Granberry, Petitioner *v.* Jim W. Greer, Warden. On writ of certiorari to the United States Court of Appeals for the Seventh 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.

No. 86-71. CTS Corporation, Appellant *v.* Dynamics Corporation of America, et al.; and



## SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-1358. William L. Lukhard, Commissioner, Virginia Department of Social Services, Petitioner *v.* Ona Mae Reed, 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 judgment of this Court. Justice Scalia announced the judgment of the Court and delivered an opinion in which the Chief Justice, Justice White and Justice Stevens join. Opinion by Justice Blackmun concurring in the judgment. Dissenting opinion by Justice Powell with whom Justice Brennan, Justice Marshall and Justice O'Connor join.

No. 85-6756. James Ernest Hitchcock, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. 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 with instructions that they remand the case to the United States District Court for the Middle District of Florida. The District Court is instructed to enter an order granting the application for a writ of habeas corpus, unless the State within a reasonable period of time either resentences petitioner in a proceeding that comports with the requirements of *Lockett v. Ohio*, 438 U. S. 586 (1978) or vacates the death sentence and imposes a lesser sentence consistent with law. Opinion by Justice Scalia.

No. 84-6811. Warren McCleskey, Petitioner *v.* Ralph Kemp, Superintendent, Georgia Diagnostic and Classification Center. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed. Opinion by Justice Powell. Dissenting opinion by Justice Brennan with whom Justice Marshall joins and with whom Justice Blackmun and Justice Stevens join in all but Part I. Dissenting opinion by Justice Blackmun with whom Justice Marshall and Justice Stevens join and with whom Justice Brennan joins in all but Part IV-B. Dissenting opinion by Justice Stevens with whom Justice Blackmun joins.

No. 85-1370. Arkansas Writers' Project, Inc., Appellant *v.* Charles D. Ragland, Commissioner of Revenue of Arkansas. Appeal from the Supreme Court of Arkansas. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Marshall. Opinion by Justice Stevens concurring in part and concurring in the judgment. Dissenting opinion by Justice Scalia with whom the Chief Justice joins.

No. 85-1385. United States, Petitioner *v.* General Dynamics Corp., et al. On writ of certiorari to the United States Court of Appeals for the Federal 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 O'Connor with whom Justice Blackmun and Justice Stevens join.

No. 85-1530. William E. Brock, Secretary of Labor and Alan C. McMillan, Regional Administrator, Occupational Safety and Health Administration, Appellants *v.* Roadway Express, Inc. Appeal from the United States District Court for the Northern District of Georgia. Judgment affirmed in part, reversed in part, and case remanded to the United States District Court for further proceedings in conformity with the judgment of this Court. Justice Marshall announced the judgment of the Court and delivered an opinion in which Justice Blackmun, Justice Powell and Justice O'Connor join. Opinion by Justice Brennan concurring in part and dissenting in part. Opinion by Justice White concurring in part and dissenting in part with whom the Chief Justice and Justice Scalia join. Opinion by Justice Stevens dissenting in part.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Peter C. Hardy	Waltham, MA	Robert Harlis Plotkin
Patricia Anne Byrne	San Francisco, CA	Kevin J. Riordan
David Charles Garlock	Washington, DC	Matthew Joel Zinn
Patrick J. Kearney	Chevy Chase, MD	Lorin Henry Bleecker
Lucie E. White	Los Angeles, CA	Jean Marie Cary
Aron Anthony Golberg	Manchester, England	Bruce Jeffrey Einhorn

#### ORAL ARGUMENTS

No. 86-381. California, Petitioner *v.* Superior Court of California, San Bernardino County (Richard Smolin and Gerard Smolin, Real Par-

ties in Interest. Argued by Mr. J. Robert Jibson for the petitioner and by Mr. Dennis P. Riordan for the respondent.

No. 86-509. Otis R. Bowen, Secretary of Health and Human Services, Appellant *v.* Beaty Mae Gilliard, et al.; and

No. 86-564. David T. Flaherty, Secretary, North Carolina Department of Human Resources, et al., Appellants *v.* Beaty Mae Gilliard, et al. Argued by Mr. Albert G. Lauber, Jr., for the appellant in No. 86-509, by Ms. Catherine C. McLamb for the appellants in No. 86-564, and by Ms. Jane R. Wettach for the appellees.

No. 86-572. Kentucky, Petitioner *v.* Sergio Stincer. Argued by Mrs. Penny R. Warren for the petitioner and by Mr. Mark A. Posnansky for the respondent.

No. 86-234. Charles J. McNally, Petitioner *v.* United States; and

No. 86-286. James E. Gray, Petitioner *v.* United States. Argued by Mr. Carter G. Phillips for the petitioners and by Mr. Donald B. Ayer for the respondents.

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Adjourned until Monday, April 27, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice Stevens, 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."

## OPINION PER CURIAM

No. 86-1381. Montana, Petitioner *v.* Franklin T. Hall, Sr. On petition for writ of certiorari to the Supreme Court of Montana. The petition for writ of certiorari is granted. Judgment is reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Justice Brennan would deny the petition for certiorari. Dissenting opinion by Justice Marshall. Dissenting opinion by Justice Stevens.

## APPEALS—SUMMARY DISPOSITION

No. 86-344. Ohio, et al., Appellants *v.* Fleet Aerospace Corporation, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The motion of North American Securities Administrators Association, Inc. for leave to file a brief as *amicus curiae* 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 *CTS Corporation v. Dynamics Corporation of America*, 481 U. S. — (1987).

No. 86-1295. Ashland Oil, Inc., Appellant *v.* Herschel H. Rose, III, State Tax Commissioner of West Virginia. Appeal from the Supreme Court of Appeals of West Virginia. The motion of Committee on State Taxation of the Council of State Chambers of Commerce for leave to file a brief as *amicus curiae* is granted. The appeal is dismissed for want of a final judgment.

No. 86-1452. Rodney F. Stich, Appellant *v.* Court of Appeal of California, First Appellate District, 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. 86-6474. Monty E. Robinson, by his mother and next friend Beatrice L. Robinson, Appellant *v.* United States. 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. 86-1456. Doris L. Pyzer, Executrix of the Estate of Lloyd E. Pyzer, Appellant *v.* Carol Perry and Stanley Perry. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of a substantial federal question. Justice Blackmun would note probable jurisdiction and set the case for oral argument.

No. 86-1478. White Plains Automotive Supply Co., Inc. and Dorlee Properties Corp., Appellants *v.* City of Peekskill. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

No. 86-1586. John Emil Bomhardt, Appellant *v.* Maryland. Appeal from the Court of Special Appeals of Maryland. The appeal is dismissed for want of jurisdiction.

#### CERTIORARI—SUMMARY DISPOSITION

No. 85-6430. Charles Sanders, Petitioner *v.* Michael Lane, Director, Illinois Department of Corrections, et al. 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 *Cruz v. New York*, 481 U. S. — (1987).

No. 85-6925. Ozzie Pickett and Edward Stevenson, Petitioners *v.* Illinois. On petition for writ of certiorari to the Appellate Court of Illinois, First District. The motion of petitioners 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 Appellate Court of Illinois, First District, for further consideration in light of *Cruz v. New York*, 481 U. S. — (1987).

No. 86-6105. Carl Puiatti, Petitioner *v.* Florida. On petition for writ of certiorari to the Supreme Court of Florida. 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 Florida for further consideration in light of *Cruz v. New York*, 481 U. S. — (1987).

#### ORDERS IN PENDING CASES

No. A-770. Will Roberts, Applicant *v.* United States. The application to continue stay and for other relief presented to Justice Powell and by him referred to the Court is denied. The order heretofore entered by Justice Powell on April 21, 1987, is vacated. Justice Stevens, Justice O'Connor and Justice Scalia would grant the application.

No. D-614. In The Matter of William Leon Briggs. Due to mistaken identity, the order entered March 9, 1987, suspending William Leon Briggs, of Fort Wayne, Indiana, from the practice of law in this Court is vacated and the Rule to Show Cause issued on that date is discharged.

No. D-630. In the Matter of Disbarment of William Slater Allen, Jr. It is ordered that William Slater Allen, Jr., of Providence, Rhode Island, 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-631. In the Matter of Disbarment of Thomas John Burke. It is ordered that Thomas John Burke, of Naperville, 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. 85-1589. Iowa Mutual Insurance Company, Petitioner *v.* Edward M. LaPlante, et al. The motion of respondents to retax costs is granted.

No. 86-228. Juozas Kungys, Petitioner *v.* United States. The motion of petitioner for leave to file a reply brief to the briefs of the *amici curiae* is denied.

No. 86-327. Mullins Coal Company, Inc. of Virginia, et al., Petitioners *v.* Director, Office of Workers' Compensation Programs, United States Department of Labor, et al. The motion of the Solicitor General for divided argument is granted.

No. 86-1406. Puerto Rico Department of Consumer Affairs, et al., Petitioners *v.* Isla Petroleum Corporation, et al. The motion of New York, et al. for leave to file a brief as *amici curiae* is granted. The motion of Asociacion de Detallistas de Gasolina de Puerto Rico for leave to file a brief as *amicus curiae* is granted. The Solicitor General is invited to file a brief in this case expressing the views of the United

States. Justice O'Connor took no part in the consideration or decision of these motions and this order.

#### CERTIORARI DENIED

No. 85-1840. Archer-Daniels-Midland Company and Nabisco Brands, Inc., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-884. James N. Gramenos, Petitioner *v.* Jewel Companies, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1085. Herbert Pagel, Petitioner *v.* California. Petition for writ of certiorari to the Appellate Department, Superior Court of California, Orange County, denied.

No. 86-1134. VGS Corporation, dba Southland Oil Company, et al., Petitioners *v.* United States Department of Energy, et al. Petition for writ of certiorari to the Temporary Emergency Court of Appeals of the United States denied.

No. 86-1174. Douglas A. Holmberg, Petitioner *v.* Rodney C. Morriette, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1211. Amanda Reid, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1288. Robert C. Krutz, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-1312. Charles Roger Absher, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1334. John M. Skevin, Petitioner *v.* Supreme Court of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 86-1421. Octopi, Inc. and Joe McNeal, Petitioners *v.* James C. Courtney. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1428. Phoenix Newspapers, Inc., et al., Petitioners *v.* Steve W. Boswell and Jim Mofford. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 86-1434. Chevron U. S. A., Inc., Petitioner *v.* JHJ Limited I. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1446. Delmus Punton, Petitioner *v.* City of Seattle. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1448. Harold Chancey, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 86-1453. Zenith Radio Corporation, et al., Petitioners *v.* Matsushita Electric Industrial Co., Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1455. Michael Marcoccio, et al., Petitioners *v.* Donna Crossman, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1458. Michael Keith Vaden, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 86-1462. Edward Potenze, et al., Petitioners *v.* New York Shipping Association, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1477. Credit Managers Association of Southern California, Petitioner *v.* Kennesaw Life and Accident Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1482. Morton A. Kier, Petitioner *v.* Commerical Union Insurance Companies. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1484. Tip Top Farms, Inc., et al., Petitioners *v.* Dairylea Cooperative, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-1485. Township of Edison, New Jersey, Petitioner *v.* Marcos Skevoiflax, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1491. William P. Pointon, Jr., Petitioner *v.* Oklahoma, et al. Petition for writ of certiorari to the Court of Appeals of Oklahoma, First Division, denied.

No. 86-1515. Robert Ong Hing, et ux., Petitioners *v.* Harvey R. McElhanon, et ux. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 86-1535. Burke B. Carter, Petitioner *v.* Doris Jeanne Puryear, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1550. David Morris Posner, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1558. Richard Allen Gant, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1580. Roberto Antonio Gonzalez-Calles, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1582. Richard Guzzino and Robert Ciarrocchi, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-5361. McArthur Washington, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-5744. Elizabeth King, Petitioner *v.* United States;

No. 86-5745. Peter Martin, Sr., Petitioner *v.* United States; and

No. 86-5746. Jimmy Taylor, aka Phillip Joseph Roberts, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6248. Carl Kabat, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6319. Thomas D. Mooney, Sr., Petitioner *v.* Michael Quinlan, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6387. William Daniel Burns, Petitioner *v.* Calvin Edwards. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6397. Ernest B. Lopez, Petitioner *v.* United States; and

No. 86-6589. Paula Nadir and John Vlahovich, Petitioners *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6469. Michael Charles Ward, Petitioner *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 86-6476. Andrew Blandin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6483. Ronald Calvin McHarris, Petitioner *v.* Larry Spears, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6484. Robert L. Stallworth, Petitioner *v.* Detroit Board of Education, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6486. Alonzo Smith, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-6488. Victor Contreras, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6489. Frank Mars, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 86-6492. Michael Wayne Holt, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 86-6493. Kenneth Schloman, Petitioner *v.* Martha A. McSteen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6494. Verlin Bewley, Petitioner *v.* Ronald Joe Coleman. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 86-6495. Robert William Kimble, Petitioner *v.* B. J. Bunnell, Superintendent, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6518. Filemon Amaro, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6533. Alfred Madson, 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 Tenth Circuit denied.

No. 86-6534. Sterling McCoy, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Correctional Institution and Correctional 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. 86-6536. Anthony DeMarco, Petitioner *v.* Cornelius Blackshear, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6540. Robert Clarkson, Petitioner *v.* Internal Revenue Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6553. William James Hess, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6555. James Brown, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6556. Maria Acosta, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6558. Sharon Lanelle Martinez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6560. Mark Douglas Schiek, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6564. Morris May, Petitioner *v.* Pro-Guard, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6571. James Silas, Petitioner *v.* Dareld Kerby, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6574. Ronald Pompey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6575. Carol Jean Brown, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6584. Patrick Thomas Redmond, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6590. Tony Carrol Price, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6595. Dennis Hays, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6614. Garry Jordan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-267. Raven's Hollow, Ltd., et al., Petitioners *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.

No. 86-1257. James E. Smith, Petitioner *v.* United States; and Leland E. Stevenson, Jr., 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 Marshall would grant the petition for a writ of certiorari and reverse the judgments of conviction.

No. 86-1302. Morris Thigpen, Commissioner, Mississippi Department of Corrections, et al., Petitioners *v.* Marion Albert Pruett. 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 Fifth Circuit denied.

No. 86-1409. International Union, United Mine Workers of America, et al., Petitioners *v.* A. T. Massey Coal Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Justice Powell took no part in the consideration or decision of this petition.

No. 86-6303. Dale S. Pierre, aka Dale Selby, Petitioner *v.* Kenneth Shulsen, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6472. William Spranger, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6604. Nollie Lee Martin, 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. 86-6653. James Willie Cochran, Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

## REHEARINGS DENIED

No. 85-1094. Alwin E. Hopfmann, et al., Appellants *v.* Michael Joseph Connolly, et al.;

No. 85-1217. City of Springfield, Massachusetts, Petitioner *v.* Lois Thurston Kibbe, Administratrix of Estate of Clinton Thurston;

No. 85-1485. Alfreda Walker, Petitioner *v.* Ohio;

No. 86-5307. Lewis Williams, Petitioner *v.* Ohio;

No. 86-5701. Theodore Griffin, Petitioner *v.* George N. Martin, III, Warden, et al.;

No. 86-5953. Jay D. Scott, Petitioner *v.* Ohio;

No. 86-6147. Robert W. Russell, Petitioner *v.* David Garraghty, Warden, et al.;

No. 86-6206. Kamal B. Mahdavi, Petitioner *v.* Bahman Shirani;

No. 86-6256. Eugene R. Henry, Petitioner *v.* Merit Systems Protection Board;

No. 86-6268. Richard Alan Starkes, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections;

No. 86-6341. Earthel B. Hill, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections; and

No. 86-6345. Jerry L. Montgomery, Petitioner *v.* Internal Revenue Service. The 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 4, 1987, until Monday, May 18, 1987.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lee Barry Ackerman	Santa Monica, CA	Gary Lynn Bostwick
P. Martin Aubry	Perrysburg, OH	Philip Louis Dambey

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James W. Backstrom	Pascagoula, MS	William Bryan Jones
John A. Banahan	Pascagoula, MS	William Bryan Jones
William Gleason Barbin	Johnstown, PA	Andrew J. Gleason
James Thomas Batchelder	Cincinnati, OH	James Alan Lips, Sr.
James W. Berry	Oklahoma City, OK	Charles L. Owens
Mark S. Blechman	Orlando, FL	Marc L. Lubet
Scott R. Brann	Houston, TX	Kenneth G. Engerrand
Leonard C. Carter, Jr.	Lakeland, FL	Henry M. Kittleson
Vincent J. Castigliola, Jr.	Pascagoula, MS	William Bryan Jones
William Paul Chlan, Jr.	Baltimore, MD	Charles Edward Chlan
Mary Woodford Cochran	Little Rock, AR	Douglas R. Strock
Tom Hunt Cole, Jr.	Jackson, MS	Stephen Joseph Kirchmayr, Jr.
Michael D. Cooke	Iuka, MS	William S. Lawson
Jose Manuel Cruz-Ellis	San Sebastian, PR	Celso E. Lopez
Edward Patrick D'Alessio	Paramus, NJ	Howard Stern
Terrence M. Deneen	Arlington, VA	William Francis Hanrahan
Lawrence Denison Diehl	Hopewell, VA	Robert A. Blackwood, III
Paul R. Dionne	Lewiston, ME	G. Curtis Webber
Carolyn Dohn	Pascagoula, MS	William Bryan Jones
Igor J. Dominguez	San Juan, PR	William Estrella Lopez De Victoria
Charles Edward Dunlap	Youngstown, OH	R. Scott Krichbaum

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jon Victor Elliott	Atholton Manor, MD	Warren L. Johns
Cecile Lee Essrig	Tampa, FL	Brian Christian Elmer
David L. Fairbanks	Honolulu, HI	Wayne Keoni Kamai Kekine
Anthony Wayne Forray	Hershey, PA	William Anthony Behe
David Edward Fox	Durham, NC	Charles Roberson Holton
Carolyn S. Goldfarb	New York, NY	Ann L. Ritter
Robert Lee Graham	Los Angeles, CA	John P. McKay
Charles Robert Gross	Alexandria, VA	John Lodge Euler
Damon Guizot	Los Angeles, CA	Richard Franklin Gerry
Thad McIntosh Guyer	Medford, OR	Laurence Henry Tribe
Jeanne Beck Hanrahan	Washington, DC	William Francis Hanrahan
James Grandison Harrison	Hopewell, VA	Robert A. Blackwood, III
Ernest Henry Hawkins	Tuscaloosa, AL	Russell J. Drake
David John Hebert	Marrero, LA	Roger I. Dallam
Rodney D. Helmers	San Diego, CA	Donald L. Salem
Elizabeth Miranda Hernandez	Washington, DC	Warren D. Hamann
Eugenio Hernandez	Washington, DC	Michael Norman Weiss
Judith Anne Hoggan	Washington, DC	Carlos Marco Recio
Diane Patricia Jackson	Schaumburg, IL	Neal Jay Shulman
Deborah Purce Jones	Topeka, KS	Charles S. Scott
Stuart Alan Sadayoshi Kaneko	Honolulu, HI	Wayne Keoni Kamai Kekina
Lawrence s. Katkowsky	Detroit, MI	Irving Kroll
Grant K. Kidani	Honolulu, HI	David Myles Robinson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Samuel H. Klagsbrun	New York, NY	Kevin Marrazzo
Robert H. Lande	Washington, DC	Tom D. Smith
Wayne Clement Lee	Auburn, CA	Norman David Shumway
David Lesser	Washington, DC	Steven M. Umin
Daniel Field Lindley	Wilmington, DL	Blaine Townsend Phillips
Patrick Emery Longan	Dallas, TX	Charles Ray Haworth
Arline Mann	New York, NY	Elise A. Bloustein
William Norman McDonald	Blen, NM	Tanya Lea Scott
Catherine Peek McEwen	Tampa, FL	H. Lee Moffitt
James G. McLean	Pittsburgh, PA	James Patrick Hollihan
Richard C. Neuhoff	San Francisco, CA	Gregory Constantine Paraskou
Edward J. Passarelli	Springfield, VA	James Earl Brookshire
Dianne Goss Paynter	Columbus, OH	Richard L. Ayes
George M. Peagler, Jr.	Americua, GA	Richard Even Nettum
Debra Lynne Romanello	Tampa, FL	H. Lee Moffitt
Steven H. Sadow	Atlanta, GA	Bruce Maloy
William Thomas Scharnikow	Yakima, WA	Don Willis Schussler
Ernest R. Schroeder	Pascagoula, MS	William Bryan Jones
Gerald Y. Sekiya	Honolulu, HI	Wayne Keoni Kamai Kekina
Kathy D. Sones	Jackson, MS	Robert Franklin Spencer
Garland Lee Stith, Jr.	Farifax, VA	William Arthur Beeton, Jr.
Ralph E. Stone	San Francisco, CA	Mary L. Azcuenaga
Leulumoega-Fou Su'esu'e Lutu	Pago Pago, American Samoa	Marcus W. Sisk, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bonnie J. Sutherland	Billings, MT	David Wallace Hoefler
Julia E. Taylor	Baton Rouge, LA	Joseph Jerome McKernan
John David Thomas, Jr.	Honolulu, HI	Wayne Keoni Kamai Kekina
Massie Tillman	Fort Worth, TX	Beale Dean
James L. Tillotson	Billings, MT	David Wallace Hoefler
Theodore Lee Walker	Eugene, OR	Donald D. Diment, Jr.
Gary Fred Wence	Omaha, NE	John E. North
Barbara Carol Werlin- Gorenstein	Albany, NY	Joseph H. Einhorn
Joseph L. Wertz	Albuquerque, NM	Terry D. Farmer
Philip Jay Walker	New York, NY	William Hughes Mulligan

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Randolph Schulz	Atlanta, GA	Albert G. Lauber, Jr.
David Edward Bindi	Chicago, IL	Mark L. Rotert
Ralph Evan Slater	Wilton, CT	Thomas Tilley Adams
J. Casey Healy	Wilton, CT	Joseph Francis Healy, Jr.
Ihor G. Rakowsky	Maplewood, NJ	Nestor L. Olesnycky
Anthony Robert Mignanelli	Providence, RI	Albert I. Kassabian

#### ORAL ARGUMENTS

No. 86-511. Commissioner of Internal Revenue, Petitioner *v.* Peter R. Fink, et ux. Argued by Mr. Alan I. Horowitz for the petitioner and by Mr. Matthew J. Zinn for the respondents.

No. 86-228. Juozas Kungys, Petitioner *v.* United States. Argued by Mr. Donald J. Williamson for the petitioner and by Mr. Robert H. Klonoff for the respondent.

No. 85-2064. James Greer, Warden, Petitioner *v.* Charles "Chuck" Miller. Argued by Mr. Mark L. Rotert for the petitioner and by Mr. Gary R. Peterson for the respondent.

No. 86-231. Pension Benefit Guaranty Corporation, Appellant *v.* Yahn & McDonnell, Inc., et al.; and

No. 86-253. United Retail and Wholesale Employees Teamsters Union Local No. 115 Pension Plan, et al., Appellants *v.* Yahn & McDonnell, Inc., et al. Argued by Mr. Gary M. Ford for the appellants and by Mr. Carl L. Taylor for the appellees.

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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 Powell, Justice Stevens, Justice O'Connor and Justice Scalia.

## OPINIONS

No. 85-1180. Edwin Meese, III, Attorney General of the United States and Joseph E. Clarkson, Appellants *v.* Barry Keene. Appeal from the United States District Court for the Eastern District of California. Judgment reversed and case remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens. Opinion by Justice Blackmun dissenting in part with whom Justice Brennan and Justice Marshall join. Justice Scalia took no part in the consideration or decision of this case.

No. 86-337. Burlington Northern Railroad Company, Petitioner *v.* Oklahoma Tax Commission, et al. 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 Marshall.

No. 85-1259. Edward Lunn Tull, Petitioner *v.* United States. 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 part and dissenting in part with whom Justice Stevens joins.

No. 86-39. Burlington Northern Railroad Company, et al., Petitioners *v.* Brotherhood of Maintenance of Way Employes, et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Justice Brennan.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James William Taylor	Leesburg, VA	Bernard Fried
James William Chipman	Springfield, IL	Wallace Fouche Tillman

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Norman Dunn	Indio, CA	Mark Dee Nozette
Bryan Edward Barbin	Harrisburg, PA	Suellen M. Wolfe
Stuart Kesner	Los Angeles, CA	Malcolm Douglas MacArthur

#### ORAL ARGUMENTS

No. 86-357. American Trucking Associations, Inc., et al., Appellants *v.* James I. Scheiner, Secretary, Department of Revenue, et al. Argued by Mr. Stephen M. Shapiro for the appellants and by Miss Suellen M. Wolfe for the appellees.

No. 86-566. Barclay Perry and James Johnston, Appellants *v.* Kenneth Morgan Thomas. Argued by Mr. Peter Brown Dolan for the appellants and by Mr. Bruce Gelber for the appellee.

No. 86-260. South Dakota, Petitioner *v.* Elizabeth H. Dole, Secretary, United States Department of Transportation. Argued by Mr. Roger A. Tellinghuisen for the petitioner and by Mr. Louis R. Cohen for the respondent.

No. 86-281. John William Ray, Petitioner *v.* United States. Argued by Mr. Joseph A. Connors, III, for the petitioner and by Mr. William C. Bryson for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeanne Miligan Lansman Player	Washington, DC	Joseph Guerrieri, Jr.
Susan Paradise Baxter	Washington, DC	John David Seiver
Wesley R. Heppler	Washington, DC	John P. Cole, Jr.
Nancie G. Marzulla	Washington, DC	Roger J. Marzulla

## ORAL ARGUMENTS

No. 86-475. David C. Frazier, Petitioner *v.* Frederick J. R. Heebe, Chief Judge, United States District Court for the Eastern District of Louisiana, et al. Argued by Mr. Cornish F. Hitchcock for the petitioner and by Mr. Curtis R. Boisfontaine for the respondents.

No. 86-322. Crawford Fitting Company, et al., Petitioners *v.* J. T. Gibbons, Inc.; and

No. 86-328. Champion International Corporation, Petitioner *v.* International Woodworkers of America, AFL-CIO/CLC. Argued by Mr. Ernest P. Mansour for the petitioners in No. 86-322, by Mr. Jeffrey A. Walker for the petitioner in No. 86-328, by Mr. William H. Block for the respondent in No. 86-322, and by Mr. James E. Youngdahl for the respondent in No. 86-328.

No. 86-319. John R. Van Drasek, Petitioner *v.* James H. Webb, Jr., Secretary of the Navy, et al. Argued by Mr. Stephen G. Milliken for the petitioner and by Mr. Michael K. Kellogg for the respondents.

No. 65, Original. State of Texas, Plaintiff *v.* State of New Mexico. Argued by Ms. Charlotte Uram for the defendant State of New Mexico and by Mr. Renea Hicks for the plaintiff State of Texas.

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Adjourned until Monday, May 4, 1987 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 Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-1297. William Backlund, Appellant *v.* Board of Commissioners of King County Hospital District No. 2. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question.

No. 86-1342. Kenneth P. LaVallee and Leon J. Campo, Appellants *v.* William J. Canary, etc., et al.; and James L. Lack, et al., Appellants *v.* William J. Canary. Appeal from the Appellate Division, Supreme Court of New York, Second Judicial Department. The appeal is dismissed for want of a substantial federal question.

No. 86-1457. Bankers Trust New York Corporation, et al., Appellants *v.* Department of Finance of the City of New York, et al. Appeal from the Appellate Division, Supreme Court of New York, First Judicial Department. The appeal is dismissed for want of a properly presented federal question.

## CERTIORARI—SUMMARY DISPOSITION

No. 85-1292. M. C. C. of Florida, Inc. and Michael Construction Company, Petitioners *v.* United States and Florida Department of Environmental Regulation. 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 *Tull v. United States*, 481 U. S. — (1987).

No. 86-6263. Samuel L. Petty, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. The petition for writ of certiorari is granted limited to Question i presented by the petition. 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 position presently asserted by the Solicitor General in his brief filed April 13, 1987. In all other respects the petition for writ of certiorari is denied.

#### ORDERS IN PENDING CASES

No. A-727. Fred B. Black, Jr., Applicant *v.* United States. The application for bail pending appeal addressed to Justice Blackmun and referred to the Court is denied.

No. A-786. Charles Rector, Applicant *v.* Texas. The application to continue stay of mandate of the Court of Criminal Appeals of Texas presented to Justice White and by him referred to the Court is granted pending the filing of a petition for writ of certiorari on or before June 3, 1987. In the event the petition for a writ of certiorari is filed by that date, this order is to continue pending final disposition by this Court of the petition for a writ of certiorari.

No. D-606. In the Matter of Disbarment of Robert E. Knowles. Disbarment order entered.

No. D-615. In the Matter of Disbarment of Maurice Meier Abrahams. Disbarment order entered.

No. D-632. In the Matter of Disbarment of Earl Whitted, Jr. It is ordered that Earl Whitted, Jr., of Goldsboro, 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. 86-6124. George S. Bennett, Petitioner *v.* Arkansas. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-6442. Catherine Liegl, Petitioner *v.* Arthur Y. Webb, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until May 26, 1987, 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*.

#### APPEAL—JURISDICTION NOTED

No. 86-1471. Richard A. Lyng, Secretary of Agriculture, Appellant *v.* International Union, United Automobile Aerospace and Agricultural

Implement Workers of America, UAW, et al. Appeal from the United States District Court for the District of Columbia. In this case probable jurisdiction is noted.

#### CERTIORARI GRANTED

No. 86-1146. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Mary Alice Galbreath. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 86-1419. Oregon Department of Human Resources, et al., Petitioners *v.* Coos Bay Care Center, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 86-1013. Richard E. Lyng, Secretary of Agriculture, et al., Petitioners *v.* Northwest Indian Cemetery Protective Association, et al. The motion of Howenquet Community 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 Ninth Circuit granted.

#### CERTIORARI DENIED

No. 86-61. Commonwealth Electric Company, Petitioner *v.* Department of Public Utilities of the Commonwealth of Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 86-175. Norfolk and Western Railway Company, Petitioner *v.* Brotherhood of Maintenance of Way Employes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-353. Consolidated Rail Corporation, Petitioner *v.* Brotherhood of Maintenance of Way Employes, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-503. Richmond, Fredericksburg & Potomac Railroad Company, Petitioner *v.* Brotherhood of Maintenance of Way Employes. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-849. Andrew J. Woodrick, Petitioner *v.* Peter B. Hungerford, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1119. Richard Drayton, John R. Sauerteig and Sydney G. Stevens, etc., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1149. Larry Cunningham, et ux., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1220. Delaware and Hudson Railway Company, Petitioner *v.* Brotherhood of Maintenance of Way Employees. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1224. Russell N. Pion, Petitioner *v.* Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1281. Qume 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. 86-1327. Medallion Kitchens, Inc., Petitioner *v.* National Labor Relations Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1364. Maurice Ferre, Petitioner *v.* Florida, ex rel. Janet Reno, State Attorney for the Eleventh Judicial Circuit of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-1433. Estate of Walter Larkins, Deceased, by his Administratrix, Mabel Larkins, Petitioner *v.* Farrell Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1438. Bobby Roy Dennis, Sr., Petitioner *v.* United States;

No. 86-6209. Sharon Denise Cohen, Petitioner *v.* United States;

No. 86-6336. Brenda Jewell Hurley, Petitioner *v.* United States; and

No. 86-6544. Clarence Bobby Jennings, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1450. Petros A. Palandjian, Petitioner *v.* Ashraf Pahlavi. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1469. Alabama, Petitioner *v.* Mark Monroe Geeslin. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 86-1473. Charlotte Louise Wilson, etc., Petitioner *v.* Burlington Northern Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1483. Richard Reetz, Petitioner *v.* Kinsman Marine Transit Company. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-1487. James M. Saylor, Petitioner *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 86-1492. Hospital Corporation of America, Petitioner *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1499. Willis Mars Emberton, et al., Petitioners *v.* County of San Diego. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-1506. Helen K. Dykes, Petitioner *v.* National Gypsum Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1509. Larry Dean Bowens, et al., Petitioners *v.* Board of Law Examiners of the State of North Carolina, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1530. Aetna Casualty and Surety Company, et al., Petitioners *v.* Security Forces, Inc., et al. Petition for writ of certiorari to the Court of Appeals of South Carolina denied.

No. 86-1565. Thomas E. Bauer, Petitioner *v.* Freeman Bosley, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1596. Jesus Bazan, Jr., Manuel Aleman and Garciela Flores, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1611. Roy Antone Nichols, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-5282. Gaynel Diamond, et al., Petitioners *v.* Donald Blinzinger, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6205. James R. Thompkins, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-6223. Terry Eugene Frederick, Petitioner *v.* Donald Warwzeszack, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6235. Harry M. Sassounian, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-6241. Robert Joe Long, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 86-6253. Thomas R. Brimberry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6270. Seymour Jameel Abdullah, 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. 86-6272. Marcus B. Harris, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-6346. Dennis Wayne Williams, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6481. Lillie R. Hill, Petitioner *v.* Sam Watts, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6485. Allen Wayne Wilson, Petitioner *v.* Howard N. Lyles, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6487. Van Johnson, Petitioner *v.* Bill Armontrout, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6497. Jerry Joseph Valentino, 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. 86-6502. Cuauhtemoc Gallegos, Petitioner *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 86-6503. Gilbert Lloyd Weber, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-6507. Lewis G. Robinson, Petitioner *v.* Thomas Jeff Tanner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6513. Mecene Nazaire, Petitioner *v.* Trans World Airlines, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6516. Bill Lietzke, Petitioner *v.* Montgomery Police Department. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-6517. Philip Vita, Petitioner *v.* Walter Kelly, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6521. Clyde Shears, Petitioner *v.* Jerry Hedrick, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 86-6525. Willie Blevins, Petitioner *v.* Larry Norris, Warden. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 86-6531. Phillip Matthews, Petitioner *v.* James W. McClung. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-6541. William Edgar Moore, Petitioner *v.* Tennessee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6546. Edward Ray Ross, Petitioner *v.* Dale Foltz, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6551. Willie Burton, Jr., 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. 86-6552. James Edward Hammonds, Petitioner *v.* William Fera, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6561. Victor R. Munford, Petitioner *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 86-6601. Robert L. Derocher, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6606. Michael Lee Baker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6609. James M. Carpenter, Petitioner *v.* Richard D. Heeter, Judge, Municipal Court of Lima, Ohio, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 86-6616. Donald Joseph Wajda, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6622. Earl Hillsberg, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6659. Christopher Martens, Petitioner *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 86-6680. Robert Prihoda, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District I, denied.

No. 85-567. Richard L. Dugger, Secretary, Florida Department of Corrections, Petitioner *v.* Carl Ray Songer. 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. 86-758. Florida, Petitioner *v.* Jeffrey Nease, aka Michael Colwell, aka Louis Poynter. 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, Fourth District, denied.

No. 86-1339. Michael O'Leary, Warden, Petitioner *v.* George Duncan. 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. 86-1476. Ralph Kemp, Warden, Petitioner *v.* Joseph 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 Eleventh Circuit denied.

No. 86-1336. Frank McCoy, Edward Erdelatz and Pierre Merle, Petitioners *v.* Hearst Corporation, et al. Petition for writ of certiorari to the Supreme Court of California denied. Justice White would grant certiorari.

No. 86-1443. Kraft, Inc., Petitioner *v.* AmBrit, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied. Justice White took no part in the consideration or decision of this petition.

No. 86-1466. John W. McNeil, Petitioner *v.* Economics Laboratory, Inc. The motion of petitioner to strike respondent's brief is denied. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1472. Vivienne Rabidue, Petitioner *v.* Osceola Refining Company, etc. The motion of Michigan Trial Lawyers 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 Sixth Circuit denied.

No. 86-1546. Central Machinery Company, Petitioner *v.* Arizona. The motion of Ak-Chin Indian Community, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the Supreme Court of Arizona denied. Justice O'Connor took no part in the consideration or decision of this motion and this petition.

No. 86-5026. Jimmy C. Wingo, Petitioner *v.* Frank 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. 86-5292. Alvin Scott Loyd, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5379. Willie Watson, Petitioner *v.* Frank 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. 86-5426. John Brogdon, Petitioner *v.* Frank 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. 86-5436. Jimmy L. Glass, Petitioner *v.* Frank 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. 86-5544. Herbert Welcome, Petitioner *v.* Frank 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. 86-5769. William Lee Thompson, 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. 86-5800. Benjamin A. Berry, Petitioner *v.* C. Paul Phelps, Secretary, Louisiana 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. 86-5884. John Buford Irving, III, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-5984. Milburn Wayne Bates, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6027. John E. Rust, Petitioner *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6043. Sterling R. Rault, Sr., Petitioner *v.* Frank 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. 86-6103. Kenneth W. Hardwick, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections, et al. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6188. Alvin R. Moore, Jr., Petitioner *v.* Frank 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. 86-6300. Elliott Rod Johnson, Petitioner *v.* James A. Lynaugh, Interim 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.

#### REHEARINGS DENIED

No. 86-913. Robert W. Heinemann, Petitioner *v.* United States;

No. 86-1293. Alexander Malick, Petitioner *v.* Sandia Corporation;

No. 86-6013. Calvin Jerold Burdine, Petitioner *v.* Texas;

No. 86-6318. James Larry Thompson, Petitioner *v.* Southeastern Toyota, et al.; and

No. 86-6405. John Michael Matusavage, Jr., Petitioner *v.* United States. The petitions for rehearing are denied.

No. 85-1837. Mitchell Block, As President of Direct Cinema Limited, Inc., et al., Petitioners *v.* Edwin Meese, III, Attorney General of the United States and Joseph E. Clarkson. The petition for rehearing is denied. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-848. Jude R. Hayes, Petitioner *v.* United States. 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>
Peter V. Abatemarco	Stockton, NJ	Theodore V. Fishman
Wayne Frederic Bender	Riverside, IL	George Fulton DeWolfe
Leslie R. Bennett	Uniondale, NY	Leonard L. Rivkin
Randall Lee Berman	Boca Raton, FL	Bernard Berman
Donald C. Bolger	Flint, MI	James C. Fausone
Timothy Blaise Broderick	San Francisco, CA	Hebert William Yanowitz
Elizabeth Cole Brooks	Alexandria, VA	William K. Ris, Jr.
Gary T. Brown	Washington, DC	James McConville
Constance G. Clark	Fayetteville, AR	William Jackson Butt, II
Janet M. Cooper	San Francisco, CA	William Alsup
Vincent T. D'Ambrosio	Brooklyn, NY	John Dennis Famulari
Charles Costello Davis, Jr.	New York, NY	O. Peter Sherwood
Patterson A. DeCamp	Lexington, KY	Mary Gail Robinson
Ronald Jordan Detzer	San Diego, CA	Charles David Christopher
William Alexander Dombi	Washington, DC	David O. Stewart
William Herb Ebbert	Denver, CO	Ronald W. Stock
David S. Elkind	New York, NY	Wayne Alan Cross

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William P. Featherston, Jr. Alvin Morris Fischbein	Jackson, MS Suffolk, NY	Samuel H. Wilkins Robert Logue Folks
F. Michael Fitzpatrick Robert David Goodstein	Knoxville, TN New Rochelle, NY	Foster D. Arnett Eileen West
David S. Greenfield	New York, NY	James M. LaRossa
Eric Lawrence Hager Thomas Edward Handy	Tucson, AZ Los Angeles, CA	Robert L. Beal B. Drew McConnell
Charles Clark Harrell	Memphis, TN	Frierson M. Graves, Jr.
Robert S. Herbst Paul Monroe Heylman	New York, NY Washington, DC	David Sachs Ira Michael Shepard
Joseph S. Hornack Bryon Lane Huffman	Pittsburgh, PA Columbia, MD	Staughton Lynd Leonard J. Williams
Howard Jay Kaplan	New York, NY	Christopher Alan Benson
Anson More Keller Alice Alexandra Kipel	Bethesda, MD Washington, DC	Robert V. Zener Joel Dennis Kaufman
R. Christopher Locke	San Francisco, CA	Jeremy Ray Akers
Donald W. Lojek Patrick A. Lowther Deborah Jean Loy	Boise, ID Sleepy Eye, MN Portland, OR	Carl P. Burke Robert J. Berens Judge Robert E. Jones
Gregory R. Lyman	Highland, IN	James Alan Cheslek
Roger A. Maness	Clarksville, TN	Stafford McNamee, Jr.
Robert Clive Marks	Clarksville, TN	Stafford McNamee, Jr.
Richard L. Masters	Louisville, KY	Theodore Henry Amshoff, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stephanie McEvily	New York, NY	Charles Joseph McEvily
Phillip S. McKinney	Atlanta, GA	Richard H. Sinkfield
Michael A. Mello	Washington, DC	James E. Coleman, Jr.
Dennis James Mendis	Detroit, MI	James George Gross
Loren Charles Meyers	Wilmington, DE	Richard E. Fairbanks, Jr.
Paul Elliott Morgenthal	Savannah, GA	John Wright Jones
Peggy Ann Nagae	Seattle, WA	Derrick A. Bell, Jr.
Malcolm R. Newman	Dothan, AL	J. Earl Smith
Terrence Patrick O'Connor	Fort Lauderdale, FL	Harry G. Carratt
Leo Martin Pall, Jr.	Upper Darby, PA	Robert A. Wright
Clayton C. Patrick	Salem, OR	David William Hittle
Jule Felton Paulk	Miami Shores, FL	James Herbert Watkins, Jr.
S. Perry Penland	Jacksonville, FL	James E. Cobb
Ned B. Pillersdorf	Prestonsburg, KY	Mary Gail Robinson
John Michael Potter	Philadelphia, PA	Stanley Paul Stahl
Kathy Morante Principe	Nashville, TN	Jerry Lynn Smith
Blake Ramsey	Portland, OR	Judge George Albert Van Hoomissen
Phyllis Berkelman Schunck	Austin, TX	William Duane Darling
David John Schwendiman	Salt Lake City, UT	Paul Michael Warner
Nancy Shaw	Anchorage, AK	Thomas W. Hillier, II
Robert C. Shea	Toms River, NJ	Peter Jon Van Dyke

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kevin Dennis Sheehy	Los Angeles, CA	Gregory A. Wedner
Steven Thayer Spiller	Nevada City, CA	Harold A. Berliner
Stanley Paul Stasiulis	Effingham, IL	F. Ronald Ealy
Larry A. Temin	Cincinnati, OH	Charles Gottlieb Atkins
Mary Lou Vanderpan	Pierre, SD	Roger Alan Tellinghuisen
Benjamin V. White, III	Providence, RI	George M. Vetter, Jr.
Dennis Ira Wilenchik	Paradise Valley, AZ	William Patrick French
Richard Normal Wiley	Mill Valley, CA	David M. Eisenberg
Michael Seay Wilson	Orlando, FL	O.H. Eaton, Jr.
Benjamin F. Yale	Waynesfield, OH	Richard A. Green
Sharon A. Zahner	Tallahassee, FL	William D. Townsend

#### OPINIONS

No. 85-2121. Arizona, Petitioner *v.* William Carl Mauro. On writ of certiorari to the Supreme Court of Arizona. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Powell. Dissenting opinion by Justice Stevens with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

No. 86-421. Board of Directors of Rotary International, et al., Appellants *v.* Rotary Club of Duarte, et al. Appeal from the Court of Appeal of California, Second Appellate District. Judgment affirmed. Opinion by Justice Powell. Statement by Justice Scalia concurring in the judgment. Justice Blackmun and Justice O'Connor took no part in the decision or consideration of this case.

No. 85-1973. Richard Pope and Charles G. Morrison, Petitioners *v.* Illinois. On writ of certiorari to the Appellate Court of Illinois, Second District. Judgment vacated and case remanded to the Appellate Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice White. Concurring opinion by Justice Scalia. Opinion by Justice Blackmun concurring in part and dissenting in part. Dissent-

ing opinion by Justice Brennan. Dissenting opinion by Justice Stevens with whom Justice Marshall joins.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Barry Lee Steelman	Baltimore, MD	Benjamin Louis Cardin
Glen Howard Schwartz	Los Angeles, CA	Benjamin Louis Cardin
Samuel Ross Moseley	Marshall, TX	James Mitchell Burger
Lucille C. Fontaine	Marina Del Rey, CA	Eugene Norman Sherman
Lester B. Volchok	Los Angeles, CA	Randall Wayne Scott
Daniel E. Ellenbogen	Washington, DC	Peter G. Kuh
Jeffrey Alan Hansche	Union Lake, MI	Robert L. Habush
David P. McMahon	Stamford, CT	Helane H. Smith
William W. Haury, Jr.	Fort Lauderdale, FL	Helane H. Smith
Seth Sumner Smith	Briarcliff Manor, NY	Helane H. Smith
Michael P. Amodio, II	New Rochelle, NY	Helane H. Smith
Deborah Lynn Beals	Hartsdale, NY	Helane H. Smith
Susan L. Bender	White Plains, NY	Helane H. Smith
Katherine Anne Burton	White Plains, NY	Helane H. Smith
Jay Allen Cohen	Brooklyn, NY	Helane H. Smith
Joseph Fashing	New York, NY	Helane H. Smith
Jo Ann Friia	White Plains, NY	Helane H. Smith
Gene L. Grobstein	Montgomery, NY	Helane H. Smith
Electa Bachmann O'Toole	New Rochelle, NY	Helane H. Smith
Francine R. Padgett	White Plains, NY	Helane H. Smith
Lorraine H. Pantaleo	Chappaqua, NY	Helane H. Smith
Jerome J. Platzman	Monsey, NY	Helane H. Smith
Gloria K. Prisament	Dobbs Ferry, NY	Helane H. Smith
Barbara A. Ferrara Quinn	North Salem, NY	Helane H. Smith

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gary Paul Rothman	New City, NY	Helane H. Smith
Gertrude M. Schwartz	Mount Kisco, NY	Helane H. Smith
Yen S. Yee	White Plains, NY	Helane H. Smith
Barbara A. Fontaine	South Kingstown, RI	Helane H. Smith
William Grant Callow, II	Anchorage, AK	Robert L. Habush
Mark R. Riegel	Lancaster, OH	Robert L. Habush
Michael L. Alderson	San Pablo, CA	Robert L. Habush
Alfred Andrew Cabral	Richmond, CA	Robert L. Habush
Dean Fletcher Cooper	Stockton, CA	Robert L. Habush
Jayne Kelly Roberts	San Francisco, CA	Robert L. Habush
Sydney W. Elkin	West Hartford, CT	Robert L. Habush
Joseph M. Tapper	Bloomfield, CT	Robert L. Habush
David Lee Deehl	Miami, FL	Robert L. Habush
Walter Douglas White	Shreveport, LA	Robert L. Habush
Brian Peter Cosby	Ocean City, MD	Robert L. Habush
Bobbie Fine Glick	Columbia, MD	Robert L. Habush
John H. Thornton	Baltimore, MD	Robert L. Habush
Michael Joseph Garvey, Jr.	Woodbury, MN	Robert L. Habush
Mary Joe Smith	Columbia, MO	Robert L. Habush
J. Douglas Clark	Reno, NV	Robert L. Habush
David M. Ginsberg	New York, NY	Robert L. Habush
William Whitaker Pulos	Alfred, NY	Robert L. Habush
Steven Richwill Hughes	Mount Vernon, OH	Robert L. Habush
Steven Sibley Nelson	Lancaster, OH	Robert L. Habush
Michael Lynn Seymour	Tulsa, OK	Robert L. Habush
David Michael Jakobi	Paoli, PA	Robert L. Habush
Russell Robert Fallis	Washington, DC	Robert L. Habush
Richard Lee Hill	Provo, UT	Robert L. Habush
Arthur Jay Oken	Fairfax, VA	Robert L. Habush
Melody H. Gaidrich	Charles Town, WV	Robert L. Habush
Braun A. Hamstead	Charles Town, WV	Robert L. Habush

Adjourned until Monday, May 18, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 86-6896. Joseph Mulligan, Petitioner *v.* Ralph Kemp, Warden. The application for stay of execution of the sentence of death presented to Justice Powell 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

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Present: Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell Justice Stevens, Justice O'Connor and Justice Scalia

Justice Brennan said:

"Today's orders of the Court have been certified by me, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 86-781. Kansas Gas and Electric Company, Appellant *v.* State Corporation Commission of Kansas, et al. Because there is no longer a live controversy concerning Question 1 presented by the Jurisdictional Statement, and because Question 2 does not present a substantial federal question, the appeal is dismissed. The portions of this Court's orders of February 23, 1987, consolidating Nos. 86-781 and 86-793 for argument are vacated. Justice Powell took no part in the consideration or decision of this case.

No. 86-1366. Duquesne Light Company, et al., Appellants *v.* State Tax Department of West Virginia, et al. Appeal from the Supreme Court of Appeals of West Virginia. The appeal is dismissed for want of a substantial federal question. Justice Powell took no part in the consideration or decision of this case.

No. 86-1510. J. Stanley Tyrakowski, Appellant *v.* Wladyslawa Barr Tyrakowski. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of jurisdiction.

No. 86-1518. Standard Manufacturing Co., Inc., Appellant *v.* Tax Commission of the State of New York, et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

No. 86-1524. Thomas E. McGovern, Appellant *v.* New Jersey. Appeal from the Superior Court of New Jersey, Appellate Division. The appeal is dismissed for want of a substantial federal question.

No. 86-1522. Andrew Templeman, Appellant *v.* Presbytery of Northern New England. 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. 86-1669. Carl B. Branson, Appellant *v.* Cora Northington, 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. 86-6568. Royce Calvin Sands, II, Appellant *v.* Arizona Department of Economic Security, et al. Appeal from the Supreme Court of Arizona. 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. 86-6612. Thaddeus C. Lewingdon, et al., Appellants *v.* Richard R. Celeste, 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. A-768. William Robert Runnells, Jr., Applicant *v.* Laurence H. Levy, et al. The application for bail and other relief addressed to Justice Brennan and referred to the Court is denied.

No. A-796. Miguel T. (Anonymous), Applicant *v.* Commissioner, New York City Department of Social Services, et al. The application for stay addressed to Justice White and referred to the Court is denied.

No. D-602. In the Matter of Disbarment of Paul H. Holmes. Disbarment order entered.

No. D-613. In the Matter of Disbarment of George Sassower. Disbarment order entered.

No. D-617. In the Matter of Disbarment of William Franklin Casler. Disbarment order entered.

No. D-633. In the Matter of Disbarment of Peter Joseph Monaghan. It is ordered that Peter Joseph Monaghan, of Bergenfield, 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. 85-2079. Laborers Health and Welfare Trust Fund, for Northern California, et al., Petitioners *v.* Advanced Lightweight Concrete Co., Inc. The motion of National Coordinating Committee for Multiemployer Plans for leave to file a brief as *amicus curiae* is granted.

No. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. The motion of

petitioners for leave to file a supplemental brief after argument and to supplement the record is granted.

No. 86-279. Basic Incorporated, et al., Petitioners *v.* Max L. Levinson, et al. The motion of American Corporate Counsel Association for leave to file a brief as *amicus curiae* is granted. The Chief Justice took no part in the consideration or decision of this motion.

No. 86-728. Bill Honig, California Superintendent of Public Instruction, Petitioner *v.* John Doe and Jack Smith. The motion of San Francisco Unified School District for leave to file a brief as *amicus curiae* is granted.

No. 86-740. Omni Capital International, et al., Petitioners *v.* Rudolf Wolff & Co., Ltd., et al. The motion of respondents for divided argument is denied.

No. 86-761. Cynthia A. Forrester, Petitioner *v.* Howard Lee White. The motion of petitioner to dispense with printing the joint appendix is granted.

No. 86-1033. Sidney L. Jaffe, et al., Petitioners *v.* Charles W. Grant, etc. The motion of respondent for award of fees and damages is denied.

No. 86-1128. Immigration and Naturalization Service, Petitioner *v.* Assibi Abudu. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-1661. Battles Farm Company, et al., Petitioners *v.* Samuel R. Pierce, Jr., Secretary of Housing and Urban Development. The motion of petitioners to expedite consideration of the petition for a writ of certiorari is denied.

No. 86-6109. Frederick Mathews, Petitioner *v.* United States. The motion for appointment of counsel is granted and it is ordered that Franklyn M. Gimbel, Esquire, of Milwaukee, Wisconsin, is appointed to serve as counsel for the petitioner in this case.

No. 86-6393. Glen Gruetter, Petitioner *v.* Ohio. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until June 8, 1987, 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. 86-6629. Curtis L. Wrenn, Petitioner *v.* Caspar W. Weinberger, Secretary of Defense, et al. The motion of petitioner for leave to

proceed *in forma pauperis* is denied. Petitioner is allowed until June 8, 1987, 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*.

#### APPEAL—JURISDICTION NOTED

No. 86-1521. United States, Appellant *v.* Crocker National Bank, et al. Appeal from the United States District Court for the Central District of California. The motion of appellees to substitute Wells Fargo Bank, et al. in place of Crocker National Bank, et al. is granted. In this case probable jurisdiction is noted.

#### CERTIORARI GRANTED

No. 86-1415. Evelyn Marino, et al., Petitioners *v.* Juan U. Ortiz, et al.; and Wayne Costello, et al., Petitioners *v.* New York City Police Department, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 86-1512. Samuel R. Pierce, Jr., Secretary of Housing and Urban Development, Petitioner *v.* Myrna Underwood, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

#### CERTIORARI DENIED

No. 86-1048. Jewel M. Cooper, Petitioner *v.* Diamond M Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1136. Clement J. Pacyna, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1210. Harlrel B. Jones, Petitioner *v.* Robert Shankland, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1284. Raymond M. Lopes, Commissioner, Connecticut Department of Correction, Petitioner *v.* Ernest P. Mele. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1322. AAACon Auto Transport, Inc., 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. 86-1358. Raoul Cruz, Petitioner *v.* Marine Transport Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1359. Paul C. Porter, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1383. New York Land Company, et al., Petitioners *v.* Republic of the Philippines. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1435. Demoulas Super Markets, Inc., Petitioner *v.* Larry Harriman, et al. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 86-1449. Federal Insurance Company, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1496. Glen Martin, et al., Petitioners *v.* Antonia Montelongo, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1497. Kenneth S. Hower, Individually and as an officer of Sunflower Seventeen, Inc. and Sunflower Seventeen, Inc., Petitioners *v.* Picinich & Rigolosi and Ronald J. Picinich, Individually. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-1498. Elizabeth J. Heron, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Western District, denied.

No. 86-1501. City of McKeesport, et al., Petitioners *v.* Rebecca L. Cunningham. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1511. Cletus Brown, Petitioner *v.* Missouri Pacific Railroad Company. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 86-1513. Reuben Palmer, et al., Petitioners *v.* City of Chicago, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1516. Gary W. Reklau, on behalf of himself and all others similarly situated, Petitioner *v.* Merchants National Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1517. Gary Schooler, Petitioner *v.* Robert Harder, Secretary of Social and Rehabilitation Services, et al. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 86-1523. Richard Laverne Chandler, Petitioner *v.* Rachel Chandler. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1531. Daniel L. Edwards, Jr., Petitioner *v.* United States Office of Personnel Management. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1532. Florida, Petitioner *v.* Robert Strong. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 86-1534. Ralph A. Applegate, Petitioner *v.* Debrovir, Oakes & Gebhardt. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-1539. State Line Delivery Service, Inc., Petitioner *v.* Juan F. Rivera, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-1540. Joseph Cathey, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fifth Circuit, denied.

No. 86-1541. Township of Brick, Petitioner *v.* Block 48-7, et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-1544. Nu-Car Carriers, Inc., Petitioner *v.* Larry T. Varnum. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1547. Anne B. Parks, Petitioner *v.* Michigan Employment Security Commission, et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 86-1549. Consul Ltd., Petitioner *v.* Transco Energy Company, fka Transco Companies, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1551. Narciso Rafael Perez de la Cruz, et al., Petitioners *v.* Crowley Towing & Transportation Co. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1554. Cyril J. Smith, Jr., Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, First District, denied.

No. 86-1556. United American Telecasters, Inc., Petitioner *v.* Federal Communications Commission, et al.; and

No. 86-1561. Bethel Broadcasting, Inc., Petitioner *v.* Federal Communications Commission, et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-1557. Richard L. Dugger, Secretary, Florida Department of Corrections, Petitioner *v.* Vernon Ray Cooper. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1560. Sheridan Road Baptist Church, et al., Petitioners *v.* Michigan Department of Education, et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 86-1563. Louis Gniotek, et al., Petitioners *v.* City of Philadelphia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1564. Spencer County Clerk, et al., Petitioners *v.* B & M Coal Corporation, et al. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 86-1568. Harold J. Romain, Petitioner *v.* Harold Shear, Administrator of the Department of Transportation, Maritime Administration. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1571. Arthur M. Ralphs, et ux., Petitioners *v.* John Para, et ux., et al. Petition for writ of certiorari to the Court of Appeals of Washington, Division 3, denied.

No. 86-1574. Chemehuevi Indian Tribe, Petitioner *v.* California State Board of Equalization, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1581. Lawrence Neumann, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-1583. Hugh Wilson, Petitioner *v.* Myra A. McDaniel, Secretary of State of Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1584. Gerald Plas, etc., et al., Petitioners *v.* Richard A. Austin, Individually and as Secretary of State of Michigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1585. Morris R. Daroff, Elsie Daroff and Alan J. Daroff, Petitioners *v.* Dunkin' Donuts of Penna., Inc. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 86-1592. Richard M. Maddox, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 86-1595. June Womble, Petitioner *v.* Seaboard System Railroad. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1605. Patrick T. Rogers, Petitioner *v.* Connecticut. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 86-1609. John Joseph Grabner, III, Petitioner *v.* Lawrence Conti and Anteline Pendel. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh Office, denied.

No. 86-1610. Richard Johnson, Petitioner *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 86-1624. William Withworth, Superintendent, Community Correctional Institute, et al., Petitioners *v.* Ryan Hung-Ping Wang. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1637. Peter I. Waldmann, Petitioner *v.* Charles W. Grant, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1641. Lowell Locksley, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1658. Orient Leasing Co., Ltd., etc., Petitioner *v.* Cactus Pipe and Supply Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1662. Roger Harris Clark, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1667. Antonio Muina and J. A. Muina, Petitioners *v.* Ed Archer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1675. Randy J. Delacruz, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-1699. Raul Vidal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-1700. Dennison Manufacturing Company, Petitioner *v.* Panduit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1701. Frederick Ed Soudan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6107. Wilfred W. Nielsen, Petitioner *v.* Frank Gunter, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6182. William Cameron McCormack, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6217. Everitt D. Burks, Petitioner *v.* E. P. Perini, Superintendent, Marion Correctional Institution, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6234. Donald Townsend, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-6273. Carl Jones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6314. Joseph L. Stevenson, Petitioner *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6322. George Ross, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Correctional Institution and Correctional 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. 86-6326. Stewart B. Brooks, Petitioner *v.* Rex A. Zent, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6350. Donald Douglas Hull, 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. 86-6364. Allen Lou Stickles, Petitioner *v.* Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6375. Anthony Eugene Harris, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6381. Arthur Joseph Pitts, Petitioner *v.* Thomas D. Richards, Superintendent, Rockville Training Center. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6421. Thomas Anthony Berry, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6473. Roberto Ramirez, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-6537. Joseph M. Miner, 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. 86-6545. Scott Stewart Workman, Petitioner *v.* E. P. Perini, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6549. Junius Lee James, 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. 86-6562. Jessie D. McDonald, Petitioner *v.* Metropolitan Government of Nashville and Davidson County, Tennessee. Petition for writ of certiorari to the Chancery Court of Tennessee, Davidson County, denied.

No. 86-6563. Earl Louis Pender, 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. 86-6567. Morris May, Petitioner *v.* Warner Amex Cable Communications, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6569. Frieda Coulias, Petitioner *v.* City of Chicago Department of Water. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6570. Robert Earl Williams, Petitioner *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana, Third District, denied.

No. 86-6572. Scott S. Workman, Petitioner *v.* E.P. Perini, Superintendent, Marion Correction Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6573. Dean F. Vereen, Petitioner *v.* Lanson Newsome, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6577. Remigio Castro, Petitioner *v.* Hawaii. Petition for writ of certiorari to the Intermediate Court of Appeals of Hawaii denied.

No. 86-6578. Zakee Kaleem Abdullah, 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. 86-6579. Henry H. Hagemeyer, et al., Petitioners *v.* John Block, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6580. Goldwyn A. Green, Petitioner *v.* Department of the Treasury, IRS. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6581. Carzell Moore, Petitioner *v.* Ralph Kemp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6582. Michael F. Wood, Petitioner *v.* R.M. Muncy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6583. Charlotte Roman, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-6585. John E. Miller, 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. 86-6586. Kenneth Ward, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-6588. Noah Lee Faulk, 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. 86-6592. Seymour Jameel Abdullah, 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.

No. 86-6594. Henry Callahan, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-6596. Ronald Benedict, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Third Judicial Department, denied.

No. 86-6597. Umar Abdullah Al-Karim, Petitioner *v.* Tony L. Strawhorn, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6602. Anthony Jones, 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. 86-6608. Thomas Bird, Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-6610. David Wilkins, Petitioner *v.* Howard Lyles, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6611. Marque P. Davenport, Petitioner *v.* Lanson Newsome, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 86-6613. Joseph M. Hennessey, Petitioner *v.* Charles Zimmerman, Superintendent, State Correctional Institution and Correctional 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. 86-6615. Robert Lonberger, Jr., 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. 86-6617. Julia Kay Rorrer, Petitioner *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 86-6620. Machele Yvonne Pearson, Petitioner *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-6621. David Wayne Givens, Petitioner *v.* Missouri Commission on Human Rights. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6623. Doris Gambrell, Petitioner *v.* Amerada Hess Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6624. Marilyn B. Harrison, Petitioner *v.* Kevin Hatfield, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6627. Ruchell Cinque Magee, 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. 86-6628. Gary Van Pilon, Petitioner *v.* Dixy Lee Ray, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6632. Anthony D. Figueroa, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6635. Willis Peter Spivey, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6636. Jackie Wayne Watson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6639. Frank Joseph Flowers, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6640. Gary Harrison, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-6643. Angelo G. Howard, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6644. Chris Baca Martinez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6649. Aphram Karim Zogheib, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6650. David C. Johnson, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6656. Donnell Flippins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6657. Robert C. Bransford, Petitioner *v.* Robert Brown, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6658. Manuel Gispert, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6660. Allen Raymond Phipps, Petitioner *v.* Patrick W. Keohane, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6670. Vincent Bruno, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6674. Robert Lorenzo Davis, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Thirteenth District, denied.

No. 86-6675. Sylvester Jones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6684. Ronald Nathaniel Wooten-Bey, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 86-6686. Rowland Lovingood, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6687. Rufus Holland, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-6688. Ronald Davidson, Petitioner *v.* Susan H. Ferrucci, et al. Petition for writ of certiorari to the Appellate Court of Connecticut denied.

No. 86-6692. Rex Ryland, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6695. Charlotte Adkins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6708. Norman Allen Ayers, Petitioner *v.* Howard N. Lyles, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6718. William Thomas Neal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6741. Jay Cutler, Petitioner *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 86-895. John Lyle Hall, 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. 86-1261. Sequoia Books, Inc., Petitioner *v.* Illinois; and 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. 86-1289. California, Petitioner *v.* Ronald Lee Sabo and Angela Marie Zizzo. The motion of respondent Ronald Lee Sabo for leave to proceed *in forma pauperis* is granted. The motion of respondent Angela Marie Zizzo 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. Dissenting opinion by Justice White with whom The Chief Justice joins.

No. 86-1330. Katrina Maxtone-Graham, Petitioner *v.* James T. Burtchaell, et al. The motion of American Society of Journalists and Authors, 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 Second Circuit denied.

No. 86-1536. Wade Powell, et al., Petitioners *v.* Florida, et al. The motion of Rabbinical Association of Greater Miami, 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. 86-1537. Bill Armontrout, Warden, Petitioner *v.* Douglas W. Thompson. 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. 86-1567. Thomas Ryan, Petitioner *v.* New York. The motion of respondent to defer consideration of the petition for a writ of is denied. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 86-6193. Herman Robert Charles Clark, Jr., 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. 86-6374. Lawrence Christy, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6599. James Armando Card, Sr., 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. 86-6603. Wilburn Dobbs, 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. 86-6618. Harold McQueen, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6648. Gerald Eugene Stano, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

#### REHEARINGS DENIED

No. 85-1864. Randall Book Corporation, Petitioner *v.* Maryland;

No. 86-5530. Louis J. Truesdale, Jr., Petitioner *v.* James Aiken, Warden, et al.;

No. 86-5656. Charles Bairnsfather, Appellant *v.* Louisiana;

No. 86-6059. Wardell Patterson, Jr., Petitioner *v.* James Aiken, Warden, et al.;

- No. 86-6071. Paul F. Koon, Petitioner *v.* James Aiken, Warden;  
 No. 86-6145. James M. Carpenter, Petitioner *v.* Robert K. Leonard;  
 No. 86-6191. David L. Hoffman, Petitioner *v.* United States;  
 No. 86-6232. Donald White, Petitioner *v.* Ohio;  
 No. 86-6242. Rayfus Graves, Petitioner *v.* Ohio;  
 No. 86-6293. Anthony Hall, Petitioner *v.* Illinois;  
 No. 86-6294. Milton Johnson, Petitioner *v.* Illinois;  
 No. 86-6315. John Eugene Sellner, Petitioner *v.* Federal Bureau of Investigation, et al.;  
 No. 86-6328. Gilbert G. Beezley, Petitioner *v.* Fremont Indemnity Co., et al.;  
 No. 86-6337. Socorro C. Clemente, Petitioner *v.* Office of Personnel Management;  
 No. 86-6359. Luis Thomas Jacob Leal, Petitioner *v.* WRQN, et al.;  
 No. 86-6371. Dawud Shahid, Petitioner *v.* Texas;  
 No. 86-6380. Byron Ashley Parker, Petitioner *v.* Georgia;  
 No. 86-6398. Patricia D. Burnett, Petitioner *v.* Richard Cox, et al.;  
 and  
 No. 86-6479. Edward Earl Johnson, Petitioner *v.* Morris Thigpen, Commissioner, Mississippi Department of Corrections. The petitions for rehearing are denied.  
 No. 86-5388. Charles Tyson, Petitioner *v.* Kenneth D. McKellar, Warden, 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 18, 1987, until Tuesday, May 26, 1987.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Virginia Corrine Brady Adams	Santa Ana, CA	Alan K. Simpson
Michael Joseph Ahlstrom	Atlanta, GA	John Devereux Marshall
Robert G. Bauer	Philadelphia, PA	Herbert L. Olivieri

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Douglas Clifford Bauer John Alan Bay	Washington, DC Columbus, OH	Robert L. Baum Gregory Lawrence Ayers
James H. Bean Max Berueffy Edgar E. Bethell	Portland, OR Washington, DC Fort Smith, AR	Orrin G. Hatch Jacob A. Stein Douglas O. Smith Jr.
David John Bodle Bryan D. Bolton	Indianapolis, IN Baltimore, MD	John F. Bodle Larry M. Waranch
Luther R. Boyd Scott Matthew Wilson Braden Johnny Brown	Gulfport, MS Ponca City, OK Miami, FL	Ben H. Stone Joseph S. Lewis Frank A. Howard Jr.
Richard H. Browne	Birmingham, MI	Margaret Garvin Horenstein
Arlene Brummer	Miami, FL	Bennett H. Brummer
Paul V. Buckley Renee Runcel Bullerdick Bradley Roberts Byrne	Milton, MA Washington, DC Mobile, AL	Edward M. Burns Charles Fried Lester M. Bridgeman
John-Claude Charbonneau	Rutland, VT	David Francis Mister
Merlyn W. Clark	Boise, ID	Jess B. Hawley Jr.
William David Claster	Newport Beach, CA	Kenneth Eugene Ristau Jr.
William R. Clayton	Miami, FL	William F. Clayton
John M. Copacino Jean Corey J. Joseph Curran Jr.	Washington, DC Santa Monica, CA Baltimore, MD	Wallace J. Mlyniec Robert A. Rogers Charles O. Monk II
Jeffrey Hutton Curtis	The Plains, VA	Joe Reeves Lamport

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas G. DeLucas	New York, NY	William Joseph Postner
George dePozsgay	Miami, FL	Frank A. Howard Jr.
Laura DiGiantonio	Chicago, IL	Joseph V. Giffin
Jess Hays Dickinson	Gulfport, MS	Ben H. Stone
Michael R. Dougherty	San Buenaventura, CA	Donald Steven Greenberg
Edward Ross Eidelman	Allentown, PA	John E. Roberts
Avery Howard Einhorn	Beverly Hills, CA	Richard Lee Rosenfield
Josie Michelle Facianes	Chicago, IL	Vervian Elaine Boyle
Audrey S. Feinberg	New York, NY	Simon H. Rifkind
Jon L. Fleischaker	Louisville, KY	Gordon B. Davidson
James Francis Forster	New York, NY	William Joseph Postner
Alfred C. Frawley III	North Yarmouth, ME	G. Curtis Webber
Marion A. French	Alexandria, LA	William E. Skye
Paul D. Galea	Detroit, MI	John L. Foster
Jeff Hixson Galloway	New York, NY	Robert J. Sisk
Andrew D. Gilman	New York, NY	Robert John David Reilly
Eric R. Glitzenstein	Washington, DC	Alan B. Morrison
Arthur Henry Goldsmith	Boston, MA	Irving Francis Gregory II
Cynthia L. Greene	Miami, FL	Melvyn B. Frumkes
Jerry D. Guenther	Missoula, MT	Harold V. Dye
Barry M. Haight	Milton, MA	Edward M. Burns
Kurt D. Hameline	Utica, NY	John S. Balzano
Sandra L. Hautanen	Milton, MA	Leon J. Lombardi
William J. Heimbuch	Hillsdale, NJ	Conrad W. Krafte
Charles Ray Hembree	Lexington, KY	Bert T. Combs

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Cluny Hiscock	San Diego, CA	Shirley M. Hufstedler
Steven Andrew Hoskins	Idaho Falls, ID	Gordon S. Thatcher
Duane Ewald Houdek	Bismarck, ND	David L. Peterson
William W. Howard	St. Louis, MO	Keith E. Mattern
Todd A. Hunter	Corpus Christi, TX	James William Wray Jr.
George S. Isaacson	Lewiston, ME	John Stephen Gleason III
Christopher Joseph Johnson	Northville, MI	William Edwin Johnson
Michael Alan Johnson	Chicago, IL	Edward Lloyd Schuller
G. McGregor Jordan Jr.	Macon, GA	T. Reese Watkins
David Charles Karp	Chicago, IL	Allan Ides
Michael S. Karpoff	Highland Park, NJ	Ronald Lawrence Perl
Robert Michael Kelly	Denver, CO	George Joseph Cerrone Jr.
Elizabeth Gregg Kennedy	Des Moines, IA	Lance A. Coppock
Isabelle A. Kirshner	New York, NY	Richard Harris Rosenberg
Marc R. Kittner	Seattle, WA	Robert L. Gunter
Bernard L. Kleinke	San Diego, CA	Joseph F. Schmidt
Simon Paul Kresch	Detroit, MI	Gary Howard Torgow
Charles W. Kuether	Great Falls, MT	Cresap S. McCracken
J. Philip Landsman	Fort Lauderdale, FL	George Irving Platt III
Maryl A. Lane	Pittsburgh, PA	Joseph F. Weis Jr.
Jodi Beth Levine	Oklahoma City, OK	John C. Moran
Nanette Debra Levine	Baltimore, MD	Daniel Irwin Sherry
J. Stanford Lifsey	Tampa, FL	Ronald K. Cacciatore

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Donald Andrew Low	Lawrence, KS	Brian John Moline
Robert J. MacPherson	New York, NY	William Joseph Postner
Roderick J. Macpherson III	Minneapolis, MN	Mark S. Wernick
Gilbert G. Malone	York, PA	D. Reed Anderson
Paul Lewis Maloney	St. Joseph, MI	Chester James Byrns
Richard W. Markle	Houston, TX	Jack Irion Pickren
James Patrick McCarthy	Minneapolis, MN	Robert J. Sheran
Donald Frederick Miles	San Francisco, CA	Jerome B. Falk Jr.
Allan C. Molotsky	Philadelphia, PA	Frederick Evan Black
Stuart Scott Morrison	Washington, DC	Patricia M. Reilly
Edward Lee Munson	Tahlequah, OK	D. D. Hayes
Patrick Kaoru Nakamura	Birmingham, AL	Robert H. Stropp Jr.
Marla Y. Newman	Dothan, AL	Louis Arthur Bedford Jr.
Tiep D. Nguyen	San Jose, CA	John G. Schroeder
William J. Nold	Louisville, KY	Kyle Truett Hubbard
Michael Joseph O'Neill	Clearwater, FL	Roger W. Jensen
William A. Olson	Houston, TX	Joseph G. Rollins
William A. Olson Jr.	Houston, TX	Kenneth E. Wall Jr.
John Emory Osborn	New York, NY	William Joseph Postner
Rene A. Pastorek	Gretna, LA	Harry A. Rosenberg
Charles L. Payne	East Liverpool, OH	David Tobin
J. Leon Peace Jr.	Philadelphia, PA	William H. Brown III
Frank B. Perry	Rossville, GA	Roland L. Enloe Jr.
Edward K. Pinner Sr.	New Orleans, LA	Walter F. Gemeinhardt

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Beth Slate Poe	Montgomery, AL	Thomas Russell Allison
Arthur L. Pressman	Philadelphia, PA	Herbert L. Oliveiri
Marthe C. Purmal	Chicago, IL	Richard G. French
John T. Quinn	Middlebury, VT	Peter Forbes Langrock
Kim L. Ritter	Missoula, MT	Harold V. Dye
Jose R. Franco Rivera	San Juan, PR	Gustavo A. Gelpi
Cleeta John Rogers	Oklahoma City, OK	James F. Howell
James Parkerson Roy	Lafayette, LA	Bob Forrest Wright
Christine Soucy Rueff	Detroit, MI	Thomas Gerard Peck
Derwood H. Rusher II	Winston-Salem, NC	William Andrew Copenhaver
Lee W. Scharff	New Orleans, LA	William M. Lucas Jr.
Richard William Scheiner	Baltimore, MD	Thomas E. Cinnamond
Eugene Joseph Schiltz	Chicago, IL	Kenneth Philip Ross
Hal E. Sheets	Seattle, WA	Richard Carter
Richard M. Sherman Jr.	Newport Beach, CA	Richard H. Borow
Kevin John Short	Minneapolis, MN	Miles Lord
Martin Jay Shuham	Upper Marlboro, MD	Alexander Williams Jr.
Ira M. Siegel	Los Angeles, CA	Frederick L. Spinrad
Randy Beth Soref	Los Angeles, CA	Gilbert Robinson
Jeffrey A. Spencer	Richmond, VA	Walter A. McFarlane
Glen A. Stankee	Ft. Lauderdale, FL	John J. Raymond
Marc Robert Stanley	Dallas, TX	Royal H. Brin Jr.
E. Allen Taylor Jr.	Fort Worth, TX	Charles Florsheim

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Rudy Wynn Thornton	Little Rock, AR	Paul Nobel Means Jr.
Charles L. Tighe	Midland, TX	W. B. Browder Jr.
Kimberly Till	Washington, DC	Merrick Brian Garland
Craig R. Tractenberg	Philadelphia, PA	Herbert L. Olivieri
Julia Elizabeth Vaughan	Midland, TX	Susan Ann Rafferty Sewell
William Benton Vest	Hendersonville, TN	Ramsey B. Leathers
Harvey Weiner	Boston, MA	John Graham Brooks
Edwin Stephen Williams	Jackson, MS	John Howard Shows
Stewart Dorian Williams	Miami, FL	Francisco R. Angones
Philip Erwin Wilson	Lexington, KY	Earl S. Wilson
Richard Dunstan Woods II	San Antonio, TX	Jack Paul Leon
Jacqueline Dawson Wyman	Baltimore, MD	Pamela Anne Bresnahan

## OPINIONS

No. 85-637. Donald P. Hodel, Secretary of the Interior, Appellant *v.* Mary Irving, et al. Appeal from the United States Court of Appeals for the Eighth Circuit. Judgment affirmed. Opinion by Justice O'Connor. Concurring opinion by Justice Brennan with whom Justice Marshall and Justice Blackmun join. Concurring opinion by Justice Scalia with whom the Chief Justice and Justice Powell join. Opinion by Justice Stevens concurring in the judgment with whom Justice White joins.

No. 85-2039. United States, Petitioner *v.* Frieda Joyce Johnson, Personal Representative of the Estate of Horton Winfield Johnson, Deceased, etc., et al. 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 Powell. Dissenting opinion by Justice Scalia with whom Justice Brennan, Justice Marshall and Justice Stevens join.

No. 85-5454. David Randolph Gray, Petitioner *v.* Mississippi. On writ of certiorari to the Supreme Court of Mississippi. Judgment of the Supreme Court, insofar as it imposes the death sentence, is reversed in part and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Justice Blackmun announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, II, III-A, III-B-1 and IV, and an opinion with respect to Part III-B-2, in which Justice Brennan, Justice Marshall and Justice Stevens join. Opinion by Justice Powell concurring in part and concurring in the judgment. Dissenting opinion by Justice Scalia with whom the Chief Justice, Justice White and Justice O'Connor join.

No. 85-1206. Charlie Wayne Rose, Appellant *v.* Barbara Ann McNeil Rose and Tennessee. Appeal from the Court of Appeals of Tennessee, Eastern Division. Judgment affirmed. Opinion by Justice Marshall. Opinion by Justice O'Connor concurring in part and concurring in the judgment with whom Justice Stevens joins. Opinion by Justice Scalia concurring in part and concurring in the judgment. Dissenting opinion by Justice White.

No. 85-2169. Saint Francis College, et al., Petitioners *v.* Majid Ghaidan Al-Khazraji, etc. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Justice White. Concurring opinion by Justice Brennan.

No. 85-2156. Shaare Tefilia Congregation, et al., Petitioners *v.* John William Cobb, 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 White.

No. 85-1924. National Labor Relations Board, Petitioner *v.* International Brotherhood of Electrical Workers, Local 340. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Brennan. Opinion by Justice Scalia concurring in the judgment. Dissenting opinion by Justice White with whom the Chief Justice and Justice O'Connor join.

No. 85-2099. Pennsylvania, Petitioner *v.* Dorothy Finley. On writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office. Judgment reversed and case remanded to the Supreme Court for further proceeding not inconsistent with the opinion of this Court. Opinion by the Chief Justice announced by Justice Brennan. Opinion by Justice Blackmun concurring in the judgment. Dissenting opinion by Justice

Brennan with whom Justice Marshall joins. Dissenting opinion by Justice Stevens.

No. 86-231. Pension Benefit Guaranty Corporation, Appellant *v.* Yahn & McDonnell, Inc., et al.; and

No. 86-253. United Retail and Wholesale Employees Teamsters Union Local No. 115 Pension Plan, et al., Appellants *v.* Yahn & McDonnell, Inc., et al. Appeals from the United States Court of Appeals for the Third Circuit. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by Justice Brennan. Justice White took no part in the consideration or decision of these cases.

No. 86-281. John William Ray, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment vacated and case remanded to the Court of Appeals so that court may consider petitioner's challenge to his second possession conviction. Opinion *per curiam* announced by Justice Brennan.

No. 86-319. John R. Van Drasek, Petitioner *v.* James H. Webb, Jr., Secretary of the Navy, et al. On writ of certiorari to the United States Court of Appeals for the Federal Circuit. The writ of certiorari is dismissed as improvidently granted. Opinion *per curiam* announced by Justice Brennan.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Keith G. Liberman	St. Louis, MO	John C. Danforth
Peter W. Rodino III	Roseland, NJ	Peter W. Rodino Jr.
Charles Michael Forman	Caldwell, NJ	Peter W. Rodino Jr.
Raymond P. D'Uva	Newark, NJ	Peter W. Rodino Jr.
Allyn Zissel Lite	Upper Montclair, NJ	Peter W. Rodino Jr.
Nia H. Gill	Montclair, NJ	Peter W. Rodino Jr.
Neil M. Cohen	Montclair, NJ	Peter W. Rodino Jr.
John Lyon Anderson	Crystal City, MO	Isaac N. Skelton IV

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Curtis Dodson	Crystal City, MO	Isaac N. Skelton IV
Philip G. Hess	Crystal City, MO	Issac N. Skelton IV
Eva Baer	New York, NY	Judge Marilyn Loftus
Sheryl A. DeSantis	Bound Brook, NJ	Judge Marilyn Loftus
Beth Toni Kruvant	Newark, NJ	Judge Marilyn Loftus
Judith Maureen Donnelly- O'Leary	Sparta, NJ	Judge Marilyn Loftus
James M. Corcoran Jr.	Evanston, IL	Donald Belton Ayer
Robert Fairbanks Bride	Ventura, CA	Karen Maloy Sprecher
Charles T. Noonan	Allentown, PA	Karl Y. Donecker
Linda Susann Perry	Mobile, AL	Judge Marilyn Loftus
Diane Jeanne Dykema	Los Angeles, CA	Judge Marilyn Loftus
Christina Bemko Littlefield	Oakland, CA	Judge Marilyn Loftus
Nancy Wallace Page	Walnut Creek, CA	Judge Marilyn Loftus
Barbara J. Paulson	Santa Rosa, CA	Judge Marilyn Loftus
Linda Ellen Christenson	Washington, DC	Judge Marilyn Loftus
Barbara Davis Solomon	Washington, DC	Judge Marilyn Loftus
Patricia Ann Ash	Miami, FL	Judge Marilyn Loftus
Susan Clark Durre	South Miami, FL	Judge Marilyn Loftus
Theresa Bland Edwards	Fort Lauderdale, FL	Judge Marilyn Loftus
Lynn Tepper	New Port Richey, FL	Judge Marilyn Loftus

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Teresa Cooper Ward	St. Petersburg, FL	Judge Marilyn Loftus
Emily Arnow Alman	Highland Park, NJ	Judge Marilyn Loftus
Grisele Camacho-Pagan	Colonia, NJ	Judge Marilyn Loftus
Virginia Class-Matthews	West Orange, NJ	Judge Marilyn Loftus
Colette A. Coolbaugh	Lawrenceville, NJ	Judge Marilyn Loftus
Margarita Echevarria	West Orange, NJ	Judge Marilyn Loftus
Susan Lynne Goldring	Middletown, NJ	Judge Marilyn Loftus
Bonnie Blume Goldsamt	Hackensack, NJ	Judge Marilyn Loftus
James A. Key Jr.	New Brunswick, NJ	Judge Marilyn Loftus
Patricia K. Nagle	Trenton, NJ	Judge Marilyn Loftus
Janice Marie Newman	Newark, NJ	Judge Marilyn Loftus
E. Joan Oliver	Trenton, NJ	Judge Marilyn Loftus
Ruth Rabstein	Trenton, NJ	Judge Marilyn Loftus
Danielle Ellen Reid	Rumson, NJ	Judge Marilyn Loftus
Phoebe Williams Seham	Tenafly, NJ	Judge Marilyn Loftus
Pamela Ann Spinelli	Hawthorne, NJ	Judge Marilyn Loftus
Stafford Wington Thompson	Red Bank, NJ	Judge Marilyn Loftus
Joyce Madeline Usiskin	Princeton, NJ	Judge Marilyn Loftus
Mary Godfrey Nash	Hamilton, OH	Judge Marilyn Loftus

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Maryda Swanstrom Colowick	Nashville, TN	Judge Marilyn Loftus
Lisa C. Germano	Charlottesville, VA	Judge Marilyn Loftus
Judy Raye Moats	Fairfax, VA	Judge Marilyn Loftus
James Francis Andrews Jr.	Pittsburgh, PA	Donald Belton Ayer
Charles Edward Bobinis	Pittsburgh, PA	Donald Belton Ayer
Gerald Peter Bogess	Saint Thomas, VI	Donald Belton Ayer
Robert Sylvester Brierton III	Johnstown, PA	Donald Belton Ayer
Julia McGuirk Burkee	Pittsburgh, PA	Donald Belton Ayer
James Paul Coletta	Pittsburgh, PA	Donald Belton Ayer
Stephen A. Copetas	Pittsburgh, PA	Donald Belton Ayer
Reed Blachly Day	Washington, PA	Donald Belton Ayer
Vincent A. DeFalice	Pittsburgh, PA	Donald Belton Ayer
John Clayton Frank	Pittsburgh, PA	Donald Belton Ayer
Stuart Crawford Gaul	Pittsburgh, PA	Donald Belton Ayer
Marcia Lucidi Grimes	Pittsburgh, PA	Donald Belton Ayer
John Eric Jones Jr.	Pittsburgh, PA	Donald Belton Ayer
James Anthony Kennedy	Pittsburgh, PA	Donald Belton Ayer
James E. Kerr	Butler, PA	Donald Belton Ayer
Sandford Brewster King- Smith	Pittsburgh, PA	Donald Belton Ayer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Christine Kornosky	Pittsburgh, PA	Donald Belton Ayer
Diane Spritzer Landis	Pittsburgh, PA	Donald Belton Ayer
Laurence Ross Landis	Pittsburgh, PA	Donald Belton Ayer
Harry L. Lentchner	Pittsburgh, PA	Donald Belton Ayer
Timothy Kimbrue Lewis	Pittsburgh, PA	Donald Belton Ayer
Veleter Merralyn Bordinia Mazyck	Pittsburgh, PA	Donald Belton Ayer
E. Timothy McCullough	Pittsburgh, PA	Donald Belton Ayer
Thomas J. Michael	Pittsburgh, PA	Donald Belton Ayer
Stephen Richard Mlinac	Pittsburgh, PA	Donald Belton Ayer
Robert Dishington Monsour	Pittsburgh, PA	Donald Belton Ayer
Kenneth S. Mroz	Pittsburgh, PA	Donald Belton Ayer
Bernard W. O'Keefe	Pittsburgh, PA	Donald Belton Ayer
Lauren Lynn Blackburn Posati	Pittsburgh, PA	Donald Belton Ayer
Phyllis Evelyn Provost	Pittsburgh, PA	Donald Belton Ayer
J. Stephen Purcupile	Pittsburgh, PA	Donald Belton Ayer
Mary Reitmeyer	Pittsburgh, PA	Donald Belton Ayer
Robert Byam Richards	Pittsburgh, PA	Donald Belton Ayer
William James Rogers	Pittsburgh, PA	Donald Belton Ayer
Arnold L. Schulberg	Pittsburgh, PA	Donald Belton Ayer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Howard J. Schulberg	Pittsburgh, PA	Donald Belton Ayer
Alexander Schultz	Pittsburgh, PA	Donald Belton Ayer
Michael J. Seymour	Pittsburgh, PA	Donald Belton Ayer
Joan L. Stehulak	Pittsburgh, PA	Donald Belton Ayer
Marlin G. Stephens	Pittsburgh, PA	Donald Belton Ayer
Thomas Lee Stevenson	Pittsburgh, PA	Donald Belton Ayer
Jan <sup>e</sup> Eisenbrey Swanson	Pittsburgh, PA	Donald Belton Ayer
David Furer Toal	Pittsburgh, PA	Donald Belton Ayer
Mark T. Vuono	Pittsburgh, PA	Donald Belton Ayer
Michele Horew Weatherly	Pittsburgh, PA	Donald Belton Ayer
Jeffrey John Wood	Grove City, PA	Donald Belton Ayer
William Winfield Berry	San Antonio, TX	Marianna S. Smith
Gerald Michael Bishop	Merrillville, IN	Marianna S. Smith
John W. Campbell	Indianapolis, IN	Marianna S. Smith
Philip L. Conover	Indianapolis, IN	Marianna S. Smith
James R. Detamore	Zionsville, IN	Marianna S. Smith
Carly Dean Dobbins	Greenfield, IN	Marianna S. Smith
G. Kent Frandsen	Indianapolis, IN	Marianna S. Smith
Robert R. Girk	Indianapolis, IN	Marianna S. Smith
James Anthony Greco	Merrillville, IN	Marianna S. Smith
Candace Kingma-Piper	Indianapolis, IN	Marianna S. Smith
Ronald A. Lisak	Indianapolis, IN	Marianna S. Smith
Peter David Miller	Indianapolis, IN	Marianna S. Smith
Martin Andrew Morrison II	Plymouth, IN	Marianna S. Smith
Roberta Laurene Ross	Indianapolis, IN	Marianna S. Smith
William Marc Schabler	Indianapolis, IN	Marianna S. Smith

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles R. Sheeks	Indianapolis, IN	Marianna S. Smith
William Orville Smith	Greensburg, IN	Marianna S. Smith
Richard LeRoy Tandy	Greenwood, IN	Marianna S. Smith
Fred G. Thelander	North Aurora, IL	Marianna S. Smith
Jane A. Williams	Washington, DC	Marianna S. Smith
Jo Angela Woods	Greenwood, IN	Marianna S. Smith
Thomas B. Allington	Indianapolis, IN	Marianna S. Smith

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Adjourned until Tuesday, May 26, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 86-6919. Edward Earl Johnson, Petitioner *v.* Don Cabana, Acting Commissioner, Mississippi Department of Corrections. The application for stay of execution of the 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 opinion by Justice Brennan with whom Justice Marshall joins.



SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 86-6925. Richard Tucker, Petitioner *v.* Ralph Kemp, Warden. The application for stay of execution of the sentence of death presented to Justice Powell 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

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-1649. Ohio, et al., Appellants *v.* William P. Allinder, et al. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. *Thornburgh v. American College of Obstetricians and Gynecologists*, 476 U. S. — (1986).

No. 86-6291. James Bernard Becknell, Jr., Appellant, *v.* Texas. Appeal from the Court of Criminal Appeals 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. 86-6642. Jerrold S. Heller, Appellant *v.* Employment Division and Ron Tonkin Mitsubishi. Appeal from the Court of Appeals of Oregon. 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. 86-6667. Joseph B. Meder, Appellant *v.* Phyllis E. Meder. 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. 86-6702. Harlan Brian Cosner, Appellant *v.* Oregon. Appeal from the Supreme Court of Oregon. The appeal is dismissed for want of a substantial federal question.

## ORDERS IN PENDING CASES

No. D-592. In the Matter of Disbarment of Eugene M. Giometti. Disbarment order entered.

No. D-609. In the Matter of Disbarment of Daniel Joseph Connolly. Disbarment order entered.

No. D-616. In the Matter of Disbarment of Kit Conelly Decious. Disbarment order entered.

No. D-618. In the Matter of Disbarment of David Rock Whitten. Disbarment order entered.

No. D-619. In the Matter of Disbarment of Rhodes Cherry Stokes. Disbarment order entered.

No. D-634. In the Matter of Disbarment of Paul Jackson Bryan. It is ordered that Paul Jackson Bryan, of Palatka, 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. 86-108. Gary Hilton, Superintendent, New Jersey State Prison, et al., Petitioners *v.* Dana Braunskill. The motion of petitioners for leave to file a supplemental brief after argument is granted.

No. 86-120. Otis R. Bowen, Secretary of Health and Human Services, et al., Petitioners *v.* Dorothy Ellender, et al. The motion of respondents for award of attorneys' fees and costs is denied.

No. 86-179. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, et al., Appellants *v.* Christine J. Amos, et al.; and

No. 86-401. United States, Appellant *v.* Christine J. Amos, et al. The motion of appellees for leave to file a supplemental brief after argument is denied.

No. 86-728. Bill Honig, California Superintendent of Public Instruction, Petitioner *v.* John Doe and Jack Smith. The motion of Davis Joint Unified School District, et al. for leave to participate in oral argument as *amici curiae*, for divided argument and for additional time for oral argument is denied. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 86-787. Cecil Hicks, District Attorney for County of Orange, California, Acting on Behalf of Alta Sue Feiock, Petitioner *v.* Phillip William Feiock. The motion of Women's Legal Defense Fund, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-793. Kansas City Power & Light Company, Appellant *v.* State Corporation Commission of Kansas; et al. The motion of Edison Electric Institute for leave to file a brief as *amicus curiae* is granted. Justice Powell took no part in the consideration or decision of this motion.

No. 86-870. Phillips Petroleum Company and Cinque Bambini Partnership, Petitioners *v.* Mississippi and Saga Petroleum U.S., Inc. The

motion of Robert E. Longino, Jr. for leave to file a brief as *amicus curiae* is granted.

No. 86-1503. Marco Samayoa, et al., Petitioners *v.* Chicago Board of Education, et al. The motion of petitioners to strike brief of respondents is denied.

#### APPEAL—JURISDICTION NOTED

No. 86-1430. R. "Roy" Peralta, Petitioner *v.* Heights Medical Center, Inc., dba Heights Hospital, et al. Appeal from the Court of Appeals of Texas, First District. In this case probable jurisdiction is noted.

#### CERTIORARI GRANTED

No. 86-1329. Gulfstream Aerospace Corporation, Petitioner *v.* Mayacamas Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 86-1552. Department of the Navy, Petitioner *v.* Thomas E. Egan. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit granted.

No. 86-1602. United Savings Association of Texas, Petitioner *v.* Timbers of Inwood Forest Associates, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

#### CERTIORARI DENIED

No. 86-1002. Donald Newell, et ux., Petitioners *v.* Maritime Administration, United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1099. Christopher N. Galanos, Petitioner *v.* Alex T. Howard, Jr., Judge, United States District Court for the Southern District of Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1201. Vahlsing Christina Corporation, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1206. Benjamin Williams, Petitioner *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 86-1234. Chicago, Milwaukee, St. Paul and Pacific Railroad Company, et al., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1247. Lillian K. Shenker, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1277. Eastern Connecticut Citizens Action Group, Inc., et al., Petitioners *v.* Elizabeth H. Dole, Secretary of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1349. National Treasury Employees Union, et al., Petitioners *v.* Ronald Reagan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1368. Jin K. Lee, Petitioner *v.* James H. Webb, Jr., Secretary of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1410. Hunter Douglas, 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. 86-1414. Oregon, Petitioner *v.* Mary Settler, Carl Settler and Randy Alvin Settler. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 86-1425. Yakima Tribal Court of the Yakima Indian Nation, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1427. Patrick Cole, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1439. Lever Brothers Company, 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. 86-1555. Oreck Corporation, Petitioner *v.* U. S. Floor Systems, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1566. Jackie Don Colclasure, et al., Petitioners *v.* Kansas City Life Insurance Company, et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 86-1587. Joseph Toussaint, et al., Petitioners *v.* Daniel J. McCarthy, et al.; and

No. 86-1588. Daniel J. McCarthy, Daniel Vasquez and Robert Borg, Petitioners *v.* Joseph Toussaint, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1590. Kevin Novinger, et ux., Petitioners *v.* Steven M. Kramer, Charles J. Geffen, Lee C. S. Swartz and William T. Smith. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1597. Lavaun Chetister, Petitioner *v.* Andy Douglas, Judge, Supreme Court of Ohio, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1604. Michigan, Petitioner *v.* Ronnie Williams. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-1606. Tony Sloan, et al., Petitioners *v.* Joe Lee, Bankruptcy Judge, United States District Court for the Eastern District of Kentucky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1612. Consolidated Rail Corporation, Petitioner *v.* Erie Lackawanna, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1654. Paul Robinson, et al., Petitioners *v.* New Jersey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1655. Bruce Turgiss, Petitioner *v.* Anne Fassett, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1664. Robert C. Herzfeld, etc., et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1683. Jacob Sampson, Petitioner *v.* Frederick F. Cohn and David C. Daniels. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1692. Andrew S. Cowin, Petitioner *v.* James A. Childers, et al. Petition for writ of certiorari to the Circuit Court of Maryland, Montgomery County, denied.

No. 86-1705. James Henry Morrell and William Francis Elliott, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6251. Huey P. Newton, Petitioner *v.* Superior Court of California, in and for the County of Alameda. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6351. Daniel H. Jones, Petitioner *v.* Gene Scroggy, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6402. Julia Camden, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-6449. Susan Lisa Rosenberg and Timothy Blunk, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6543. William E. Lyness, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Fourth Judicial Dept., denied.

No. 86-6625. Paul DeBaufer, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 86-6626. Horace Albert Knight, Petitioner *v.* Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6630. Wendell McDonald, Petitioner *v.* Frank Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6634. Joe L. Brown, Petitioner *v.* Minneapolis Electric Steel Castings and Transportation Insurance Company. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 86-6646. George McMillan, Petitioner *v.* Charles J. Scully, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6651. Arbury P. Jackson, Petitioner *v.* William Armontrout, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6652. Nelson Ray Johnson, Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-6662. Howard Owen, Terry Wayne Barnhill, and Harold Owen, Petitioners *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. 86-6663. Earl Wilkerson, Petitioner *v.* Donald Wyrick, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6664. George W. Nicholas, Petitioner *v.* William Buchanan. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6665. Nida Fea Morris, Petitioner *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 86-6666. Bufford McDonald, Petitioner *v.* James R. Pate, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6668. Vance John Parker, III, Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-6671. Wilbert Anderson, Petitioner *v.* Lanson Newsome, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6673. Robert Lorenzo Davis, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 86-6681. Damon Miller, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 86-6696. Abdul Wahab Elagamy, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6697. 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. 86-6704. Fred R. Goldberg, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6726. Frank Gates Hemphill, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6733. James Allen Standridge, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6734. Hilmer Burdette Sandini, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6743. Leopoldo Alegria-Valencia, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6749. Anthony Tate, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6752. Juan D. Jaquez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 85-1877. AZL Resources, Inc., Petitioner *v.* Margaret Hall Foundation, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Justice White and Justice Powell would grant certiorari.

No. 86-1468. BSP Investment and Development, Ltd., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White would grant certiorari.

No. 86-6451. Robert Wallace West, Jr., 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. 86-6723. Cornel Cooks, 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.

#### HABEAS CORPUS DENIED

No. 86-6781. In Re Haywood Williams, Jr., Petitioner. The petition for writ of habeas corpus is denied.

#### REHEARINGS DENIED

No. 86-1422. Elijah W. Ratcliff, Petitioner *v.* United States;

No. 86-6197. Merwyn Austin Gipson, Petitioner *v.* Stanley D. Rosenberg, et al.;

No. 86-6355. Robert Kubat, Petitioner *v.* Illinois;

No. 86-6367. In Re William T. Gray, III, Petitioner;

No. 86-6428. Vaso Mraovic, Petitioner *v.* James A. Lynaugh, Interim Director, Texas Department of Corrections; and

No. 86-6438. James L. Martin, Petitioner *v.* Michael J. Perezous, et al. The petitions for rehearing are denied.

#### RECESS ORDER

The Court will take a recess from Tuesday, May 26, 1987, until Monday, June 1, 1987.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joan Virginia Allen	Huntington Beach, CA	Charles M. Farano
DeWitt T. Allred III	Collins, MS	DeWitt Talmage Allred Jr.
Milo J. Altschuler	Woodbridge, CT	Irving Smirnoff
Robert David Baizer	Oakland, CA	Mas Yonemura
Carey Edward Basham	Little Rock, AR	Norman Dale Price
Charles MacAllen Boss	Maumee, OH	Gary Francis Kuns
Lynn R. Brown	Salt Lake City, UT	David Charles Biggs
William Robert Brown	Arlington, TX	Henry Everett Steck
Ariel Pierre Calonne	San Buenaventura, CA	Donald Steven Greenberg
Brenda Sue Hill Cole	Charleston, WV	Charles Gailey Brown III
John A. Cone Jr.	Orange, CA	James H. Casello
Glenn M. Cooper	Bethesda, MD	Hope Beth Eastman
Jeffrey J. Davidson	Washington, DC	Thomas C. Watson
Katherine Landey Delsack	Corona del Mar, CA	Lawrence D. Hollman
Nicholas H. Diacou	Chicago, IL	Mark Philip Cohen
Harriette K. Dorsen	New York, NY	Norman Dorsen
William S. Dufoe	Lakeland, FL	Chesterfield Harvey Smith
Granville Dutton	Dallas, TX	Jeffrey Scott Lynch
Alan R. Fanter	Brooksville, FL	E. David Tyner
Bernard Fensterwald III	Arlington, VA	James Hiram Lesar
Jerry Leonard Fielding	Syacauga, AL	Robert Lee Rumsey III

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Ezra Fine	Washington, DC	Stuart E. Eizenstat
James David Ford	Caruthersville, MO	Wendell W. Crow
Robert H. Galbraith	Ponca City, OK	Joseph S. Lewis
Robin Halpern Greene	Miami, FL	Michael Tarre
Lee Eller Haworth	Sarasota, FL	Michael S. Starr
Harvey E. Henderson Jr.	Honolulu, HI	Virgil Thomas Rice
F. John Hill	Salt Lake City, UT	David Charles Biggs
Lorraine Carolyn Holmes	Miami, FL	Robert Morris Haggard
Cynthia Lee Ingersoll	Alexandria, VA	Howard Eliot Shapiro
Clifford James	New York, NY	Jeremy G. Epstein
Stephen E. James	Clinton, MD	Clarence Daniel Stripling
Richard Warren Johns	Washington, DC	Warren L. Johns
Brent T. Johnson	Denver, CO	Howard K. Holme
Felicia Sue Kassel	Orange, CA	James H. Casello
Diogenes Peter Kekatos	New York, NY	Peter C. Salerno
Robert Parke Latham	Dallas, TX	Charles Lynde Babcock IV
Paul J. Lawrence	Seattle, WA	Kirk A. Dublin
Thomas J. Levis	Des Moines, IA	Richard Owen McConville
Maureen E. Mahoney	Washington, DC	Irwin Goldbloom
Mark Allan Marsing	Yakima, WA	Cutler W. Halverson
Robert K. McDonald	Blue Springs, MO	Jack A. Cochran
Brian James McKenna	Chicago, IL	Daniel John Westerbeck
Michael R. Miller	St. Petersburg, FL	Joseph W. Carvin
Keith Alan Minoff	Bethesda, MD	Hope Beth Eastman

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stephen Joseph Morrow	Chicago, IL	Daniel John Westerbeck
Thomas W. Munson	Boise, ID	John W. Barrett
Nina M. Parker	Boston, MA	Roger S. Davis
Amado Arnaldo Pereira- Santiago	Ponce, PR	Felix J. Montanez- Miranda
John A. Powell	New York, NY	Janet Benschof
Donald E. Reid	Wilmington, DE	Walter L. Pepperman II
Alvin E. Ring	Pittsburgh, PA	Paul Augustine Beck
George M. Rosenberg	Los Angeles, CA	Michael L. Goldberg
Harry J. Schulz	Three Rivers, TX	Davis Grant
Matthew J. Siembieda	Philadelphia, PA	Alexander D. Bono
Judith Margaret Simms	Sacramento, CA	James Duncan Skow
Jonathan Scott Smith	Columbia, MD	Richard William Winlander
Dennis James Stilger	Nashville, TN	Charles W. Hebel Jr.
Mark Allen Stodola	Little Rock, AR	Bill Clinton
Scott G. Thomas	Milwaukee, WI	Grant Frederick Langley
Andrew A. Valdez	Salt Lake City, UT	David Charles Biggs
Jeffrey William VanGilder	Charleston, WV	Jack C. McClung
Richard D. Violette Jr.	Veazie, ME	Melvyn H. Zarr
Brooke Cotter Wells	Salt Lake City, UT	David Charles Biggs
Keith Witten	Lenexa, KS	Donald D. Weinstein
Wayson W. S. Wong	Honolulu, HI	Virgil Thomas Rice
Denise I. Young	Phoenix, AZ	John P. Frank

## OPINIONS

No. 85-1360. International Brotherhood of Electrical Workers, AFL-CIO, et al., Petitioners *v.* Sally Hechler. 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 proceedings in conformity with the opinion of this Court. Opinion by Justice Blackmun. Opinion by Justice Stevens concurring in part and dissenting in part.

No. 85-2067. United States, Petitioner *v.* Jose Mendoza-Lopez and Angel Landeros-Quinones. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed. Opinion by Justice Marshall. Dissenting opinion by the Chief Justice with whom Justice White and Justice O'Connor join. Dissenting opinion by Justice Scalia.

No. 85-1329. Gerald J. Young, George Cariste, Sol N. Klayminc and Nathan Helfand, Petitioners *v.* United States, ex rel. Vuitton et Fils S.A., et al.; and

No. 85-6207. Barry Dean Klayminc, Petitioner *v.* United States, ex rel. Vuitton et Fils S.A., et al. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Justice Brennan delivered the opinion of the Court with respect to Parts I, II, III-A, and IV, and an opinion with respect to Part III-B, in which Justice Marshall, Justice Blackmun and Justice Stevens join. Concurring opinion by Justice Blackmun. Opinion by Justice Scalia concurring in the judgment. Opinion by Justice Powell concurring in part and dissenting in part with whom the Chief Justice and Justice O'Connor join. Dissenting opinion by Justice White.

No. 86-87. United States, Petitioner *v.* Anthony Salerno and Vincent Cafaro. 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. Dissenting opinion by Justice Marshall with whom Justice Brennan joins. Dissenting opinion by Justice Stevens.

No. 86-108. Gary Hilton, Superintendent, New Jersey State Prison, et al., Petitioners *v.* Dana Braunskill. On writ of certiorari to the

United States Court of Appeals for the Third Circuit. Judgment of Court of Appeals denying petitioner's application for a stay is 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. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Blackmun join.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard G. Simon	San Bernardino, CA	Solicitor General Charles Fried
Reynold F. Paris	Santa Monica, CA	Solicitor General Charles Fried
Bette S. Paris	Santa Monica, CA	Solicitor General Charles Fried
Howard Friedman	Washington, DC	Solicitor General Charles Fried
Jerald Jay Director	Arlington, VA	Frank Douglas Wagner
Charles William Matheis Jr.	Newport Beach, CA	Michael Wolf
Marianne Finnerty	Washington, DC	Barbara Blankstein Berman
Theodore Michael Therriault	Seattle, WA	Richard Lee Barnes
John A. Edmond	Washington, DC	Joseph Guerrieri Jr.
Robert Thomas Maguire	Washington, DC	Frank Ferdinand Kridner
Darryl Bradley Segraves	Atlanta, GA	Kenneth Stephen Kramer
Regina L. Darby	New York, NY	Judge Constance Baker Motley
Blain Byerly Butner	Arlington, VA	Solicitor General Charles Fried
Gary Joel Shapiro	Washington, DC	Solicitor General Charles Fried

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Steven W. Widerman	Washington, DC	Solicitor General Charles Fried
Bert S. Sakuda	Honolulu, HI	Solicitor General Charles Fried
Jerrold Lee Handsaker	Nevada, IA	Solicitor General Charles Fried
Richard E. H. Phelps II	Mingo, IA	Solicitor General Charles Fried
Darrell C. Lucas	Indianapolis, IN	Solicitor General Charles Fried
Coleman C. Moore	Indianapolis, IN	Solicitor General Charles Fried
Mark Snyder Holmes	Honolulu, HI	Solicitor General Charles Fried
Evans Huber	Arlington, VA	Solicitor General Charles Fried
Amos Thelmon Mills III	Washington, DC	Solicitor General Charles Fried
Daniel Joseph Katz	Washington, DC	Solicitor General Charles Fried
Luis R. Davila-Colon	San Juan, PR	Solicitor General Charles Fried
Daniel Pernas-Beceiro	San Juan, PR	Solicitor General Charles Fried
Iraelia Pernas-Meana	San Juan, PR	Solicitor General Charles Fried
Elena Diaz	Austin, TX	Solicitor General Charles Fried
Mary Ann Walker	Alexandria, VA	Solicitor General Charles Fried
Cynthia Ann Everett	Miami, FL	Judge Constance Baker Motley
Royetta M. Jones	Atlanta, GA	Judge Constance Baker Motley
Freddrenna Margaret Lyle	Chicago, IL	Judge Constance Baker Motley
Frieda Wheaton Bondurant	St. Louis, MO	Judge Constance Baker Motley

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gurnia Carroll Michaux	Washington, DC	Judge Constance Baker Motley
Joan Vance Johnson	Kensington, MD	Judge Constance Baker Motley
Walter Langford Sutton Jr.	Dallas, TX	Judge Constance Baker Motley
Monica Jane Benton	Seattle, WA	Judge Constance Baker Motley

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Adjourned until Monday, June 1, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-861. Anthony Charles Williams, Applicant *v.* James A. Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of the sentence of death presented to Justice White and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.



SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 86-6955. William Boyd Tucker, Petitioner *v.* Ralph Kemp, Warden. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. The application for stay of execution of the sentence of death presented to Justice Powell and by him referred to the Court is denied. The petition for writ of certiorari is denied. The order heretofore entered staying the execution of the sentence of death until 7 p.m., May 29, 1987, will not be extended. Dissenting opinion by Justice Brennan with whom Justice Marshall joins, and with whom Justice Blackmun joins as to Part II.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell Justice Stevens, 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."

## OPINION PER CURIAM

No. 86-1053. Commissioner of Internal Revenue, Petitioner *v.* Asphalt Products Co.;

No. 86-1054. Asphalt Products Co., Inc., Petitioner *v.* Commissioner of Internal Revenue. On petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit. In No. 86-1053, the petition for writ of certiorari is granted. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. In No. 86-1054, the petition for writ of certiorari is denied. Opinion *per curiam*. Opinion by Justice Marshall concurring in part and dissenting in part. Opinion by Justice Blackmun concurring in part and dissenting in part.

## APPEALS—SUMMARY DISPOSITION

No. 86-1652. Liquid Transporters, Inc., Appellant *v.* Revenue Cabinet of Kentucky. Appeal from the Court of Appeals of Kentucky. The appeal is dismissed for want of a substantial federal question.

No. 86-1666. Len Cross, Appellant *v.* Ohio. Appeal from the Court of Appeals of Ohio, Greene County. The appeal is dismissed for want of a substantial federal question.

## CERTIORARI—SUMMARY DISPOSITION

No. 86-908. United Steelworkers of America, AFL-CIO-CLC, Petitioner *v.* Tharon Rawson, etc., et al. On petition for writ of certiorari to the Supreme Court of Idaho. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Supreme Court of Idaho for further consideration in light of *International Brotherhood of Electrical Workers, AFL-CIO v. Hechler*, 481 U. S. — (1987).

No. 86-1408. Pearlie Mai Haynie, et al., Petitioners *v.* Ross Gear Division of TRW, Inc., et al. On the basis of the representations made in the parties' joint stipulation of dismissal and suggestion of mootness, the judgment of the United States Court of Appeals for the Sixth Circuit is vacated and the case is remanded to that court with a direction to dismiss. See *United States v. Munsingwear*, 340 U.S. 36 (1950). Justice Marshall took no part in the consideration or decision of this case.

No. 86-5533. Rene T. Chirino, Petitioner *v.* Jordan Marsh Company. 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 *Shaare Tefila Congregation v. Cobb*, 481 U. S. — (1987) and *Saint Francis College v. Al-Khazraji*, 481 U. S. — (1987).

#### ORDERS IN PENDING CASES

No. —. Kenneth Granviel, Petitioner *v.* Texas. The motion to direct the Clerk to file the petition for a writ of certiorari without an affidavit of indigency executed by the petitioner is granted.

No. A-807. John B. Levy, Applicant *v.* United States. The application for release pending appeal addressed to Justice Brennan and referred to the Court is denied.

No. A-811. Israel W. Millsap, Applicant *v.* Federal National Mortgage Association, et al. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. A-846. Mississippi Power & Light Co., Applicant *v.* Mississippi, et al. The application for stay of judgment of the Supreme Court of Mississippi presented to Justice White and by him referred to the Court is granted pending the timely filing and disposition of the appeal by this Court. This order is further conditioned upon the posting of a good and sufficient bond, in manner and amount to be determined by the Supreme Court of Mississippi.

No. D-608. In the Matter of Disbarment of Benjamin D. Share. Disbarment order entered.

No. D-611. In the Matter of Disbarment of Thomas C. Brickle. Disbarment order entered.

No. D-623. In the Matter of Disbarment of Jerome F. Connell. Disbarment order entered.

No. D-625. In the Matter of Disbarment of Thomas J. Ernst. Thomas J. Ernst, of Clayton, Missouri, 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 April 6, 1987, is hereby discharged.

No. D-627. In the Matter of Disbarment of Peter H. Gerns. Disbarment order entered.

No. D-635. In the Matter of Disbarment of Edward Leo Fleischer. It is ordered that Edward Leo Fleischer, of Morganville, 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-636. In the Matter of Disbarment of Arnold E. Brown. It is ordered that Arnold E. Brown, of Englewood, 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-637. In the Matter of Disbarment of Robert D. Hoagland. It is ordered that Robert D. Hoagland, 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. D-638. In the Matter of Disbarment of W. Gene Haeberle. It is ordered that W. Gene Haeberle, of Camden, 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-639. In the Matter of Disbarment of Gerald Mark Goldberg. It is ordered that Gerald Mark Goldberg, of Rockaway, 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. 85-2079. Laborers Health and Welfare Trust Fund, for Northern California, et al., Petitioners *v.* Advanced Lightweight Concrete Co., Inc. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 86-279. Basic Incorporated, et al., Petitioners *v.* Max L. Levinson, et al. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is

denied. The Chief Justice took no part in the consideration or decision of this motion.

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 Bell Helicopter Textron Inc. for leave to file a brief as *amicus curiae* is granted. Justice Powell took no part in the consideration or decision of this motion.

No. 86-890. Dean Deakins, et al., Petitioners *v.* William Monaghan, et al. The motion of American Civil Liberties Union Foundation, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-1108. Vermont, Petitioner *v.* Rick Cox. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

No. 86-1593. Shell Oil Company, Appellant *v.* Department of Revenue, State of Florida. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-1646. Texas, Petitioner *v.* Mathis Carl Williams. The application to continue the stay of mandate of the Court of Criminal Appeals of Texas presented to Justice White and by him referred to the Court is granted pending final disposition by this Court of the petition for a writ of certiorari.

No. 86-1879. National Treasury Employees Union, et al., Petitioners *v.* William Von Raab, Commissioner, United States Customs Service. The application for stay presented to Justice White and by him referred to the Court is denied. Justice Brennan would grant the application.

#### CERTIORARI GRANTED

No. 86-637. Communications Workers of America and Its Locals 2100, 2101, 2108 and 2110, Petitioners *v.* Harry E. Beck, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted. In addition to the questions presented by the petition, the parties are directed to brief and argue the applicability of *San Diego Building Trades Council v. Garmon*, 359 U.S. 236 (1959).

No. 86-6284. John T. Satterwhite, Petitioner *v.* Texas. The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for writ of certiorari to the Court of Criminal Appeals of Texas is granted limited to Question 1 presented by the petition.

## CERTIORARI DENIED

No. 85-455. Polo Fashions, Inc., Petitioner *v.* Stock Buyers International, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-940. Pacific First Federal Savings Bank, et al., Petitioners *v.* Wayne C. Rembold, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1304. Marshall Caifano, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1440. Monsour Medical Center, Petitioner *v.* Otis R. Bowen, Secretary, Department of Health and Human Services, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1464. Rosa M. Corbett, Petitioner *v.* Preston R. Tisch, Postmaster General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1616. Plumbers and Steamfitters Union Local 598, et al., Petitioners *v.* Washington Public Power Supply System. Petition for writ of certiorari to the Court of Appeals of Washington Division 3 denied.

No. 86-1618. Harrison School District No. 1, et al., Petitioners *v.* Bill Lewis. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1622. United States, Petitioner *v.* Carl A. Fuccillo. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1630. Andrew J. Mirabole, Petitioner *v.* Florida Bar. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-1631. Milton Margoles, Petitioner *v.* Alida Johns, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1634. Janet Butcher, Petitioner *v.* City of Detroit. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-1635. William R. Lyne, Petitioner *v.* David Coxon, et al. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 86-1639. Floyd H. Vinson, Petitioner *v.* Ford Motor Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1640. Pace Resources, Inc., Petitioner *v.* Shrewsbury Township, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1644. Yamhill Yamaha, Inc., Petitioner *v.* United States District Court for the District of Oregon (Yamaha Motor Corporation, et al., Real Parties in Interest). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1648. Jack West, et al., Petitioners *v.* Multibanco Comermex, S.A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1651. Eugene Shedrick, Petitioner *v.* Dorothy D. Donnelly, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1653. Patricia M. Bourke, Petitioner *v.* Jeanne Schuman. Petition for writ of certiorari to the Appellate Department, Superior Court of California, Alameda County, denied.

No. 86-1668. Don Haney, Petitioner *v.* Louisiana Training Institute. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1671. Jamie E. Coker, Petitioner *v.* R. A. Gielow, Chairman, Railroad Retirement Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1691. Tony Rayburn, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1716. Rodney A. Moore, next of kin of Kathleen A. Grubb, Deceased, etc., Petitioner *v.* State Bank of Burden, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-1737. Dan L. Flaugh, Petitioner *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-6289. Michael T. Minotti, Petitioner *v.* Brian Lensink, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6425. Angela M. Watson, Petitioner *v.* Kenneth Hensiek, etc. Petition for writ of certiorari to the Court of Appeals of Missouri, Eastern District, denied.

No. 86-6453. Edward Williams, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6466. Anthony W. Beasley, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-6482. Godofredo Martir, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6669. Gerhard Sweetman, Petitioner *v.* Township of Pennsauken, New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-6676. Rosemarie Annonson, Petitioner *v.* Herbert J. Grover, State Superintendent of Public Instruction. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 86-6682. Leonard Standifer, Petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Fourth Judicial Dept., denied.

No. 86-6689. Bobby Washington, 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. 86-6690. Ralph V. Phillips, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 86-6691. Lawtis Donald Rhoden, Petitioner *v.* Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6693. William Soto, Petitioner *v.* Eugene LeFevre, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6694. Homer Morris, Petitioner *v.* Ralph Kemp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6714. Daniel L. Monnin, Petitioner *v.* Consolidated Rail Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6715. Ben L. Owens, Petitioner *v.* Arville Adams, et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-6720. Craig Martin Lewis, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-6744. Robert Gordon, 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. 86-6753. Joseph J. Attwell, Petitioner *v.* Metropolitan Atlanta Rapid Transit Authority, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6754. David Ray Lewis, 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. 86-6764. Isaac W. Thomas, Petitioner *v.* Calvin Edwards, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6774. Hanna Badaqui Raffoul, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6779. Gerardo Antonio Gomez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6785. Jose Marquez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6787. Antonio G. Rodrigues, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6790. Harold Loney, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6801. David R. Woodcock, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6804. Kerry Brown-Bey, Petitioner *v.* United States Marshal. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6817. Eduardo Portal, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6818. Chloree Vaden, Petitioner *v.* Village of Maywood, Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6819. Orlando Roque-Pino, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6820. Michael Allan Bailey, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6822. Virgilio Bascos, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6824. Melvin Thomas Klein, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6833. John Reginald Rohrbach, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6837. Larry Watkins, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6838. Mahomud Rawwad, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1519. Akzo N.V., et al., Petitioners *v.* U. S. International Trade Commission, et al. The motion of Kingdom of the Netherlands 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. 86-6452. Raymond Patterson, Jr., Petitioner *v.* South Carolina. The petition for a writ of certiorari to the Supreme Court of South Carolina is dismissed for want of jurisdiction.

No. 86-6638. James Allen Harris, Petitioner *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6677. Donald Henry Gaskins, Petitioner *v.* South Carolina. Petition for writ of certiorari to the Court of Common Pleas of South Carolina, Richland County, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6700. Carl Wayne Adkins, 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. 86-6750. Charles Troy Coleman, Petitioner *v.* John N. Brown, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6706. Julian D. Heislup, Sr., et al., Petitioners *v.* Town of Colonial Beach, Virginia, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

#### REHEARINGS DENIED

No. 86-1155. International Primate Protection League, et al., Petitioners *v.* Institute for Behavioral Research, Inc., et al.;

No. 86-6312. Timothy V. Hymen, Petitioner *v.* Merit Systems Protection Board;

No. 86-6401. Rodney O. Skurdal, Petitioner *v.* City of Billings, Montana;

No. 86-6417. John Robert Lay, Petitioner *v.* Robert F. Horan, Commonwealth Attorney;

No. 86-6450. Nathan O. Marshall, Petitioner *v.* Joseph J. Bauer; and

No. 86-6607. In Re Dennis Nelson Fixel, Petitioner. The petitions for rehearing are denied.

#### RECESS ORDER

The Court will take a recess from Monday, June 1, 1987, until Monday, June 8, 1987.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gregory D. Artis	Atlanta, GA	Daniel J. Thompson Jr.
Gary Eugene Bair	Baltimore, MD	Charles O. Monk II
Deborah Anne Baker	Austin, TX	Leo Lawrence Sergi
James P. Barone	Newport Beach, CA	Joseph J. Nardulli

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George William Benson	Chicago, IL	Arthur E. Bryan Jr.
Robet L. Blake	Miami, FL	Robert Anthony Ginsburg
James Bruce Covington	Norfolk, VA	Charles N. Cooper
Grant F. Crandall	Charleston, WV	Michael Hill Holland
J. Michael Davis	Atlanta, GA	Michael J. Bowers
Donald Eugene DeNicola	Los Angeles, CA	Gary Raymond Hahn
Mario L. Dell'Osso	Houston, TX	Joseph G. Rollins
Rafael A. Robles Diaz	San Juan, PR	Jorge L. Guerrero- Calderon
Patrick Hackney Donahue	Topeka, KS	Christel E. Trolenberg Marquardt
Dennis Robert Dunn	Atlanta, GA	William Bradley Hill Jr.
Theodore Edelman	New York, NY	William E. willis
David Mair Findlay	Palo Alto, CA	James H. Pooley
Diane G. Fitz-Gerald	Seattle, WA	William L. Dwyer
Stephen Robert Ginger	Los Angeles, CA	Albert Lee Stephens Jr.
Ann R. Goodwin	Pittsburgh, PA	Carol Los Mansmann
Stuart A. Halsan	Centralia, WA	Philip A. Talmadge
Hollis H. Hanover	Kansas City, MO	Dennis E. Egan
Mark Howard Hildebrandt	Miami, FL	Oscar S. Rodriguez
Paul C. Hobbs	Ashland, KY	James Estill Cleveland III
Farrell D. Hockemeier	Richmond, MO	Robert Gene Duncan
Jeffrey Lynn Ihnen	Arlington, VA	James R. Myers
James P. Kleinberg	San Francisco, CA	Morris M. Doyle

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Marilynn Koonce	Miami, FL	Robert Allen Rosenberg
Harvey Christophe' Lassiter	Washington, DC	Frank Ferdinand Kriger
Phyllis K. Lonneman	Elizabethtown, KY	George William Bailey Jr.
Jeffrey Laurence Lucas	Kansas City, MO	James R. Fischer
Lawrence Michael Maher	Kansas City, MO	George H. Gangwere Jr.
Christopher T. McGrath	New York, NY	Harry H. Lipsig
William J. McMahon Jr.	Toms River, NJ	J. Herbert Josephs
Jerry R. McNaul	Seattle, WA	William L. Dwyer
Nicholas Francis Moles	Atlantic City, NJ	Lloyd D. Levenson
James Paul Montague	Los Angeles, CA	Norman G. Kuch
Carmen Angelo Morinello	Newport Beach, CA	Joseph J. Nardulli
William Campbell Morison- Knox	San Francisco, CA	William C. Miller
Eugene Salvatore Rooney Pagano	Bayville, NY	Leonard L. Rivkin
Holton Harvey Payne	Pawhuska, OK	Billy L. Heskett
Jane Ellen Raley	Springfield, IL	Jonathan Haile
Edward B. Reinhardt Jr.	New Town, ND	Tom M. Beyer
Henry Dorman Ridgeway	San Antonio, TX	Donald Earl Barnhill
David John Schultz	Oshkosh, WI	Walter A. Oleniewski
Melvin S. Schwechter	Englewood, NJ	Thomas Rutherford Trowbridge III
Daniel Edward Shearouse	Columbia, SC	David Walker Harwell
Lawrence B. Simons	Washington, DC	Henry A. Hubschman
Eddie Snelling Jr.	Atlanta, GA	Michael J. Bowers
Luther H. Soules III	San Antonio, TX	Walter James Kronzer Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gregory J. Stenmoe	Minneapolis, MN	Edward J. Devitt
Mary Lou Steptoe	Birmingham, MI	Patrick A. Moran
John Cameron Stewart	Arlington, TX	S.G. Johndroe Jr.
Charles J. Sullivan	Houston, TX	John Joseph King
W. Miller Thomas	Center, TX	Robert Lewis Fairchild
Mark VanPutten	Ann Arbor, MI	Paul D. Reingold
John Charles Walley	Falls Church, VA	Thomas Jeffrey Burgess
Lawrence B. Wernick	Springfield, MA	Thomas Aquinas Kenefick III

## OPINIONS

No. 85-1384. William R. Turner, et al., Petitioners *v.* Leonard Safley, et al. On writ of certiorari to the United States Court of Appeals for the Eighth 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 Stevens concurring in part and dissenting in part with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

No. 86-510. United States, Petitioner *v.* William Hohri, et al.; and

No. 86-298. William Hohri, et al., Petitioners *v.* United States. The petition for writ of certiorari in No. 86-298 is granted. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment vacated and cases remanded to the Court of Appeals with instructions to transfer the cases to the United States Court of Appeals for the Federal Circuit. See 28 U.S.C. Sec. 1631. Opinion by Justice Powell. Concurring opinion by Justice Blackmun. Justice Scalia took no part in the consideration or decision of these cases.

No. 85-1208. Fall River Dyeing & Finishing Corp., Petitioner *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed. Opinion by Justice Blackmun. Justice White joins only Parts I and III of this opinion. Dissenting opinion by Justice Powell with whom the Chief Justice and Justice O'Connor join.

No. 86-341. Fort Halifax Packing Company, Inc., Appellant *v.* P. Daniel Coyne, Director, Bureau of Labor Standards of Maine, et al. Appeal from the Supreme Judicial Court of Maine. Judgment affirmed.

Opinion by Justice Brennan. Dissenting opinion by Justice White with whom the Chief Justice, Justice O'Connor and Justice Scalia join.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Glaysds E. Harrison	Cleveland, OH	Louis Stokes
Robert A. Gleaner	Voorhees, NJ	Harold Paul Gleaner
Andrew David Levy	Ellicott City, MD	Stanley M. Levy
Henry H. Fox	Fort Lauderdale, FL	Judge Robinson O. Everett
Patricia A. Barton	Alexandria, VA	Francis John Lorson
Sharron A. FitzGerald	Alexandria, VA	Francis John Lorson
Ernesto Gotardo Amparo	Galveston, TX	James Jerome Quigley
Andrew Alan Ballerini	Cherry Hill, NJ	William E. Reifsteck
Betty M. Belafsky	Cherry Hill, NJ	William E. Reifsteck
Joseph John Bennie	Cherry Hill, NJ	William E. Reifsteck
Gloria Miriam Burns	Cherry Hill, NJ	William E. Reifsteck
Ralph P. Catalano	Philadelphia, PA	William E. Reifsteck
Jan R. Evans	Medford, NJ	William E. Reifsteck
Sharon Conway Faber	Bellmawr, NJ	William E. Reifsteck
Joseph F. Fabian	Haddonfield, NJ	William E. Reifsteck
Bruce Alan Gunther	Mount Laurel, NJ	William E. Reifsteck
Robert Arvid Hofstrom	Mount Laurel, NJ	William E. Reifsteck
Francis C. Landgrebe	Deptford, NJ	William E. Reifsteck

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Carol Finkelstein Laskin	Cherry Hill, NJ	William E. Reifsteck
Daniel Merrill Replogle III	Moorestown, NJ	William E. Reifsteck
Richard B. Supnick	Haddonfield, NJ	William E. Reifsteck
Marc Alan Krefetz	Cherry Hill, NJ	William E. Reifsteck
Kevin David Stepanuk	Philadelphia, PA	William E. Reifsteck
John Francis Klucsik	Silver Spring, MD	Josiah Hillerman Blackmore III
James Cameron Banks	Tallahassee, FL	Josiah Hillerman Blackmore III
Kurt Loring Barch	Tallahassee, FL	Josiah Hillerman Blackmore III
Walter Louis Schafer Jr.	Clearwater, FL	Josiah Hillerman Blackmore III
Craig Douglas Andrew	Columbus, OH	Josiah Hillerman Blackmore III
George J. Arnold	Columbus, OH	Josiah Hillerman Blackmore III
Larry Atlee Arnold Sr.	Newark, OH	Josiah Hillerman Blackmore III
David Forrest Bacon	Upper Sandusky, OH	Josiah Hillerman Blackmore III
Margaret Lynn Blackmore	Columbus, OH	Josiah Hillerman Blackmore III
Thomas J. Bonasera	Columbus, OH	Josiah Hillerman Blackmore III
David William Carpenter	Columbus, OH	Josiah Hillerman Blackmore III
Vicky Miller Christiansen	Columbus, OH	Josiah Hillerman Blackmore III
Thomas J. Corbin	Lancaster, OH	Josiah Hillerman Blackmore III
David Loren Duren	Columbus, OH	Josiah Hillerman Blackmore III

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mark Albert Engel	Powell, OH	Josiah Hillerman Blackmore III
Charles William Ewing	Columbus, OH	Josiah Hillerman Blackmore III
John H. Farthing	Circleville, OH	Josiah Hillerman Blackmore III
John E. Holzapfel	Columbus, OH	Josiah Hillerman Blackmore III
Charles Lawrence Huddleston III	Columbus, OH	Josiah Hillerman Blackmore III
Karen Bruner Hull	Columbus, OH	Josiah Hillerman Blackmore III
Cleve Mitchell Johnson	Columbus, OH	Josiah Hillerman Blackmore III
Bryan B. Johnson	Columbus, OH	Josiah Hillerman Blackmore III
William Douglas Kalfs	Columbus, OH	Josiah Hillerman Blackmore III
Jacques C. Kerber	Columbus, OH	Josiah Hillerman Blackmore III
Gale Rexford King III	Columbus, OH	Josiah Hillerman Blackmore III
Dana William Klein	Columbus, OH	Josiah Hillerman Blackmore III
Dennis Michael McCarthy	Columbus, OH	Josiah Hillerman Blackmore III
Kathy Suzanne Mowry	Bremen, OH	Josiah Hillerman Blackmore III
Michael August Noonan	Frostburg, MD	Josiah Hillerman Blackmore III
Kinsley Frampton Nyce	Columbus, OH	Josiah Hillerman Blackmore III
John Walter Palmer	Columbus, OH	Josiah Hillerman Blackmore III
Samuel Charles Randazzo	Columbus, OH	Josiah Hillerman Blackmore III
Jeffrey Paul Roth	Upper Sandusky, OH	Josiah Hillerman Blackmore III

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Eugene Sexton	Columbus, OH	Josiah Hillerman Blackmore III
Heather G. Sowald	Columbus, OH	Josiah Hillerman Blackmore III
Beatrice Kronick Sowald	Columbus, OH	Josiah Hillerman Blackmore III
Frank Allen Titus	Columbus, OH	Josiah Hillerman Blackmore III
Thomas W. Trimble	Columbus, OH	Josiah Hillerman Blackmore III
Timothy Lawrence VanEman	Columbus, OH	Josiah Hillerman Blackmore III
Jerry M. Veltmann	Columbus, OH	Josiah Hillerman Blackmore III
Eugene P. Weiss	Columbus, OH	Josiah Hillerman Blackmore III
Guy Roy Petrovito	Alexandria, VA	Josiah Hillerman Blackmore III
Paulette Francine Balin	Cleveland, OH	Felix Michael Apicella
Albert J. Biro	Cleveland, OH	Felix Michael Apicella
Diane Victoria Coad	Cleveland, OH	Felix Michael Apicella
Thomas L. Colaluca	Cleveland, OH	Felix Michael Apicella
John Charles Cubar	Cleveland, OH	Felix Michael Apicella
Clair E. Dickinson	Akron, OH	Felix Michael Apicella
Charles B. Donahue II	Cleveland, OH	Felix Michael Apicella
George Louis Farris II	Akron, OH	Felix Michael Apicella
Arlene Cohn Federman	Cleveland, OH	Felix Michael Apicella
Timothy Joseph Grendell	Cleveland, OH	Felix Michael Apicella

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Gordon Hill	Cleveland, OH	Felix Michael Apicella
David Aron Katz	Cleveland, OH	Felix Michael Apicella
Richard R. Kuepper	Cleveland, OH	Felix Michael Apicella
Theodore Melvin Mann Jr.	Cleveland, OH	Felix Michael Apicella
Jean Marie McQuillan	Cleveland, OH	Felix Michael Apicella
Kevin Christopher O'Neil	Akron, OH	Felix Michael Apicella
Gail R. Kane Oettinger	Cleveland, OH	Felix Michael Apicella
John G. Peto	Cleveland, OH	Felix Michael Apicella
Thomas Joseph Scanlon	Cleveland, OH	Felix Michael Apicella
Svetlana J. Schreiber	Cleveland, OH	Felix Michael Apicella
James A. Sennett	Cleveland, OH	Felix Michael Apicella
James C. Sennett	Cleveland, OH	Felix Michael Apicella
Mary Adele Springman	Cleveland, OH	Felix Michael Apicella
James W. Tekavec	Cleveland, OH	Felix Michael Apicella
Brian F. Toohey	Cleveland, OH	Felix Michael Apicella
Mary Jane Trapp	Cleveland, OH	Felix Michael Apicella
Robert Douglas Warner	Cleveland, OH	Felix Michael Apicella
William Robert Weinstein	New York, NY	Felix Michael Apicella
Martin David Sommerness	Flagstaff, AZ	Alice Louise O'Donnell

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert C. Burlison Jr.	Glendale, CA	Alice Louise O'Donnell
Diana L. Cole	Los Angeles, CA	Alice Louise O'Donnell
Craig H. Grow	Los Angeles, CA	Alice Louise O'Donnell
Edward George Lehman	Los Angeles, CA	Alice Louise O'Donnell
Eugene Stephen Scherr	Pomona, CA	Alice Louise O'Donnell
Eileen Pastore Burlison	Shelton, CT	Alice Louise O'Donnell
Nada Kosanovich-Morin	Wilton, CT	Alice Louise O'Donnell
Marlene Welch Lee	New Canaan, CT	Alice Louise O'Donnell
Antonia Marguerite Greenman	Washington, DC	Alice Louise O'Donnell
Victor Julius Pellegrino	Tampa, FL	Alice Louise O'Donnell
Edward Patrick Morrissey	Sanwich, IL	Alice Louise O'Donnell
Janet Lee Witort	Chicago, IL	Alice Louise O'Donnell
Gary Lin Calhoun	Argos, IN	Alice Louise O'Donnell
John Henry Hall	Gary, IN	Alice Louise O'Donnell
Richard John Dippel	St. Louis, MO	Alice Louise O'Donnell
Robert A. Sniezek	Kansas City, MO	Alice Louise O'Donnell
Phillip J. Brown	Bismarck, ND	Alice Louise O'Donnell
Ronald S. Hernandez	Shrewsbury, NJ	Alice Louise O'Donnell
Hector Luis Santiago	New York, NY	Alice Louise O'Donnell

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth M. Dalton	New York, NY	Alice Louise O'Donnell
Charlene Wilkinson Dalton	Glen Ridge, NJ	Alice Louise O'Donnell
John Nicholas Tsigakos	New York, NY	Alice Louise O'Donnell
Amy Colleen Cress	Columbus, OH	Alice Louise O'Donnell
Jerome George Menz	Zenia, OH	Alice Louise O'Donnell
Earl Edward Goerke	Watonga, OK	Alice Louise O'Donnell
Ronald Andrew Turo	Carlisle, PA	Alice Louise O'Donnell
David Alan Disher	La Marque, TX	Alice Louise O'Donnell
Walter Warren Fair	Waco, TX	Alice Louise O'Donnell
Joyce Carla Albro	Kensington, MD	Alice Louise O'Donnell

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Adjourned until Monday, June 8, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-884. Benjamin A. Berry, Applicant *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections, et al. The application for stay of execution of the sentence of death presented to Justice White 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, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-1096. Bonnie S. Griffith, Appellant *v.* Illinois. Appeal from the Appellate Court of Illinois, Fifth 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. Dissenting opinion by Justice White.

No. 86-1502. Spring Realty Co., et al., Appellants *v.* New York City Loft Board, et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

No. 86-1559. Eddie Burrell, et al., Appellants *v.* William A. Allain, Governor of Mississippi, et al. Appeal from the United States District Court for the Southern District of Mississippi. The judgment is affirmed.

No. 86-6748. Linda L. Riley, Appellant *v.* City of Junction City, Kansas. Appeal from the Supreme Court of Kansas. The appeal is dismissed for want of a properly presented federal question.

No. 86-6758. William D. Hatton, Appellant *v.* Minnesota. Appeal from the Supreme Court of Minnesota. 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. A-619. George Effinger, Applicant *v.* Thomas Greene and United States Marshal Service. The motion to direct the Clerk to file the petition for a writ of certiorari out-of-time is denied.

No. D-604. In the Matter of Disbarment of Edward Leonard Kornowski. Disbarment order entered.

No. D-641. In the Matter of Disbarment of Benjamin B. Wechsler, II. It is ordered that Benjamin B. Wechsler, II, of Pittsburgh, Pennsyl-

vania, 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-642. In the Matter of Disbarment of Raul Palomo, Jr. It is ordered that Raul Palomo, 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. 86-327. Mullins Coal Company, Inc. of Virginia, et al., Petitioners *v.* Director, Office of Workers' Compensation Programs, United States Department of Labor, et al. The motion of United Mine Workers of America for leave to participate in oral argument as *amicus curiae*, for additional time for oral argument and for divided argument is denied.

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 Chamber of Commerce of the United States for leave to file a brief as *amicus curiae* is granted. The motion of UNR Industries, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Defense Research Institute, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Product Liability Advisory Council, Inc., et al. for leave to file a brief as *amici curiae* is granted. Justice Powell took no part in the consideration or decision of these motions.

No. 86-728. Bill Honig, California Superintendent of Public Instruction, Petitioner *v.* John Doe and Jack Smith. The motion of respondents for leave to proceed further herein *in forma pauperis* is granted.

No. 86-836. Hazelwood School District, et al., Petitioners *v.* Cathy Kuhlmeier, et al. The motion of People for the American Way for leave to file a brief as *amicus curiae* is granted. The motion of American Society of Newspaper Editors, et al. for leave to file a brief as *amici curiae* is granted. The motion of American Civil Liberties Union, et al. for leave to file a brief as *amici curiae* is granted. The motion of NOW Legal Defense and Education Fund, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-890. Dean Deakins, et al., Petitioners *v.* William Monaghan, et al. Respondents' suggestion of mootness is rejected.

No. 86-1415. Evelyn Marino, et al., Petitioners *v.* Juan U. Ortiz, et al.; and Wayne Costello, et al., Petitioners *v.* New York City Police Department, et al. The order entered May 18, 1987, granting the peti-

tion for writ of certiorari is amended as follows: The petition for writ of certiorari is granted limited to Questions 2 and 3 presented by the petition.

No. 86-1879. National Treasury Employees Union, et al., Petitioners *v.* William Von Raab, Commissioner, United States Customs Service. The motion of petitioners to expedite consideration of the petition for a writ of certiorari is denied.

#### CERTIORARI GRANTED

No. 85-1910. Business Electronics Corporation, Petitioner *v.* Sharp Electronics Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 86-1294. William H. Webster, Director of Central Intelligence, Petitioner *v.* John Doe. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 86-1461. Edward J. DeBartolo Corp., Petitioner *v.* Florida Gulf Coast Building and Construction Trades Council and National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit granted.

No. 86-1650. Trans World Airlines, Inc., Petitioner *v.* Independent Federation of Flight Attendants. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 86-1672. Commissioner of Internal Revenue, Petitioner *v.* Jesse C. Bollinger, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

#### CERTIORARI DENIED

No. 86-129. Andres Pulido-Zorrilla, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1240. Julius Taylor, 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 Third Circuit denied.

No. 86-1263. Charles Michael Henrich, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 86-1287. Raymond C. Ahlberg, et al., Petitioners *v.* United States Department of Health and Human Services; and Floye Sumida, Petitioner *v.* United States Department of Health and Human Services.

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

No. 86-1345. Cipriano A. Aragon, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 86-1399. Robert E. Young, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1451. Oglala Sioux Tribe of the Pine Ridge Indian Reservation, Petitioner *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1454. Rebel Ann Mays and Everett F. Mays, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1488. Geoffrey A. DiBella, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1526. Eric A. Griffin, Petitioner *v.* Gregory Hilke and Francis Stoll; and

No. 86-1684. Gregory Hilke, Petitioner *v.* Eric A. Griffin. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1533. Marie Iannelli, etc., et al., Petitioners *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-1538. New York, Petitioner *v.* Robert Mosley. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-1591. City of Twin Falls, Idaho, Petitioner *v.* Envirotech Corporation, dba Envirotech Systems, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1598. Kaiser Engineers, et al., Petitioners *v.* Allendale Mutual Insurance Company; and

No. 86-1615. AZL Engineering, Inc., Petitioner *v.* Allendale Mutual Insurance Company. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1632. Manfred R. Wetzol, Petitioner *v.* Arizona State Real Estate Department. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied.

No. 86-1645. Luis I. Batayola, Petitioner *v.* Municipality of Metropolitan Seattle. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1657. Glen LaVerne Woolery, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 86-1660. Mary Lucille Coulter, Petitioner *v.* Tennessee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1663. Arnold L. Via, Petitioner *v.* Donald E. Williams, Commissioner and Virginia Division of Motor Vehicles. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 86-1670. Robert G. Kile, etc., Petitioner *v.* Pacific Telephone and Telegraph, et al. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 86-1676. Kenneth Morrison, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 86-1677. Robert W. Huiskamp, Petitioner *v.* New York Connecting Railroad Company and Horizon Trust Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1679. Sylvia Averbach, Petitioner *v.* Rival Manufacturing Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1680. Nicolet Instrument Corporation, Petitioner *v.* Bio-Rad Laboratories, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1682. Sandra Louise Ferrino, Petitioner *v.* Cunard Line Limited. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1687. Stephen D. Hampton, Petitioner *v.* Jay W. Brewer, Appeal Officer for Department of Administration, State of Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 86-1690. Quentin Meadows, Petitioner *v.* Robert H. Kuhlmann, Superintendent, Sullivan Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1698. International Distribution Centers, Inc., Petitioner *v.* Walsh Trucking Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1726. Globe Life Insurance Company, et al., Petitioners *v.* Ed Miniatt, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1757. Raymond Cloutier, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1775. Alfonza Darnell, Petitioner *v.* City of Jasper, Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1792. John F. "Jack" Walsh, et al., Petitioners *v.* Ford Motor Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-1831. Dorothy Camer, Petitioner *v.* Seattle Post-Intelligencer and Susan Goldberg. Petition for writ of certiorari to the Court of Appeals of Washington, Division 1, denied.

No. 86-5173. John B. Vester, Petitioner *v.* W. P. Rogers, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6016. Percy Davis, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6255. Clark A. Davis, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-6299. Robert Hall Drane, Petitioner *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 86-6305. Jessie Ramirez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6330. Felix Oyewale Ayodeji, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6392. Joseph Guillory, Petitioner *v.* St. Landry Parish Police Jury, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6431. Ralph Eugene Melton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6433. Norman Bates, Petitioner *v.* Frank Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6514. Patrick Francis Glenn, Petitioner *v.* Dewey Sowders, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6515. Victor Val Neuroth, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6519. Paul E. Cofield, Petitioner *v.* Merit Systems Protection Board. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-6526. Samuel S. Misenko, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District II, denied.

No. 86-6532. John F. Trullo, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6554. Felix L. Carwile, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 86-6557. Linda L. Riley, Petitioner *v.* City of Junction City, Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-6576. Seymour Gopman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6701. Frederick C. Koenig, Petitioner *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 86-6713. James Earl Williams, Petitioner *v.* Frank Blackburn, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6721. Willie Charles Brown, 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. 86-6722. Jesse Jones, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6725. Craig M. Bryant, Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-6728. John Evans, Petitioner *v.* Oberle-Jordre Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6729. James S. Dorrill, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6730. Donald L. Turner, Petitioner *v.* Norman A. Fuerst. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6736. Dennis Nelson Fixel, Petitioner *v.* John Slansky, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6738. Carl Dennis Hammond, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 86-6739. Ronald Gene Battles, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-6740. Randy John Charrette, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeals of California, Second Appellate District, denied.

No. 86-6746. Joseph Max, 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. 86-6756. William Cooper, Petitioner *v.* Bruce W. Simon. Petition for writ of certiorari to the Court of Appeals of Missouri, Western District, denied.

No. 86-6760. Randolph Sears, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-6761. Pearly Wilson, Petitioner *v.* Alvin J. McKenna, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6776. Samuel Butler, Petitioner *v.* Rita Welschmeyer. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6789. Roger Barry Moore, Petitioner *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Butler County, denied.

No. 86-6791. Genaro Rafael Hernandez-Cano, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6796. Nathaniel D. Easley, 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. 86-6811. Raleigh Porter, 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. 86-6814. Rubin F. Montgomery, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-6832. Tandy R. Thompson, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6834. Lee Alphonso Moore, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6848. William C. Page, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1353. Dale Foltz, Warden, Petitioner *v.* Willie Arthur Thigpen. 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. 86-1507. Richard L. Dugger, Secretary, Florida Department of Corrections, Petitioner *v.* Raleigh Porter. 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. 86-1371. Telecommunications Research and Action Center, et al., Petitioners *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. Justice Scalia took no part in the consideration or decision of this petition.

No. 86-1373. New York, et al., Petitioners *v.* Lee M. Thomas, Administrator, United States Environmental Protection Agency, et al.; and

No. 86-1374. Her Majesty the Queen in Right of Ontario, et al., Petitioners *v.* Lee M. Thomas, Administrator, United States Environmental Protection Agency, et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Justice Powell and Justice Scalia took no part in the consideration or decision of these petitions.

No. 86-1475. Burlington Northern Railroad Company, Petitioner *v.* Charles O. Bell, Jr., et al. Petition for writ of certiorari to the Court of Appeals of Oklahoma, Fourth Division, denied. Dissenting opinion by Justice White.

No. 86-6216. James Demouchette, 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. 86-6711. Robert Lee Tarver, Jr., Petitioner *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6731. Lloyd E. Schlup, Petitioner *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6747. Benjamin Terry, 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. 86-6795. Nathaniel Jackson, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

#### MANDAMUS DENIED

No. 86-6717. In Re Melvin Leroy Tyler, et al., Petitioners;

No. 86-6742. In Re Ronald Leroy Kennedy, Petitioner; and

No. 86-6772. In Re Michael Roy, Petitioner. The petitions for writs of mandamus are denied.

#### REHEARINGS DENIED

No. 84-6811. Warren McCleskey, Petitioner *v.* Ralph Kemp, Superintendent, Georgia Diagnostic and Classification Center;

No. 86-1158. Conrad Schellong, Petitioner *v.* U.S. Immigration and Naturalization Service;

No. 86-1209. Sam Polur, Petitioner *v.* New York, et al.;

No. 86-1467. Stella Anne Stemer, Petitioner *v.* Wayne County Department of Health and Equal Employment Opportunity Commission;

No. 86-1479. Elijah W. Ratcliff, Petitioner *v.* Robert M. McKeever, et al.;

No. 86-1545. In Re Frank Kowalik, Jr., Petitioner;

No. 86-5884. John Buford Irving, III, Petitioner *v.* Mississippi;

No. 86-6323. Gilbert G. Velilla, Petitioner *v.* United Technologies Corporation, Hamilton Standard Division, et al.;

No. 86-6325. Lloyd G. Perry, Petitioner *v.* Paul D. Gresk, et al.;

No. 86-6333. Lloyd G. Perry, Petitioner *v.* George Astrike, et al.;

No. 86-6377. Bobby Earl Lusk, Petitioner *v.* Florida;

No. 86-6460. Jose F. Cardelle, Petitioner *v.* Delta Air Lines;

No. 86-6474. Monty E. Robinson, by his mother and next friend Beatrice L. Robinson, Appellant *v.* United States; and

No. 86-6606. Michael Lee Baker, Petitioner *v.* United States. The petitions for rehearing are denied.

No. 84-6075. Ricky Wayne Tison and Raymond Curtis Tison, Petitioners *v.* Arizona. The motion of California Appellate Project for leave to file a memorandum as *amicus curiae* is denied. The petition for rehearing is denied.

#### RECESS ORDER

The Court will take a recess from Tuesday, June 9, 1987, until Monday, June 15, 1987.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ken Ramon Adcock	Jackson, MS	Kenneth G. Perry
Harold Dwayne Archibald	Memphis, TN	W. Mark Ward
Mark Stephen Beaufait	Seattle, WA	Dale R. Ulin
Scott D. Boughton	Oklahoma City, OK	William L. Peterson Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Rochelle Browne	Los Angeles, CA	Glenn R. Watson
Bobby G. Burke	Oklahoma City, OK	Don Manners
Jeffrey Alan Catri	Columbus, OH	William Patrick Murray Jr.
Fernando Chacon	El Paso, TX	Mario J. Martinez
William Mowry Connelly	Cleveland, OH	Michael T. McMenamin
Brenda Joyce Council	Omaha, NB	Mark B. Goodwin
Daniel F. Davis	Tucson, AZ	John Fitzgerald Molloy
Pierre F. de Ravel d'Esclapon	New York, NY	Leonard J. Koerner
Elizabeth Dvorkin	New York, NY	Leonard J. Koerner
Bernard J. Farber	Chicago, IL	James Paul Manak
Peter L. Flangas	Las Vegas, NV	Elwin Colby Leavitt
Thomas H. Glover	Lexington, KY	Frank Graves Dickey Jr.
Ronald Joe Greenhalgh	Safford, AZ	James Robert Rummage
Robert Harris Harper	Jackson, MS	Robert Franklin Spencer
Robert A. Heap	Naperville, IL	John David James
Karen L. Howick	Oklahoma City, OK	Danny K. Shadid
Michael Bruce Hull	Los Angeles, CA	Constance Jean Chatwood
Thomas Richard Julin	Miami, FL	Norman Alan Coll
Steven Jay Kaplan	Los Angeles, CA	Robert W. Gilbert
Irene C. Keyse-Walker	Cleveland, OH	Erick Hyman Zagrans
Randall Leigh Leshin	Fort Lauderdale, FL	Edward Royce Curtis
Duncan Roderick MacRae II	Honolulu, HI	Peter C.K. Fong
Thomas J. McCabe	Boise, ID	Paul L. Westberg

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edward Bailey McDonough Jr.	Mobile, AL	Champ Lyons Jr.
William E. Morris	Tucson, AZ	Armand Salese
James Watson Morris III	Richmond, VA	John B. Browder
Vincent C. Nealey	Hampton, VA	Elliot John Clark Jr.
William Andreas Nome	Kent, OH	Seabury Hurd Ford
Edith G. Osman	Miami, FL	Frank A. Shepherd
James D. Ossyra	Chicago, IL	William Carlisle Herbert
C. Rufus Pennington III	Jacksonville, FL	John Andrew DeVault III
Lance A. Pool	Dallas, TX	Jack Patton Caolo
Irwin A. Popowsky	Harrisburg, PA	David Max Barasch
Donald A. Ranstrom	Chinook, MT	C. David Gorton
Daniel J. Roberson	DeLand, FL	Ralph K. Roberson
Robert Antonio Rodriguez	Queens, NY	Alfred Torres
Arthur Sadin	Galveston, TX	Harold Eisenman
William W. Sampson	Malibu, CA	Robert Mann
Howard B. Sandler	Fort Wayne, IN	Jack W. Lawson
Steven E. Schmidt	Albuquerque, NM	John W. Danfelser
Jillyn Kaberle Schulze	Baltimore, MD	Charles O. Monk II
Gregory Brandon Sloan	Oakland, CA	Jerome Fishkin
Gregory Daniel Smith	Pensacola, FL	Joe J. Harrell
Robert H. Sonheim	Arvada, CO	Wallis LeRoy Campbell
Robert Steven Span	Los Angeles, CA	Leonard S. Janofsky
George Steven Swan	Miami, FL	Raymond P. O'Keefe
Michael Sean Walsh	Baton Rouge, LA	James E. Boren
David Michael Wilson	San Francisco, CA	Richard C. Dinkelspiel

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stanford Glenn Wilson	Atlanta, GA	Robert LeGrande Thompson
Mark Stephen Windisch	Los Angeles, CA	Robert Joseph Gerst
Steven E. Wolkin	Cleveland, OH	Robert S. Wolkin
David Eric Raymond Woolley	Los Angeles, CA	Charles W. Cappel
Charles M. Young	Cleveland, OH	David J. Guidubaldi

### OPINIONS

No. 85-792. Interstate Commerce Commission, Petitioner *v.* Brotherhood of Locomotive Engineers, et al.; and

No. 85-793. Missouri-Kansas-Texas Railroad Company, Petitioner *v.* Brotherhood of Locomotive Engineers, et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment vacated and cases remanded to the Court of Appeals with instructions to dismiss the petitions for lack of jurisdiction. Opinion by Justice Scalia. Opinion by Justice Stevens concurring in the judgment with whom Justice Brennan, Justice Marshall and Justice Blackmun join.

No. 85-1772. Utah Division of State Lands, Petitioner *v.* United States, et al. 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 O'Connor. Dissenting opinion by Justice White with whom Justice Brennan, Justice Marshall and Justice Stevens join.

No. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahon, 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 O'Connor. 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.

No. 86-251. Rockford Life Insurance Company, Appellant *v.* Illinois Department of Revenue, et al. Appeal from the Supreme Court of Illinois. Judgment affirmed. Opinion by Justice Stevens.

No. 65, **Original.** State of Texas, Plaintiff *v.* State of New Mexico. On Exceptions to the Report of the Special Master. Exceptions to the Report of the Special Master sustained in part and overruled in part. Decree entered. The case is remanded to the Special Master. The Court retains jurisdiction of this suit for the purpose of any order, direction, or modification of the decree, or any supplementary decree, that may at any time be deemed proper in relation to the subject matter in controversy. Opinion by Justice White. Justice Stevens took no part in the consideration or decision of this case.

No. 85-1409. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Janet J. Yuckert. 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 to consider whether the Social Security Administration's decision is supported by substantial evidence. Opinion by Justice Powell announced by the Chief Justice. Concurring opinion by Justice O'Connor with whom Justice Stevens joins. 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>
Adrienne Masters	Bethesda, MD	Judge Spottswood W. Robinson III
Jeffrey J. Berkin	Washington, DC	Christopher E. Swecker
Larry R. Rowe	Alexandria, VA	Edward Jiran
Patricea Louise Dean	Anaheim, CA	Alan I. Robbins
Phil Hiroshima	Sacramento, CA	Mitchell Albert Tyner
John Tarlton Olivier	Sunset, LA	Christopher William Vasil
Antonio Reyes Vidal	San Antonio, TX	Robert Floyd Gonzales

## CERTIORARI DENIED

No. 86-7013. Alvin R. Moore, Jr., Petitioner *v.* Butler, Warden. The application for stay of execution of the 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.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 86-381. California, Petitioner *v.* Superior Court of California, San Bernardino County (Richard Smolin and Gerard Smolin, Real Parties in Interest). On writ of certiorari to the Supreme Court of California. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice O'Connor. Dissenting opinion by Justice Stevens with whom Justice Brennan joins.

No. 86-5344. James Ernest Miller, Petitioner *v.* Florida. On writ of certiorari to the Supreme Court of Florida. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice O'Connor.

No. 86-461. Board of Pardons and Henry Burgess, Petitioners *v.* George Allen and Dale Jacobsen, etc. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Brennan. Dissenting opinion by Justice O'Connor with whom the Chief Justice and Justice Scalia join.

No. 86-526. Caterpillar Inc., et al., Petitioners *v.* Cecil Williams, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Brennan.

No. 85-1199. First English Evangelical Lutheran Church of Glendale, Appellant *v.* County of Los Angeles, California. Appeal from the Court of Appeal of California, Second 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 the Chief Justice. Dissenting opinion by Justice Stevens with whom Justice Blackmun and Justice O'Connor join as to Parts I and III.

No. 85-1722. Edward O'Lone, etc., et al., Petitioners *v.* Estate of Ahmad Uthman Shabazz and Sadr-Ud-Din Nafis Mateen. 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 the Chief Justice. Dissenting opinion by Justice Brennan with whom Justice Marshall, Justice Blackmun and Justice Stevens join.

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Adjourned until Monday, June 15, 1987 at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-899. Jimmy L. Glass, Applicant *v.* Hilton Butler, Warden. The application for stay of execution of the sentence of death presented to Justice White and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-1707. Brian P. Blinn, Appellant *v.* Massachusetts. Appeal from the Supreme Judicial Court of Massachusetts. The appeal is dismissed for want of a substantial federal question, Justice Brennan and Justice O'Connor would note probable jurisdiction and set the case for oral argument.

No. 86-1711. Joe L. Edwards, Appellant *v.* Annetta Edwards Turner. 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. 86-1728. Leo Cahoon, Appellant *v.* Alton Packaging Corporation, et al. Appeal from the Appellate Court of Illinois, Fifth District. The appeal is dismissed for want of a properly presented federal question. Justice Brennan and Justice Stevens would note probable jurisdiction and set the case for oral argument.

## CERTIORARI—SUMMARY DISPOSITION

No. 85-1442. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Edna Johnson, et al. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. The motion of respondents 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 Seventh Circuit for further consideration in light of *Bowen v. Yuckert*, 482 U.S. — (1987).

No. 85-7216. Jorge Sueiro, Petitioner *v.* Florida. On petition for writ of certiorari to the Supreme Court of Florida. The motion of petitioner 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 Supreme Court of Florida for further consideration in light of *Miller v. Florida*, 482 U.S. — (1987).

No. 86-2. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* David Dixon, 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 *Bowen v. Yuckert*, 482 U.S. — (1987).

No. 86-40. Kidder, Peabody & Co., Incorporated, Petitioner *v.* Intre Sport, Ltd. 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 *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-282. Drexel Burnham Lambert, Inc., et al., Petitioners *v.* Rebecca King. 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 *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-321. Dean Witter Reynolds, Inc., and Brenton Ogden, Petitioners *v.* Harry R. Conover. 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 *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-487. Merrill Lynch, Pierce, Fenner & Smith, Inc. and Robert M. Kolaczynski, Petitioners *v.* Estelle Jacobson and Cynthia Carson;

No. 86-543. Paine, Webber, Jackson & Curtis, Inc., et al., Petitioners *v.* Marilyn E. Burris; and

No. 86-559. Dean Witter Reynolds, Inc., Petitioner *v.* Herbert Blumenthal. On petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit. The petitions for writs of certio-

rari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-591. Merrill Lynch, Pierce, Fenner & Smith, Inc., et al., Petitioners *v.* Egon L. Badart and Patra L. Badart. 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 *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-668. Merrill Lynch, Pierce, Fenner & Smith, Inc., Petitioner *v.* David Delman. 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 *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-897. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* John Wilson, 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 *Bowen v. Yuckert*, 482 U.S. — (1987).

No. 86-1160. Shearson Lehman Brothers, Inc., et al., Petitioners *v.* Mayaja, Inc., 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 *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-1218. E. F. Hutton, Incorporated, et al., Petitioners *v.* Frederick J. Wolfe, 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 *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-1376. A. G. Becker Incorporated, Petitioner *v.* First Biscayne Corporation, 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 *Shearson/American Express, Inc. v. McMahon*, 482 U.S. — (1987).

No. 86-5842. Terry Joe Wilkerson, Petitioner *v.* Florida. On petition for writ of certiorari to the Supreme Court of Florida. The motion of petitioner 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 Supreme Court of Florida for further consideration in light of *Miller v. Florida*, 482 U.S. — (1987).

No. 86-6360. Robert Paul Patterson, Petitioner *v.* Florida. On petition for writ of certiorari to the Supreme Court of Florida. The motion of petitioner 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 Supreme Court of Florida for further consideration in light of *Miller v. Florida*, 482 U.S. — (1987).

No. 86-6422. James Abbott, Petitioner *v.* Florida. On petition for writ of certiorari to the District Court of Appeal of Florida, First District. The motion of petitioner 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 District Court of Appeal of Florida, First District, for further consideration in light of *Miller v. Florida*, 482 U.S. — (1987).

#### ORDERS IN PENDING CASES

No. 85-1765. Bankers Life and Casualty Company, Appellant *v.* Lloyd M. Crenshaw. The motion of Alliance of American Insurers, et al. for leave to file a brief as *amici curiae* is granted. Justice Stevens took no part in the consideration or decision of this motion.

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 petitioner for additional time for oral argument is denied. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. Justice Powell took no part in the consideration or decision of these motions.

No. 86-595. United States, Petitioner *v.* Joseph A. Fausto. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-714. Rodney P. Westfall, et al., Petitioners *v.* William T. Erwin, Sr., and Emely Erwin. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-1521. United States, Appellant *v.* Wells Fargo Bank, et al. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-728. Bill Honig, California Superintendent of Public Instruction, Petitioner *v.* John Doe and Jack Smith. The motion of respondents to seal the record is granted. The motion of respondents to seal the joint appendix is granted.

No. 86-836. Hazelwood School District, et al., Petitioners *v.* Cathy Kuhlmeier, et al. The motion of Planned Parenthood Federation of America, Inc., et al. for leave to file a brief as *amici curiae* is granted.

No. 86-1947. Quality Aluminum Products, Inc., Petitioner *v.* National Labor Relations Board. The application for stay addressed to the Chief Justice and referred to the Court is denied.

No. 86-6895. Theodis Brown, Petitioner *v.* Gordon D. Schweitzer, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 6, 1987, 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. 86-978. Sandra Gardebring, Commissioner of the Minnesota Department of Human Services, Petitioner *v.* Kathryn Jenkins. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 86-1696. Equal Employment Opportunity Commission, Petitioner *v.* Commercial Office Products Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

No. 86-1357. United States Department of Justice, et al., Petitioners *v.* Kenneth Michael Julian and Margaret J. Wallace. The motion of respondent Kenneth Julian 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. 86-5309. Bobby Lynn Ross, Petitioner *v.* Oklahoma. The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari to the Court of Criminal Appeals of Oklahoma is granted limited to Question I presented by the petition.

#### CERTIORARI DENIED

No. 85-983. United Transportation Union, Petitioner *v.* Interstate Commerce Commission, et al.; and

No. 85-997. Brotherhood of Locomotive Engineers, Petitioner *v.* Interstate Commerce Commission, et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 85-1054. United Transportation Union, et al., Petitioners *v.* Missouri Pacific Railroad Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 85-1957. Daniel A. Bruno and Philip R. Herzig, Petitioners *v.* Western Pacific Railroad Company, et al. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 86-990. RCA Corporation, Petitioner *v.* Sam Malia, et ux. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1340. Gilbert R. Russell, et al., Petitioners *v.* Shearson Lehman Brothers, Inc., fka Shearson/Lehman American Express, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1354. Mayaja, Inc., et al., Petitioners *v.* Shearson Lehman Brothers, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1447. Raymond R. Torres, Petitioner *v.* James H. Webb, Jr., Secretary of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1529. Victor F. Orlowski, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1576. Charles E. Wolfe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1578. James Burke, by and through his next friend, Betty Draves, Petitioner *v.* General Motors Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1617. Otis R. Bowen, Secretary of Health and Human Services, Petitioner *v.* Lorraine Polaski, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1620. Smoky Greenhaw Cotton Company, Inc. and John C. Greenhaw, Petitioners *v.* Merrill Lynch, Pierce, Fenner & Smith, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1629. 511 Detroit Street, Inc., etc., et al., Petitioners *v.* Frank J. Kelley, Attorney General of Michigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1693. Y and X, Petitioners *v.* Edward Kuriansky, Deputy Attorney General of New York for Medicaid Fraud Control. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-1694. Robert T. Savely, et al., Petitioners *v.* City of Houston, Texas, et al. Petition for writ of certiorari to the Court of Appeals of Texas, First District, denied.

No. 86-1695. Robert G. Reiboldt, Jr., Petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 86-1697. Jeffrey Lynn Fortin, Petitioner *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-1702. United Dairymen of Arizona, Petitioner *v.* Jerome LaSalvia, et ux. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1703. Kenneth Lancaster, Petitioner *v.* Buerkle Buick Honda Co. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1706. Walter J. Kelly, Superintendent, Attica Correctional Facility, et al., Petitioners *v.* Gregory Johnstone. Petition for writ of

certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1708. John P. McDermott, Jr., 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. 86-1723. LuAnn K. Walsh, Petitioner *v.* Union Pacific Railroad Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1730. Matthew Setera, Petitioner *v.* Texas A & M University, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1732. City of Arlington, Texas, Petitioner *v.* Lester M. Byrd, et al. Petition for writ of certiorari to the Court of Appeals of Texas, Second District, denied.

No. 86-1734. Arkansas, Petitioner *v.* Norma Foster. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 86-1740. Frank M. Wanless, Petitioner *v.* Rhonda Rothballer and The Peoria Journal Star, Inc. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-1742. Stephen Marmott, et al., Petitioners *v.* Maryland Lumber Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-1748. John R. Strelkoff, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Harrisburg Office, denied.

No. 86-1790. Jack E. Fleming, Petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-1797. Ronald H. Glantz and Anthony J. Bucci, Sr., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1802. American Savings and Loan Association, Petitioner *v.* Morgan Guaranty Trust Company of New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1818. Anthony Frank Gaggi, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1826. Randall S. Goulding, Petitioner *v.* Irving Feinglass, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6443. Kermit Gabel, 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. 86-6490. Frank Mars, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 86-6520. Wayneth Gilbert Tyler, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 86-6528. Kevin Dixon, Petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 86-6547. Robert W. Armstrong, Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-6605. Dave Thomas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6645. Terrance Sawyer, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-6724. Willie Hamilton, Petitioner *v.* Laurence J. Reid, Superintendent, State Correctional Institution at Greensburg. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6751. Don Boag, Petitioner *v.* Lloyd Bramlett, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6762. Mary Leona Parks, Petitioner *v.* Dennis F. Brady. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 86-6769. Mark Allen LaMothe, Petitioner *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 86-6771. Ardell Ruether, Petitioner *v.* William T. Lohmar, Jr., Judge, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6773. Robert Eugene Webb, Petitioner *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 86-6775. John J. Garris, Petitioner *v.* Howard N. Lyles, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6777. Robert R. Ewers, Petitioner *v.* City of Garland, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6778. Nathaniel B. Appleby, Petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-6786. James L. Martin, Petitioner *v.* Little, Brown & Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6799. Shy Cason, Petitioner *v.* Connie Cook, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6849. Ray Douglas Thomas, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6862. Gurley Kimble, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6875. Mark A. Dempsey, Petitioner *v.* Wisconsin. Petition for writ of certiorari to the Court of Appeals of Wisconsin, District II, denied.

No. 86-6894. Harold Mote Pruett, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6900. Willie Tripp, Petitioner *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-578. Louis L. Phillips, et al., Petitioners *v.* Merrill Lynch, Pierce, Fenner & Smith, Inc., 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. 86-1636. Cadwalader, Wickersham & Taft, Petitioner *v.* United States District Court for the Central District of California (Daniel M.

Gottlieb, Real Party in Interest). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Justice White would grant certiorari.

No. 86-6175. 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. Justice White and Justice Blackmun would grant certiorari.

No. 86-6685. John Glenn, Petitioner *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6727. Walter Milton Correll, Jr., Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6732. David Mark Pruett, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6768. D. Cecil Lucas, Petitioner *v.* James Aiken, Warden, et al. Petition for writ of certiorari to the Court of Common Pleas of South Carolina, York County denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6827. Robert Karl Hicks, Petitioner *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6903. 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.

#### MANDAMUS DENIED

No. 86-6780. In Re William Cooper, Petitioner. The petition for writ of mandamus is denied.

#### REHEARINGS DENIED

No. 86-6459. John Belk, Petitioner *v.* James C. Chrans, Warden, et al.;

No. 86-6475. Elizabeth LaVergne, Petitioner *v.* Holy Name Hospital;

No. 86-6483. Ronald Calvin McHarris, Petitioner *v.* Larry Spears, Warden, et al.; and

No. 86-6564. *Morris May, Petitioner v. Pro-Guard, Inc.* The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, June 15, 1987, until Monday, June 22, 1987.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Steve Alexander	Philadelphia, PA	John Frederick Arens
Desa Ann Ballard	Columbia, SC	David Isaac Bruck
Ronald Merrill Barnes	Oklahoma City, OK	N. Martin Stringer
Dean Taylor Barnhard	Indianapolis, IN	Gerald L. Bepko
Robert Baronsky	Seattle, WA	John O. Burgess
Brian Keith Beesley	Noblesville, IN	Robert Steven Spear
Daniel Theodore Berkley	San Francisco, CA	Timothy Blaise Broderick
William Q. Bird	Atlanta, GA	Edgar A. Neely Jr.
James B. Blevins Jr.	Oklahoma City, OK	John Michael Baum
Larry H. Bowen	San Antonio, TX	Oliver Samuel Heard Jr.
Debra L. Boyd	Los Angeles, CA	David John Hamilton
Gordon F. Brown	Oklahoma City, OK	Merton M. Bulla
Susan E. Burch	Denver, CO	H. Harold Calkins
Lewis Howard Burke	Vicksburg, MS	Jesse C. Pennington
Frank A. Caro Jr.	Topeka, KS	Matthew B. Works
Gregory James Cava	Darien, CT	Jacob D. Zeldes
Mark Dale Coldiron	Oklahoma City, OK	N. Martin Stringer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leo T. Crowley	New York, NY	Francis Carling
Clyde V. Crutchmer	Oklahoma City, OK	N. Martin Stringer
Douglas W. Davis	Virginia Beach, VA	Robert Kenneth Skolrood
George L. De La Flor	San Diego, CA	Elizabeth Schulman
Douglas Michael DeGrave	Santa Ana, CA	William Bernard Hanley
Sharon E. Ficquette	Montgomery, AL	Charles Edward Crumbley
Duane R. Folke	Detroit, MI	Ulysses Whittaker Boykin
Michael W. Ford	Miami, FL	Aubrey V. ... Kendall
Thomas Anthony French	Harisburg, PA	Frank A. Sinon
Gary Raymond Greenblatt	Baltimore, MD	Gerson B. Mehlman
George Franklin Hinkle	Indianapolis, IN	Henry Carl Karlson II
George Michael Kirkman	Columbus, OH	Bruce Allen Campbell
John Michael Koenig Jr.	Tallahassee, FL	Raymond L. Marky II
Mel Lamelas	Miami, FL	Terence J. Anderson
Gene R. Leeuw	Indianapolis, IN	Gerald L. Bepko
Charles P. Leger	Biloxi, MS	Stanley L. Taylor Jr.
Alan Stuart Levine	Birmingham, MI	Stephen A. Bromberg
Carl Edward Macomber	Tucson, AZ	J. Patrick Butler
Glen Nelson Mackey Jr.	Staunton, VA	Paul Victor Jorgensen
Maurice Mandel II	Newport Beach, CA	Ronald W. Rose
James Lee Manketos	New York, NY	Edward Charles Cherny III

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joyce A. Matuzak	Chicago, IL	Julius Lucius Echeles
Richard D. Milvenan	Austin, TX	Harry M. Reasoner
Charles T. Newton Jr.	Houston, TX	Ky P. Ewing Jr.
Carolyn Gail Nussbaum	Rochester, NY	William D. Eggers
Claire Mathew Olson	Bismarck, ND	Michael J. Hinman
Eston Wycliffe Orr Sr.	Gainesville, GA	John Lloyd Cromartie Jr.
Howard Douglas Perkins Jr.	Tulsa, OK	Thomas E. Salisbury
Priscilla Ellen Perry	Dallas, TX	Samuel Lane Boyd
Dan Mason Peters	Oklahoma City, OK	N. Martin Stringer
Randolph H. Phillips	Albany, GA	Jerry W. Brimberry
Anson D. Phipps	Houston, TX	Martin Earl McVey
Eva Powers	Topeka, KS	Brian John Moline
Larry David Rosenstein	Los Angeles, CA	David Richard Glickman
Henry Grady Ryan III	Oklahoma City, OK	N. Martin Stringer
Glenn Eric Simensky	Woodmere, NY	Lewis Richard Friedman
Lana Hancock Sims Jr.	Columbia, SC	F. Earl Ellis Jr.
Noreen L. Slank	Detroit, MI	Elliot I. Beitner
Ronald Lee Smith	Columbus, OH	David Alan Goldberger
Clyde F. Starrett	McCook, NB	John M. Gradwohl
Mary Jane Stephens	Youngstown, OH	Gary Loren Van Brocklin
Reese H. Taylor Jr.	Arlington, VA	Julian B. Heron Jr.
Debora Jean Turner	Miami, FL	Richard Edward Doran

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Wayne Everett Waite	Dayton, OH	David C. Greer
Arthur Clay Wallberg	Tallahassee, FL	S. Gordon Blalock
Robert K. Weinberg	Irvine, CA	Sylvan B. Aronson
Paul J. Weinberg	Irvine, CA	Sylvan B. Aronson
Thomas Robert Wetterer Jr.	Cincinnati, OH	Gregory Lawrence Ayers
S. Linn Williams	Washington, DC	Larry Lee Simms
George Holton Yates	Virginia Beach, VA	Paul A. Sciortino

## OPINIONS

No. 86-104. Board of Airport Commissioners of the City of Los Angeles, et al., Petitioners *v.* Jews for Jesus, Inc. and Alan Howard Snyder, aka Avi Snyder. 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 White with whom the Chief Justice joins.

No. 85-1695. Societe Nationale Industrielle Aerospatiale and Societe de Construction d'Avions de Tourism, Petitioners *v.* United States District Court for the Southern District of Iowa, etc. On writ of certiorari to the United States Court of Appeals for the Eighth 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. Opinion by Justice Blackmun concurring in part and dissenting in part with whom Justice Brennan, Justice Marshall and Justice O'Connor join.

No. 85-5020. John Booth, Petitioner *v.* Maryland. On writ of certiorari to the Court of Appeals of Maryland. The judgment is vacated to the extent that it affirmed the capital sentence and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Powell. Dissenting opinion by Justice White with whom the Chief Justice, Justice O'Connor and Justice Scalia join. Dissenting opinion by Justice Scalia with whom the Chief Justice, Justice White and Justice O'Connor join.

No. 86-566. Barclay Perry and James Johnston, Appellants *v.* Kenneth Morgan Thomas. Appeal from the Court of Appeal of Califor-

nia, Second 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 Stevens. Dissenting opinion by Justice O'Connor.

No. 86-243. City of Houston, Texas, Appellant *v.* Raymond Wayne Hill. Appeal from the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Justice Brennan. Concurring opinion by Justice Blackmun. Opinion by Justice Scalia concurring in the judgment. Opinion by Justice Powell concurring in the judgment in part and dissenting in part with whom Justice O'Connor joins and with whom the Chief Justice joins as to Parts I and II, and Justice Scalia joins as to Parts II and III. Dissenting opinion by the Chief Justice.

No. 86-322. Crawford Fitting Company, et al., Petitioners *v.* J. T. Gibbons, Inc.; and

No. 86-328. Champion International Corporation, Petitioner *v.* International Woodworkers of America, AFL-CIO, CLC, et al. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. The judgments are affirmed and No. 86-322 is 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 Blackmun. Dissenting opinion by Justice Marshall with whom Justice Brennan joins.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Myron Shapiro	Phoenix, AZ	Joseph E. Mayer
John Kieran Daly	Brooklyn, NY	Charles Morgan Jr.
Wayne Lawrence Allen	Melbourne, FL	George W. Beatty
Josiah T. Greenberg	New York, NY	Jack Greenberg
Lyn Marie Schlitt	McLean, VA	Harris Weinstein
Richard Victor Levin	Akron, OH	Max M. Goldberg
Pamela Gordon Montgomery	Savannah, GA	Brooks Braddock LaGrua
Kevin Thomas Lonergan	West Liberty, IA	Brooks Braddock LaGrua
Keith William Sickendick	Washington, MO	Brooks Braddock LaGrua

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lorraine Lee	Seattle, WA	Brooks Braddock LaGrua
Kevin Peter Cooke	Hackensack, NJ	Thomas Barry Cooke
Robert L. Alexander	Clinton, NJ	Bernard F. Conway
Ann Reynolds Bartlett	Flemington, NJ	Bernard F. Conway
Anthony Joseph Belkowski	Hackensack, NJ	Bernard F. Conway
C. Boyd Cote	Wyckoff, NJ	Bernard F. Conway
James Donald Cotreau	Denville, NJ	Bernard F. Conway
Michele Roseanne Donato	Metuchen, NJ	Bernard F. Conway
Theodore Michael Fieschko	West Orange, NJ	Bernard F. Conway
Thomas Peter Frascella	Princeton Junction, NJ	Bernard F. Conway
Joan G. Geiger	Somerville, NJ	Bernard F. Conway
Rochelle Gizinski	Westfield, NJ	Bernard F. Conway
Denise E. Griggs	Roseland, NJ	Bernard F. Conway
Alan Lee Harwick	Succasunna, NJ	Bernard F. Conway
Elliot Howard Henslovitz	Fort Lee, NJ	Bernard F. Conway
Ray A. Hook	Edison, NJ	Bernard F. Conway
Thomas Patrick Kelly	Trenton, NJ	Bernard F. Conway
Paul Roydon Kenny	Newark, NJ	Bernard F. Conway
Peter M. Kober	Vineland, NJ	Bernard F. Conway

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alison Ellen Kosberg	Edison, NJ	Bernard F. Conway
Stephen David Landfield	West Orange, NJ	Bernard F. Conway
Maureen Frances Leary	New York, NY	Bernard F. Conway
Cynthia Mary Maurer	Edison, NJ	Bernard F. Conway
Brian Joseph Molloy	Woodbridge, NJ	Bernard F. Conway
Eileen Patricia Mulroy	Hackensack, NJ	Bernard F. Conway
Dean S. Nalbone	Trenton, NJ	Bernard F. Conway
Ronald P. Peles	Clinton, NJ	Bernard F. Conway
Bart Quentzel	Jersey City, NJ	Bernard F. Conway
Ernest F. Salzstein	Butler, NJ	Bernard F. Conway
Reginald Eugene Sims	Livingston, NJ	Bernard F. Conway
Nancy Sivilli	Woodbridge, NJ	Bernard F. Conway
Rosa H. Soy	Passaic Park, NJ	Bernard F. Conway
Brian D. Spector	Edison, NJ	Bernard F. Conway
Bruce Jaime Stavitsky	Upper Saddle River, NJ	Bernard F. Conway
Frank Terranella	Clifton, NJ	Bernard F. Conway
Richard D. Trenk	Roseland, NJ	Bernard F. Conway
Thomas Joseph Wall	Bayonne, NJ	Bernard F. Conway
Kent Albert Frederick Weisert	Bloomfield, NJ	Bernard F. Conway

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ivan Vance White Jr.	Morristown, NJ	Bernard F. Conway
Robert Alan Alderson	Baltimore, MD	Kevin Anthony Dunne
Ronald Evan Alper	Baltimore, MD	Kevin Anthony Dunne
Brian Andrew Blitz	Baltimore, MD	Kevin Anthony Dunne
Sally Franklin Cromwell	Baltimore, MD	Kevin Anthony Dunne
Patrick Giles Cullen	Baltimore, MD	Kevin Anthony Dunne
Andrew J. Felser	Baltimore, MD	Kevin Anthony Dunne
Jason A. Frank	Baltimore, MD	Kevin Anthony Dunne
Ronnie Marc Goldberg	Baltimore, MD	Kevin Anthony Dunne
James Patrick Augustine O'Connor Jr.	Baltimore, MD	Kevin Anthony Dunne
David Warren Skeen	Baltimore, MD	Kevin Anthony Dunne
Dwight C. Stone	Baltimore, MD	Kevin Anthony Dunne
Barbara Baer Waxman	Baltimore, MD	Kevin Anthony Dunne
Stephen Francis White	Baltimore, MD	Kevin Anthony Dunne
John Maumann Strange	Baltimore, MD	Kevin Anthony Dunne
Pamela Davis Andersen	Annapolis, MD	Rita Reitman Rosenkrantz
Rosalyn B. Bell	Silver Spring, MD	Rita Reitman Rosenkrantz
Jean A. Garner	Laurel, MD	Rita Reitman Rosenkrantz
Harriet Judith Halper	Bowie, MD	Rita Reitman Rosenkrantz

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Grace Anne Dorney Koppel	Potomac, MD	Rita Reitman Rosenkrantz
Lee Lunsford	Baltimore, MD	Rita Reitman Rosenkrantz
Dianne Cynthia Neild Parlow	Bowie, MD	Rita Reitman Rosenkrantz
Louise Gwynn Scrivener	Rockville, MD	Rita Reitman Rosenkrantz
Katharine Thurlow	Baltimore, MD	Rita Reitman Rosenkrantz

No. A-915. Jimmy C. Wingo, Applicant *v.* Hilton Butler, Warden. The application for stay of execution of the 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. A-916. Jimmy C. Wingo, Applicant *v.* Hilton Butler, Warden. The application for stay of execution of the sentence of death, presented to Justice White and by him referred to the Court, is denied. Dissenting statement by Justice Brennan and Justice Marshall.

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Adjourned until Monday, June 22, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. 86-6867. Leslie Lowenfield, Petitioner *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections, et al. The application for stay of execution of the 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 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

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

ORDER IN PENDING CASE

No. A-923. James Agan, Applicant *v.* Florida. The application for stay of execution of the sentence of death, presented to Justice Powell and by him referred to the Court, is denied. Dissenting statement by Justice Brennan and Justice Marshall.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice O'Connor and Justice Scalia

## OPINIONS

No. 85-1630. Lowell D. Hewitt, et al., Petitioners *v.* Aaron Helms. 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. Dissenting opinion by Justice Marshall with whom Justice Brennan, Justice Blackmun and Justice Stevens join.

No. 86-80. New York, Petitioner *v.* Joseph Burger. On writ of certiorari to the Court of Appeals of New York. Judgment reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Blackmun. Dissenting opinion by Justice Brennan with whom Justice Marshall joins and with whom Justice O'Connor joins in all but Part III.

No. 86-572. Kentucky, Petitioner *v.* Sergio Stincer. On writ of certiorari to the Supreme Court of Kentucky. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Blackmun. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Stevens join.

No. 85-1626. Charles Goodman, et al., Petitioners *v.* Lukens Steel Company, et al.; and

No. 85-2010. United Steelworkers of America, AFL-CIO-CLC, et al., Petitioners *v.* Charles Goodman, et al. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed in No. 85-1626 and No. 85-2010. Opinion by Justice White. Opinion by Justice Brennan concurring in part and dissenting in part with whom Justice Marshall and Justice Blackmun join. Opinion by Justice Powell concurring in part and dissenting in part with whom Justice Scalia joins and with whom Justice O'Connor joins as to Parts I through IV. Opinion by Justice O'Connor concurring in the judgment in No. 85-1626 and dissenting in No. 85-2010.

No. 86-475. David C. Frazier, Petitioner *v.* Frederick J. R. Heebe, Chief Judge, United States District Court for the Eastern District of Louisiana, 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 Brennan. Dissenting opinion by the Chief Justice with whom Justice O'Connor and Justice Scalia join.

No. 85-1513. Edwin W. Edwards, etc., et al., Appellants *v.* Don Aguillard, et al. Appeal from the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Justice Brennan. Concurring opinion by Justice Powell with whom Justice O'Connor joins. Opinion by Justice White concurring in the judgment. Dissenting opinion by Justice Scalia with whom the Chief Justice joins.

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Adjourned until Monday, June 22, 1987 at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice Stevens, 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."

## APPEALS—SUMMARY DISPOSITION

No. 86-1528. Harsh Investment Corp., Appellant *v.* City and County of Denver, et al. Appeal from the Supreme Court of Colorado. The appeal is dismissed for want of a substantial federal question. Justice White took no part in the consideration or decision of this case.

No. 86-1727. John R. Connor, Appellant *v.* R. G. Sachs, et al. Appeal from the Superior Court of New Jersey, Appellate Division. The appeal is dismissed for want of jurisdiction.

No. 86-1736. Herbert J. Drews, Jr., by his Guardian, Lorraine Drews, Appellant *v.* Sue Anne Carrothers Drews. Appeal from the Supreme Court of Illinois. 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. 86-5678. Raymond Wayne Hill, Appellant *v.* City of Houston, Texas. 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. 86-6816. Darrell Jerome Moore, Appellant *v.* American Savings and Loan Association, 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. 86-6844. Joyce A. Foreman, Appellant *v.* Merit Systems Protection Board. Appeal from the United States Court of Appeals for the Federal 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. 86-1823. Judy Waddell, Appellant *v.* Michigan. Appeal from the Court of Appeals of Michigan. The appeal is dismissed for want of a substantial federal question.

## CERTIORARI—SUMMARY DISPOSITION

No. 85-98. Anschuetz & Co., GmbH., Petitioner *v.* Mississippi River Bridge Authority, 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 *Societe Nationale Industrielle Aerospatiale v. United States District Court for the Southern District of Iowa*, 482 U.S. — (1987).

No. 85-99. Messerschmitt Bolkow Blohm, GmbH., Petitioner *v.* Virginia Walker, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth 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 Fifth Circuit for further consideration in light of *Societe Nationale Industrielle Aerospatiale v. United States District Court for the Southern District of Iowa*, 482 U.S. — (1987).

No. 86-1738. Francis Lacina, et al., Petitioners *v.* G-K Trucking, 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 *West v. Conrail*, 481 U.S. — (1987). Justice Stevens took no part in the consideration or decision of this case.

## ORDERS IN PENDING CASES

No. D-622. In the Matter of Disbarment of Barton A. Pasternak. Disbarment order entered.

No. D-643. In the Matter of Disbarment of Charles Rosenbleet. It is ordered that Charles Rosenbleet, of Bethesda 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. 108, **Original.** State of Nebraska, Plaintiff *v.* States of Wyoming and Colorado. It is ordered that Owen Olpin, Esquire, of Los Angeles, California, be appointed Special Master of 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 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.

The motion of Basin Electric Power Cooperative for leave to intervene is referred to the Special Master. The motion of Platte River Trust for leave to intervene is referred to the Special Master. The motion of the National Audubon Society for leave to intervene is referred to the Special Master. The motion of Nebraska Public Power District, et al. for leave to intervene is referred to the Special Master.

No. 86-622. Eugene Traynor, Petitioner *v.* Thomas K. Turnage, Administrator, Veterans' Administration and the Veterans' Administration; and

No. 86-737. James P. McKelvey, Petitioner *v.* Thomas K. Turnage, Administrator of Veterans' Affairs, et al. The motion of petitioners for divided argument is denied. Justice Scalia took no part in the consideration or decision of this motion.

No. 86-939. ETSI Pipeline Project, Petitioner *v.* Missouri, et al.; and

No. 86-941. Donald P. Hodel, Secretary of the Interior, et al., Petitioners *v.* Missouri, et al. The motion of the Solicitor General for divided argument is denied. The motion of respondents for divided argument is denied. The motion of Montana, et al. for leave to participate in oral argument as *amici curiae*, for additional time for oral argument and for divided argument is denied.

No. 86-1329. Gulfstream Aerospace Corporation, Petitioner *v.* Mayacamas Corporation. The motion of petitioner to expedite oral argument is denied. The application for stay presented to Justice O'Connor and by her referred to the Court is denied.

No. 86-1659. Continental Can Company, Petitioner *v.* Robert Gavalik, et al. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 86-6835. Curtis L. Wrenn, Petitioner *v.* Capstone Medical Center, et al. The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 13, 1987, 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. 86-935. Regents of the University of California, Appellant *v.* Public Employment Relations Board, et al. Appeal from the Court of Appeal of California, First Appellate District. In this case probable jurisdiction is noted.

No. 86-1172. Goodyear Atomic Corporation, Appellant *v.* Esto Miller and Industrial Commission of Ohio. Appeal from the Supreme Court of Ohio. In this case probable jurisdiction is noted.

#### CERTIORARI GRANTED

No. 86-1387. John H. Mackey, et al., Petitioners *v.* Lanier Collections Agency & Service, Inc. Petition for writ of certiorari to the Supreme Court of Georgia granted.

No. 86-1431. Theodore J. Loeffler, Petitioner *v.* Preston R. Tisch, Postmaster General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 86-958. Norwest Bank Worthington, et al., Petitioners *v.* James R. Ahlers, et ux. The motion of American Bankers Association for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted limited to Question 1 presented by the petition.

No. 86-6139. Clara Watson, Petitioner *v.* Fort Worth Bank and Trust. 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 Fifth Circuit is granted limited to Question 1 presented by the petition.

No. 86-6867. Leslie Lowenfield, Petitioner *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections, et al. 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 Fifth Circuit is granted limited to Questions 1 and 2 presented by the petition.

#### CERTIORARI DENIED

No. 86-1400. Commonwealth Oil Refining Company, Inc., Petitioner *v.* United States Environmental Protection Agency. Petition for writ of

certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1416. William Motto, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1417. Sharon Collins, et al., Petitioners *v.* County of Kendall, Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1429. Securities Industry Association, 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. 86-1436. Yankton Sioux Tribe of Indians, Petitioner *v.* South Dakota, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-1474. Ellis S. Rubin, Petitioner *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 86-1480. Paul Alexander, et al., Petitioners *v.* Chevron U.S.A. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1493. State Bank of India, Petitioner *v.* National Labor Relations Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1514. William J. Callahan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1527. McClellan Realty Company, et al., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1543. Peterson Painting, Inc., Petitioner *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1553. Chester Cohen, Petitioner *v.* United States; and

No. 86-1579. Matthew Ianniello, Benjamin Cohen, Alfred Ianniello, Morton Walker, Bernard Kurtz, Carl Moskowitz and Sol Goldman, Petitioners *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1577. Fernando Fernandez, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1589. Henry T. Price, Petitioner *v.* Tampa Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1594. Leander Max Small, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1689. Kin Sun Yuen, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1721. New Jersey Transit Policemen's Benevolent Association, Local 304, Petitioner *v.* New Jersey Transit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1724. Martin E. O'Malley, Petitioner *v.* Xerox Corporation, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1731. Bradley W. Behrman, Petitioner *v.* Veronica L. Behrman. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 86-1745. Franklin Moore and Julia Moore, et al., Petitioners *v.* Earle R. Frost, Jr. and Brownfield, Bally & Sturtz. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1749. Bonnie J. Benzies, Petitioner *v.* Illinois Department of Mental Health and Developmental Disabilities. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-1752. Illinois, Petitioner *v.* Jacqueline Gibons and Barry Wilson. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-1755. WMBIC Indemnity Corporation, Petitioner *v.* Superior Court of Los Angeles County (David M. Short, Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 86-1759. Kenneth Wood, et al., Petitioners *v.* International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of

America, Local 406, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1763. Winnie H. Walker, Petitioner *v.* Thielen Motors, Incorporated, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1768. Thomas F. Tobin, Petitioner *v.* Michael Petrillo, et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-1769. City of Lawton, Oklahoma, Petitioner *v.* Leonard Carl Turner. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 86-1770. Oklahoma Corporation Commission, Petitioner *v.* Harry R. Carlile Trust, Zelda Arthurs, Trustee. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 86-1777. Frank J. Szopko, Petitioner *v.* Kinsman Marine Transit Company. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 86-1809. Louis H. Peregoff, Petitioner *v.* Chesapeake and Potomac Telephone Company of Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 86-1819. Henry Borelli, Petitioner *v.* United States;

No. 86-1820. Ronald Ustica, Petitioner *v.* United States;

No. 86-1821. Edward Rendini, Petitioner *v.* United States; and

No. 86-6810. Ronald Turekian, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1835. Alan J. Rochman, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1844. Louise V. Cavanaugh, et al., etc., Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-5590. Herbert D. Dettmer, 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. 86-6447. Valley Plainsance, Sr., Petitioner *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 86-6500. Kenneth Davis, Petitioner *v.* United States;

No. 86-6522. Howard Ransom, Petitioner *v.* United States;

No. 86-6530. Duane Davis, Petitioner *v.* United States; and

No. 86-6792. Alicia Davis, Petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6505. Kimberly Nixon Redfern, Petitioner *v.* Texas. Petition for writ of certiorari to the Court of Appeals of Texas, Third District, denied.

No. 86-6524. Barney Earl Crutchfield, 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. 86-6565. Dean K. Felton, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6587. Susan Tosch, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 86-6598. Charles Langford, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6631. Walter Joseph Thibodeaux, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6633. Duane A. Towles, Petitioner *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 86-6788. Onita Mack, Petitioner *v.* Chicago Allied Warehouses, Inc., et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 86-6797. Leydell Baker, Petitioner *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 86-6798. Grover C. Jones, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6802. Linda Kay Linder, Petitioner *v.* Raymond J. Linder. Petition for writ of certiorari to the Court of Appeals of Texas, Fifth District, denied.

No. 86-6803. Patricia A. Fahey, Petitioner *v.* James E. Beckley & Associates. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6805. Edgar Simpson, Petitioner *v.* Richard K. Bowers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6806. Clifton Fransaw, 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. 86-6807. Daniel M. Groff, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 86-6815. Glenn Michael Moore, Petitioner *v.* Frank C. Blackburn, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6829. Charles Curtis Hairston, Petitioner *v.* M. D. Tingen, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6830. Patrick James Campbell, Petitioner *v.* Montana. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 86-6831. David W. Burks, Petitioner *v.* Holiday Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6852. Manuel Villanueva, 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. 86-6861. Peter Ogoejiofo Akudigwe, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6869. Stephen DiGregorio, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6870. Karen Ruth Gordon, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6874. Thomas James Halbleib, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6877. Gordon London, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6888. Milton Brown, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6892. Damus Byron Vanover, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6916. Robert Maker, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6917. Richard J. Scutari, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1115. Louisiana Land and Exploration Company, Petitioner *v.* Texaco, Inc. The motion of Louisiana Landowners Association, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of National Association of Royalty Owners, Inc. for leave to file a brief as *amicus curiae* is granted. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 86-1572. Ralph Kemp, Warden, Petitioner *v.* William Anthony Brooks. 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. 86-1765. James W. Fairman, Warden, Petitioner *v.* Miguel Espinoza. 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. 86-1575. Department of Banking and Consumer Finance, State of Mississippi, Petitioner *v.* Robert L. Clarke, Comptroller of the Currency of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice Blackmun took no part in the consideration or decision of this petition.

No. 86-1599. Hector Reuben Sanchez, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-1754. Wilbert Lee Evans, Petitioner *v.* Toni V. Bair, Warden. Petition for writ of certiorari to the Circuit Court of Alexandria,

Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6436. Robert Perry DeHart, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6491. Andrea Hicks 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. 86-6654. Anthony Guest, Petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6823. Patricia Ann Thomas Jackson, 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. 86-6944. Alan Jeffrey Bannister, 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. 86-6984. Wayne E. Ritter, 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. 86-1638. Lee Enterprises, Incorporated and Donald Schwennesen, Petitioners *v.* Warren E. Sible. The motion of American Newspaper Publishers Association, et al. for leave to file a brief as *amici curiae* is granted. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 86-1686. Ford Motor Company, Petitioner *v.* Kathy Andersen, et al. The motion of Chamber of Commerce 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 Eighth Circuit denied. Justice Blackmun took no part in the consideration or decision of this motion and this petition.

No. 86-1761. Lottie Pratt and JoAnn Alred, Petitioners *v.* Jack Shoemate, Superintendent of the Osage Indian Agency, et al. The motion of petitioners to strike brief of federal respondents is denied.

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

No. 86-1964. James G. Wallace, Petitioner *v.* Arizona. The application for stay of execution of the 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 Supreme Court of Arizona is denied. Justice Brennan and Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant the application for stay, the petition for a writ of certiorari and vacate the death sentence in this case.

No. 86-6821. Jane Jroe, Petitioner *v.* Jud Carhart, 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 Judicial Court of Massachusetts denied.

#### MANDAMUS DENIED

No. 86-6767. In Re Lawrence D. Caldwell, Petitioner. The petition for writ of mandamus is denied.

#### PROHIBITION DENIED

No. 86-6783. In Re Jimmie L. Phillips, Jr., Petitioner. The petition for writ of prohibition is denied.

#### REHEARINGS DENIED

No. 85-2169. Saint Francis College, et al., Petitioners *v.* Majid Ghaidan Al-Khazraji, etc.;

No. 86-1510. J. Stanley Tyrakowski, Appellant *v.* Wladyslawa Barr Tyrakowski;

No. 86-1597. Lavaun Chetister, Petitioner *v.* Andy Douglas, Judge, Supreme Court of Ohio, et al.;

No. 86-5026. Jimmy C. Wingo, Petitioner *v.* Frank Blackburn, Warden;

No. 86-5292. Alvin Scott Loyd, Petitioner *v.* Louisiana;

No. 86-5379. Willie Watson, Petitioner *v.* Frank Blackburn, Warden;

No. 86-5426. John Brogdon, Petitioner *v.* Frank Blackburn, Warden;

No. 86-5436. Jimmy L. Glass, Petitioner *v.* Frank Blackburn, Warden;

No. 86-5544. Herbert Welcome, Petitioner *v.* Frank Blackburn, Warden;

No. 86-5800. Benjamin A. Berry, Petitioner *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections, et al.;

No. 86-6043. Sterling R. Rault, Sr., Petitioner *v.* Frank Blackburn, Warden;

No. 86-6188. Alvin R. Moore, Jr., Petitioner *v.* Frank Blackburn, Warden;

No. 86-6303. Dale S. Pierre, aka Dale Selby, Petitioner *v.* Kenneth Shulsen, Warden, et al.;

No. 86-6322. George Ross, Petitioner *v.* Charles H. Zimmerman, Superintendent, State Correctional Institution and Correctional Diagnostic and Classification Center at Graterford, et al.;

No. 86-6364. Allen Lou Stickles, Petitioner *v.* Veterans Administration;

No. 86-6397. Ernest B. Lopez, Petitioner *v.* United States;

No. 86-6473. Roberto Ramirez, Petitioner *v.* Illinois;

No. 86-6603. Wilburn Dobbs, Petitioner *v.* Ralph Kemp, Warden;

No. 86-6609. James M. Carpenter, Petitioner *v.* Richard D. Heeter, Judge, Municipal Court of Lima, Ohio, et al.; and

No. 86-6686. Rowland Lovingood, Petitioner *v.* United States. The petitions for rehearing are denied.

No. 85-5402. Michael A. Grady, Petitioner *v.* Missouri. The motion for leave to file a petition for rehearing is denied.

No. 86-1366. Duquesne Light Company, et al., Appellants *v.* State Tax Department of West Virginia, et al. The petition for rehearing is denied. Justice Powell took no part in the consideration or decision of this petition.

No. 86-5769. William Lee Thompson, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The application for stay of execution of sentence of death addressed to Justice Stevens and referred to the Court is denied. Justice Brennan and Justice Marshall would grant the application for stay. The petition for rehearing is denied.

#### RECESS ORDER

The Court will take a recess from Tuesday, June 23, 1987, until Monday, June 29, 1987.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kurt Eric Ahrendt	Tallahassee, FL	Doris E. Jenkins
David Alan Ast	Morristown, NJ	John Lyon Moore
Robert Alan Barr	Palo Alto, CA	Roger L. Cook
Charles Bergamo	Hackensack, NJ	Charles Rodgers
Angela Catherine Blakeley	Orlando, FL	Robert Charles Wattles
Alan R. Borlack	Chicago, IL	George Norman Gordon
John D. Boydston	Onapa, OK	Paul Russell Hodgson
Kenneth J. Burford	Bethpage, NY	Mark Benson Feinstein
John Michael Clarke	New York, NY	Sandra DiIorio Thorn
Rebecca Fe de Montreve- McKela Cohen	San Antonio, TX	James Roger Bass
Douglas Howard Cook	Phoenix, AZ	Mitchell C. Laird
Patrick J. Coyne	Washington, DC	Judge Edward S. Smith
John Anthony Danaher III	Hartford, CT	John A. Danaher
Oleh Nestor Dekajio	New York, NY	Mitchell Bedell
Stuart Dobbs	Springfield, IL	Robert Emmet O'Malley
Michael L. Durham	Houston, TX	Ronald Jerome Waska
William E. Dysart	La Jolla, CA	Mitchell Barry Dubick
Robert Louis Eisenberg	Carson City, NV	Loyal Robert Hibbs
David B. Erikson	Salt Lake City, UT	Dan S. Bushnell
Bernard D. Faigenbaum	Philadelphia, PA	Thomas William Jennings
Thomas Joseph Farrelly	Brooklyn, NY	Richard Hopkins Wagner
Peter J. Ferguson	Santa Ana, CA	Robert Philip App

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph Thomas FitzSimmons	Chicago, IL	Edward Lloyd Schuller
Jo Anne Frankfurt	San Francisco, CA	John Marshall True III
Joseph V. Hamilton Jr. Robert Curtis Harper	New York, NY Brunswick, GA	Gale Zareko Eugene Highsmith
Joan Whipple Howarth	Los Angeles, CA	Paul Lindsey Hoffman
James T. Huber	Allentown, PA	Edward J. Zamborsky
Daniel A. Klint David M. Kothman Michael John Litak	Coon Rapids, MN Cincinnati, OH Chicago, IL	George L. May David H. Beaver John G. Thomas III
Michael A. Makulski Richard D. Manthei Kenneth F. McCallion	Midland, MI Washington, DC New York, NY	Ronald Lee Davis George M. Burditt James Daniel Harmon Jr.
J. Grant McGuire	Huntington, WV	Charles Frank Bagley III
John Patrick Milroy Peter N. Molligan Eric Stephen Multhaup	Chicago, IL San Francisco, CA San Francisco, CA	James P. Daley James Geagan Michael G. Millman
Todd Natkin Ronald Charles Polle Susan Corner Rosen Lewis Dennis Schiliro	Scarsdale, NY Des Moines, IA Charleston, SC North Merrick, NY	Daniel John Popeo Leo J. Steffen Jr. Morris D. Rosen Louis Joseph Freeh
Francis E. Schiller	Jersey City, NJ	Bernard M. Hartnett Jr.
Martha O. Shoemaker Frank Anthony Silane	New York, NY Los Angeles, CA	Jeffrey I. Slonim George Nelson Tompkins Jr.
Daniel Lee Simmons	Washington, DC	Lawrence B. Gibbs

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Hodges Spear	Dallas, TX	Samuel Lane Boyd
William M. Spieler	St. Louis, MO	Donald L. Turbyfill
Roger C. Stanford	New Bedford, MA	Lance J. Garth
Gregory Brent Stein	Mobile, AL	James Uriah Blacksher
Mark S. Stern	Milwaukee, WI	Judge Victor Manian
Lawrence E. Stevens	Salt Lake City, UT	Gordon L. Roberts
Donald Raymond Stone	Washington, DC	George M. Burditt
Paul Cyril Sunderland	Cincinnati, OH	Granville Allen Gano
Bernard Reynold Suter	San Francisco, CA	Peter R. Boutin
William Gregory Thiel	Eau Claire, WI	Frederick W. Fischer
Belle Brotemarkle Turner	Daytona Beach, FL	Winifred Johnson Sharp
Michael Vitiello	New Orleans, LA	Gerard A. Rault Jr.
John R. Whelan	Bristol, CT	Bernard Francis McGovern Jr.
Ellen F. Whittemore	Las Vegas, NV	D. Brian McKay

#### OPINIONS

No. 86-177. Anthony R. Tanner and William M. Conover, Petitioners *v.* United States. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed 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 Marshall concurring in part and dissenting in part with whom Justice Brennan, Justice Blackmun, and Justice Stevens join.

No. 86-497. Agency Holding Corporation, et al., Petitioners *v.* Malley-Duff & Associates, Inc.; and

No. 86-531. Crown Life Insurance Company, et al., Petitioners *v.* Malley-Duff & Associates, Inc., et al. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Justice O'Connor. Opinion by Justice Scalia concurring in the judgment.

No. 86-511. Commissioner of Internal Revenue, Petitioner *v.* Peter R. Fink, et ux. 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 Powell. Concurring opinion by Justice White. Opinion by Justice Scalia concurring in the judgment. Statement by Justice Blackmun concurring in the result. Dissenting opinion by Justice Stevens.

No. 86-246. George Sumner, Director, Nevada Department of Prisons, et al., Petitioners *v.* Raymond Wallace Shuman. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Blackmun. Dissenting opinion by Justice White with whom the Chief Justice and Justice Scalia join.

No. 86-130. Vickie Lorene Rock, Petitioner *v.* Arkansas. On writ of certiorari to the Supreme Court of Arkansas. Judgment vacated and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Blackmun. Dissenting opinion by the Chief Justice with whom Justice White, Justice O'Connor and Justice Scalia join.

No. 86-88. Citicorp Industrial Credit, Inc., Petitioner *v.* William E. Brock, Secretary of Labor. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Justice Marshall. Concurring statement by Justice Scalia. Dissenting opinion by Justice Stevens with whom Justice White joins.

No. 86-6. James G. Ricketts, Director, Arizona Department of Corrections, et al., Petitioners *v.* John Harvey Adamson. 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 Brennan with whom Justice Marshall, Justice Blackmun and Justice Stevens join.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Marie A. Johnson	Kalamazoo, MI	Michael Hagner McConihe
Gordon Frederick Bobell	Whittier, CA	Ronald John Rakowsky
Salvador Sanders	Los Angeles, CA	Norton Jay Come

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Eduardo Soto-Tamames	Miami, FL	Norton Jay Come
Richard David Culver	Greenfield, IN	Marilyn Tucker Quayle
Larry Crawford Gossett	Greenfield, IN	Marilyn Tucker Quayle
John Robert Hill	Greenfield, IN	Marilyn Tucker Quayle
Gerald L. Lawlis	Indianapolis, IN	Marilyn Tucker Quayle
David Porter Murphy	Greenfield, IN	Marilyn Tucker Quayle
Lyn W. O'Neal	Greenfield, IN	Marilyn Tucker Quayle
Donald Eugene Snow	Greenfield, IN	Marilyn Tucker Quayle
Sarah Margaret Wolf	Greenfield, IN	Marilyn Tucker Quayle
Timothy Hill Battern	St. Louis, MO	Christopher Samuel Bond
Sherri Sullivan Berbigler	St. Louis, MO	Christopher Samuel Bond
Liam Seosam Coonan	Washington, DC	Christopher Samuel Bond
Kevin Dinwiddie	Jefferson City, MO	Christopher Samuel Bond
Jimmie Murphy Edwards	St. Louis, MO	Christopher Samuel Bond
Hermann H. Eisele	St. Louis, MO	Christopher Samuel Bond
Clyde C. Farris Jr.	St. Louis, MO	Christopher Samuel Bond
Patricia Ann Flood	Clayton, MO	Christopher Samuel Bond
Richard Craig Friedman	St. Louis, MO	Christopher Samuel Bond
Robyn Rachael Gilliom	St. Louis, MO	Christopher Samuel Bond
Terry A. Gould	St. Louis, MO	Christopher Samuel Bond

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Henry Herman	St. Louis, MO	Christopher Samuel Bond
Robert Edward Keller	St. Louis, MO	Christopher Samuel Bond
Daniel James Kortum	Pittsburgh, PA	Christopher Samuel Bond
Susan H. Mello	St. Louis, MO	Christopher Samuel Bond
Michael Foss Merritt	St. Louis, MO	Christopher Samuel Bond
Margaret M. Neill	St. Louis, MO	Christopher Samuel Bond
David Allyn Shaller	Clayton, MO	Christopher Samuel Bond
Stewart W. Smith Jr.	St. Louis, MO	Christopher Samuel Bond
Joseph Pascal Sommer	St. Louis, MO	Christopher Samuel Bond
James Edward Sullivan	St. Louis, MO	Christopher Samuel Bond
Gordon F. Webb	St. Louis, MO	Christopher Samuel Bond
David Eugene Woodside	Jefferson City, MO	Christopher Samuel Bond
Margaret Lee Covey	Los Angeles, CA	Frederick Randolph Anderson
Dana Abrahamsen	Washington, DC	Frederick Randolph Anderson
Maurice Irwin Burstein	Washington, DC	Frederick Randolph Anderson
Marc Richard Emden	Washington, DC	Frederick Randolph Anderson
John Postler Gregg	Washington, DC	Frederick Randolph Anderson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Francis Mackey	Alexandria, VA	Frederick Randolph Anderson
Irene H. Miels	Washington, DC	Frederick Randolph Anderson
Howard Phifer	Washington, DC	Frederick Randolph Anderson
Stephen Michael Salinger	Washington, DC	Frederick Randolph Anderson
Tommye Jolly Tinkham	Washington, DC	Frederick Randolph Anderson
Lora L. Tredway	Washington, DC	Frederick Randolph Anderson
Thomas W. Vassar	Washington, DC	Frederick Randolph Anderson
Alan Mark Weinberger	McLean, VA	Frederick Randolph Anderson
Kenneth B. Shutzer	Lynn, MA	Frederick Randolph Anderson
Charles Jeffrey Janus	Takoma Park, MD	Frederick Randolph Anderson
Robin Janick Weinberger	McLean, VA	Frederick Randolph Anderson
David R. Stickman	Omaha, NB	Frederick Randolph Anderson
Steven Hyman Isaacson	Roseland, NJ	Frederick Randolph Anderson

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Abbe Monica Gouse	New York, NY	Frederick Randolph Anderson
Carleton Bruce Laidlaw Jr.	Syracuse, NY	Frederick Randolph Anderson
Karl C. Seman	Garden City, NY	Frederick Randolph Anderson
Rosemarie P. Annunziata	Fairfax, VA	Frederick Randolph Anderson
Charles Elwin Gaba	Herndon, VA	Frederick Randolph Anderson
Patricia Lynn Maskell	McLean, VA	Frederick Randolph Anderson

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-1963. Tyler Pipe Industries, Inc., Appellant *v.* Washington Department of Revenue; and

No. 85-2006. National Can Corporation, et al., Appellants *v.* Washington State Department of Revenue. Appeals from the Supreme Court of Washington. Judgments vacated and cases remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Stevens. Opinion by Justice Scalia concurring in part and dissenting in part with whom the Chief Justice joins as to Part I. Concurring opinion by Justice O'Connor. Justice Powell took no part in the consideration or decision of these cases.

No. 86-357. American Trucking Associations, Inc., et al., Appellants *v.* James I. Scheiner, Secretary, Department of Revenue, et al. Appeal from the Supreme Court of Pennsylvania, Middle District. Judgment reversed and case remanded to the Supreme Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Stevens. Dissenting opinion by Justice O'Connor with whom the Chief Justice and Justice Powell join. Dissenting opinion by Justice Scalia with whom the Chief Justice joins.

No. 85-2116. Puerto Rico, Petitioner *v.* Terry E. Branstad, 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 Marshall. Opinion by Justice O'Connor concurring in part and concurring in the judgment with whom Justice Powell joins. Opinion by Justice Scalia concurring in part and concurring in the judgment.

No. 85-6725. William John Bourjaily, Petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by the Chief Justice. Concurring opinion by Justice Stevens. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join.

No. 86-260. South Dakota, Petitioner *v.* Elizabeth H. Dole, Secretary, United States Department of Transportation. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed. Opinion by the Chief Justice. Dissenting opinion by Justice Brennan. Dissenting opinion by Justice O'Connor.

No. 85-1835. California, Petitioner *v.* Peter Rooney. On writ of certiorari to the Court of Appeal of California, Second Appellate District. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by the Chief Justice. Justice Marshall concurs in the judgment. Dissenting opinion by Justice White with whom the Chief Justice and Justice Powell join.

#### ORDERS IN PENDING CASES

No. 86-1970. Mississippi Power & Light Co., Appellant *v.* Mississippi ex rel. Edwin Lloyd Pittman, Attorney General of Mississippi, and Mississippi Legal Services Coalition. The application for stay of the Order Granting Mandatory Temporary Restraining Order and Setting Aside Chancery Court Order of June 18, 1987, issued by the Supreme Court of Mississippi on June 19, 1987, presented to Justice White and by him referred to the Court, is hereby granted pending further order of the Court.

No. A-944. Elliott Rod Johnson, Applicant *v.* James A. Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of the 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 O'Connor took no part in the consideration or decision of this application.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

## OPINIONS

No. 85-5348. David Buchanan, Petitioner *v.* Kentucky. On writ of certiorari to the Supreme Court of Kentucky. Judgment affirmed. Opinion by Justice Blackmun. Dissenting opinion by Justice Marshall with whom Justice Brennan joins and Justice Stevens joins as to Part I.

No. 85-2068. Walter H. Rankin, etc., et al., Petitioners *v.* Ardith McPherson. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Justice Marshall. Concurring opinion by Justice Powell. Dissenting opinion by Justice Scalia with whom the Chief Justice, Justice White and Justice O'Connor join.

No. 86-179. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, et al., Appellants *v.* Christine J. Amos, et al.; and

No. 86-401. United States, Appellant *v.* Christine J. Amos, et al. Appeals from the United States District Court for the District of Utah. Judgment reversed and cases remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Justice White. Opinion by Justice Brennan concurring in the judgment with whom Justice Marshall joins. Opinion by Justice Blackmun concurring in the judgment. Opinion by Justice O'Connor concurring in the judgment.

No. 86-234. Charles J. McNally, Petitioner *v.* United States; and

No. 86-286. James E. Gray, Petitioner *v.* United States. On writs of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and cases 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 O'Connor joins as to Parts I, II and III.

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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 Powell, Justice Stevens, Justice O'Connor and Justice Scalia.

## OPINIONS

No. 96-393. United States, et al., Petitioners *v.* James B. Stanley, et al. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment reversed 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 Scalia. Opinion by Justice O'Connor concurring in part and dissenting in part. Dissenting opinion by Justice Brennan with whom Justice Marshall joins and with whom Justice Stevens joins as to Part III.

No. 85-1520. Russell Anderson, Petitioner *v.* Robert E. Creighton, Jr., et ux., et al. On writ of certiorari to the United States Court of Appeals for the Eighth 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 Scalia. Dissenting opinion by Justice Stevens with whom Justice Brennan and Justice Marshall join.

No. 86-98. Gregory L. Rivera, Appellant *v.* Jean Marie Minnich. Appeal from the Supreme Court of Pennsylvania, Eastern District. Judgment affirmed. Opinion by Justice Stevens. Opinion by Justice O'Connor concurring in the judgment. Dissenting opinion by Justice Brennan.

No. 86-509. Otis R. Bowen, Secretary of Health and Human Services, Appellant *v.* Beaty Mae Gilliard, et al.; and

No. 86-564. David T. Flaherty, Secretary, North Carolina Department of Human Resources, et al., Appellants *v.* Beaty Mae Gilliard, et al. Appeals from the United States District Court for the Western District of North Carolina. Judgment reversed and cases remanded to the District Court for further proceedings in conformity with the opinion of this Court. Opinion by Justice Stevens. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Dissenting opinion by Justice Blackmun.

No. 85-1716. Jean E. Welch, Petitioner *v.* State Department of Highways and Public Transportation, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment

affirmed. Justice Powell announced the judgment of the Court and delivered an opinion in which the Chief Justice, Justice White and Justice O'Connor join. Opinion by Justice White concurring in the opinion and the judgment. 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.

No. 86-270. San Francisco Arts & Athletics, Inc. and Thomas F. Waddell, Petitioners *v.* United States Olympic Committee and International Olympic Committee. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Justice Powell. Opinion by Justice O'Connor concurring in part and dissenting in part with whom Justice Blackmun joins. Dissenting opinion by Justice Brennan with whom Justice Marshall joins.

No. 85-1581. Richard Solc. io, Petitioner *v.* United States. On writ of certiorari to the United States Court of Military Appeals. Judgment affirmed. Opinion by the Chief Justice. Opinion by Justice Stevens concurring in the judgment. Dissenting opinion by Justice Marshall with whom Justice Brennan joins and with whom Justice Blackmun joins in all but the last paragraph.

The Chief Justice said:

“Tomorrow, June 26, 1987, the Court will announce all the remaining opinions ready for announcement during the Term of the Court.”

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Powell, Justice Stevens, 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."

## OPINIONS

No. 86-133. James Patrick Nollan, et ux., Appellants *v.* California Coastal Commission. Appeal from the Court of Appeal of California, Second Appellate District. Judgment reversed and case remanded to the Court of Appeal of California, Second Appellate District, for further proceedings not inconsistent with the opinion of this Court. Opinion by Justice Scalia. Dissenting opinion by Justice Brennan with whom Justice Marshall joins. Dissenting opinion by Justice Blackmun. Dissenting opinion by Justice Stevens with whom Justice Blackmun joins.

No. 86-5324. Joseph G. Griffin, Petitioner *v.* Wisconsin. On writ of certiorari to the Supreme Court of Wisconsin. Judgment affirmed. Opinion by Justice Scalia. Dissenting opinion by Justice Blackmun with whom Justice Marshall joins, and with whom Justice Brennan joins as to Parts I-B and I-C, and with whom Justice Stevens joins as to Part I-C. Dissenting opinion by Justice Stevens with whom Justice Marshall joins.

No. 86-5375. Christopher A. Burger, Petitioner *v.* Ralph Kemp, Warden. On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Judgment affirmed. Opinion by Justice Stevens. Dissenting opinion by Justice Blackmun with whom Justice Brennan and Justice Marshall join, and with whom Justice Powell joins as to Part II. Dissenting opinion by Justice Powell with whom Justice Brennan joins.

No. 85-2064. James Greer, Warden, Petitioner *v.* Charles "Chuck" Miller. 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 Powell. Opinion by Justice Stevens concurring in the judgment. Dissenting opinion by Justice Brennan with whom Justice Marshall and Justice Blackmun join.

No. 85-5. Pennsylvania, et al., Petitioners *v.* Delaware Valley Citizens' Council for Clean Air, et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirming the enhancement of fee award for contingency of success in the cause is reversed and case remanded to the Court of Appeals for further proceedings in conformity with the judgment of this Court. Justice White announced the judgment of the Court and delivered an opinion in Parts I, II, and III-A which represent the views of the Court, and Parts III-B, IV, and V which are joined by the Chief Justice, Justice Powell and Justice Scalia. Opinion by Justice O'Connor concurring in part and concurring in the judgment. Dissenting opinion by Justice Blackmun with whom Justice Brennan, Justice Marshall and Justice Stevens join.

#### APPEALS—SUMMARY DISPOSITION

No. 86-358. American Trucking Associations, Inc., et al., Petitioners *v.* Henry C. Gray, Director, Arkansas Highway and Transportation Department, et al. Appeal from the Supreme Court of Arkansas. The motion of Yellow Freight System, et al. for leave to file a brief as *amici curiae* is granted. The judgment is vacated and the case is remanded to the Supreme Court of Arkansas for further consideration in light of *American Trucking Associations, Inc. v. Scheiner*, 483 U. S. — (1987).

No. 86-415. Linda Reivitz, Secretary, Wisconsin Department of Health and Social Services, Appellant *v.* Judy Lesko, et al.; and

No. 86-744. Otis R. Bowen, Secretary of Health and Human Services, Appellant *v.* Judy Lesko, et al. Appeals from the United States District Court for the Eastern District of Wisconsin. The motion of appellees for leave to proceed *in forma pauperis* is granted. The judgment is vacated and the cases are remanded to the United States District Court for the Eastern District of Wisconsin for further consideration in light of *Bowen v. Gilliard*, 483 U. S. — (1987).

No. 86-1140. Otis R. Bowen, Secretary of Health and Human Services, Appellant *v.* Vernita Baldwin, et al.; and

No. 86-1161. James G. Ledbetter, etc., Appellant *v.* Vernita Baldwin. Appeals from the United States District Court for the Northern District of Georgia. The judgment is vacated and the cases are remanded to the United States District Court for the Northern District of Georgia for further consideration in light of *Bowen v. Gilliard*, 483 U. S. — (1987).

No. 86-1722. Heublein, Inc., Appellant *v.* Georgia, et al. Appeal from the Supreme Court of Georgia. The appeal is dismissed for want of

a properly presented federal question. Justice Stevens and Justice Scalia would note probable jurisdiction and set the case for oral argument.

No. 86-1787. L. L. Bean, Inc., Appellant *v.* Drake Publishers, Inc., et al. 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. 86-1948. Henry Anderson, Appellant *v.* Oregon State Bar, 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. 86-1828. F. George Albertus, et al., Appellants *v.* State Tax Commission of Missouri, et al. Appeal from the Supreme Court of Missouri. The appeal is dismissed for want of a substantial federal question.

#### CERTIORARI—SUMMARY DISPOSITION

No. 86-364. Richard W. Blair, etc., et al., Petitioners *v.* Glenn T. Freeman, 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 *Anderson v. Creighton*, 483 U. S. — (1987) and *New York v. Burger*, 482 U. S. — (1987).

No. 86-632. Herman E. McMahan and Charles D. Price, 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 *McNally v. United States*, 483 U. S. — (1987).

No. 86-700. John D. Vodila, Petitioner *v.* Roderick Clelland, 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 *Goodman v. Lukens Steel Company*, 482 U. S. — (1987) and *Saint Francis College v. Al-Khazraji*, 481 U. S. — (1987).

No. 86-905. Philadelphia Electric Company, Petitioner *v.* Black Grievance Committee, 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 *Pennsylvania v. Delaware Valley Citizens' Council for Clean Air*, 483 U. S. — (1987).

No. 86-1490. Ned Ray McWherter, Governor of Tennessee and W. J. Michael Cody, Attorney General of Tennessee, Petitioners *v.* Leonard M. Brooks. 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 *Pennsylvania v. Delaware Valley Citizens' Council for Clean Air*, 483 U. S. — (1987).

No. 86-1628. Michael Tellis, Petitioner *v.* United States Fidelity and Guaranty Company and Parker House Sausage 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 *Agency Holding Corporation v. Malley-Duff & Associates, Inc.*, 483 U. S. —, — (1987).

#### ORDERS IN PENDING CASES

No. —. Great American First Savings Bank, Petitioner *v.* United States. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. —. Marita Rogers, Petitioner *v.* Alan Platt and Kathy Platt. The motion to direct the Clerk to file the petition for writ of certiorari, out-of-time, is denied.

No. D-580. In the Matter of Disbarment of Mary Neal Sisk. Mary Neal Sisk, of New York, New York, having requested to resign as a member of the Bar of this Court, it is ordered that her 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 October 20, 1986, is hereby discharged.

No. D-581. In the Matter of Disbarment of Adolph Allison Hybsha. Disbarment order entered.

No. D-589. In the Matter of Disbarment of Mark J. Benedict. Mark J. Benedict, of Austin, 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 November 17, 1986, is hereby discharged.

No. D-611. In the Matter of Disbarment of Thomas C. Brickle. The motion for reconsideration of the order of disbarment is denied.

No. D-621. In the Matter of Disbarment of Thomas J. Folan. Disbarment order entered.

No. D-628. In the Matter of Disbarment of H. Alva Brumfield, III. Disbarment order entered.

No. D-632. In the Matter of Disbarment of Earl Whitted, Jr. Earl Whitted, Jr., of Goldsboro, North Carolina, 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 May 4, 1987, is hereby discharged.

No. D-637. In the Matter of Disbarment of Robert D. Hoagland. Robert D. Hoagland, of Charlotte, North Carolina, 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 1, 1987, is hereby discharged.

No. D-640. In the Matter of Disbarment of Emil Oxfeld. Emil Oxfeld, of South Orange, New Jersey, 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 1, 1987, is hereby discharged.

No. D-644. In the Matter of Disbarment of Syed M. J. Igbal Jafree. It is ordered that Syed M. J. Igbal Jafree, 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-645. In the Matter of Disbarment of Robert Edwin Freudenberg. It is ordered that Robert Edwin Freudenberg, of San Luis Obispo, 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-646. In the Matter of Disbarment of Harry A. Madsen. It is ordered that Harry A. Madsen, of Park Ridge, 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. 85-1551. Alan J. Karcher, Speaker of the New Jersey General Assembly, et al., Appellants *v.* Jeffrey May, et al. The motion of Ronald Sokalski, et al. for leave to intervene as appellants is denied. The alternative request to file a brief as *amicus curiae* is granted.

No. 86-228. Juozas Kungys, Petitioner *v.* United States. The case is restored to the calendar for reargument. The parties are directed to file supplemental briefs addressing the following questions: (1) Whether petitioner is subject to denaturalization for want of good moral character under 8 U. S. C. Sections 1451(a), 1427(a), and 1101(f)(6), with particular attention to: (a) whether the "false testimony" provision of 8 U. S. C. Section 1101(f)(6) should be interpreted to include a requirement that the false testimony concern a material fact; (b) what standards should govern the determination under 8 U. S. C. Section 1101(f)(6) whether "false testimony" has been given "for the purpose of obtaining any benefits under this chapter. . ."; and (c) whether the latter determination is one of law or fact. (2)(a) Should the materiality standard articulated in *Chaunt v. United States*, 364 U. S. 350 (1960) be abandoned and, if so, what standard should govern the materiality inquiry under 8 U. S. C. Section 1451(a); and (b) is the determination of materiality under 8 U. S. C. Section 1451(a) one of law or fact. (3) When a misrepresentation has been established as "material" within the meaning of 8 U. S. C. Section 1451(a), must any further showing be made to establish that citizenship was "procured by" that misrepresentation. The parties also may address the questions presented in the petition for certiorari. The parties are directed to file opening briefs on or before August 3, 1987. Closing briefs are to be filed on or before August 24, 1987.

No. 86-327. Mullins Coal Company, Inc. of Virginia, et al., Petitioners *v.* Director, Office of Workers' Compensation Programs, United States Department of Labor, et al. The motion of respondent Luke R. Ray for divided argument is denied. The motion of respondent Gerald Stapleton for leave to proceed further herein *in forma pauperis* is

granted. The motion of respondent Gerald Stapleton for leave to file a brief on the merits, out-of-time, is granted.

No. 86-810. Edgar Mosley, Petitioner *v.* Tom Bartman, et al. The motion of petitioner to direct the Clerk to file a petition for rehearing, out-of-time, is denied.

No. 86-811. Edgar Mosley, Petitioner *v.* R. Noel, et al. The motion of petitioner to direct the Clerk to file a petition for rehearing, out-of-time, is denied.

No. 86-1278. Hustler Magazine and Larry C. Flynt, Petitioners *v.* Jerry Falwell. The motion of Law and Humanities Institute for leave to file a brief as *amicus curiae* is granted. The motion of Volunteer Lawyers for the Arts, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Reporters Committee for Freedom of the Press, et al. for leave to file a brief as *amici curiae* is granted. The motion of American Civil Liberties Union Foundation, et al. for leave to file a brief as *amici curiae* is granted. The motion of Richmond Newspapers, Inc., et al. for leave to file a brief as *amici curiae* is granted. The motion of American Editorial Cartoonists, et al. for leave to file a brief as *amici curiae* is granted. The motion of Association of American Publishers, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Home Box Office, Inc. for leave to file a brief as *amicus curiae* is granted.

No. 86-1552. Department of the Navy, Petitioner *v.* Thomas E. Egan. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-1672. Commissioner of Internal Revenue, Petitioner *v.* Jesse C. Bollinger, et al. The motion of the Solicitor General to dispense with printing the joint appendix is granted.

No. 86-1786. United Metal Products Corporation, Petitioner *v.* National Bank of Detroit. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

#### APPEAL—JURISDICTION NOTED

No. 86-6757. John Avery Coy, Appellant *v.* Iowa. Appeal from the Supreme Court of Iowa. The motion of appellant for leave to proceed *in forma pauperis* is granted. In this case probable jurisdiction is noted.

#### CERTIORARI GRANTED

No. 86-684. California, Petitioner *v.* Billy Greenwood and Dyanne Van Houten. The motion of respondents for leave to proceed *in forma*

*pauperis* is granted. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, granted.

#### CERTIORARI DENIED

No. 85-1437. Patricia Wilkins, Petitioner *v.* Christopher Sayres, et al.; and Patricia Wilkins, Petitioner *v.* Frederick Rousch, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 85-1519. Thomas Hooper, et al., Petitioners *v.* William Donta, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 85-1691. Sanford Bernstein, Petitioner *v.* Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 85-1892. Donald J. Paone, Petitioner *v.* United States;

No. 85-1901. Samuel Russotti, Petitioner *v.* United States;

No. 85-1902. Rene Piccarreto, Petitioner *v.* United States; and

No. 85-1949. Richard J. Marino and Joseph R. Rossi, Petitioners *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-11. Leroy Frantz, Jr. and Sheila Frantz, Petitioners *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-69. American Trucking Associations, Inc., et al., Petitioners *v.* William Conway, etc., et al.;

No. 86-276. William Conway, et al., Petitioners *v.* American Trucking Associations, et al. Petitions for writs of certiorari to the Supreme Court of Vermont denied.

No. 86-443. Board of Regents of the University of Maryland, et al., Petitioners *v.* James B. Stanley, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-570. County of Fresno, et al., Petitioners *v.* Superior Court of the County of Fresno (Angela Sharon Motsenbocker, Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 86-815. John F. Duffy, Sheriff, County of San Diego, California, Petitioner *v.* Judith A. Ward. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-934. Robert T. Puskaric and Chester Jenkins, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-953. Randy W. J. Abell, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 86-1121. County of Monroe, et al., Petitioners *v.* Ann Weber, et vir. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1141. George Vakalis, Petitioner *v.* Eugene M. Kagan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1144. City of Montgomery, et al., Petitioners *v.* Stephen A. Eiland. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1432. Elizabeth A. Gobla, Petitioner *v.* Crestwood School District, William Smodic and Theodore J. Geffert. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1508. David Hankins, Petitioner *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1542. H. Dean Olson, et al., Petitioners *v.* Glennell Exkano, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1600. Hernan Botero, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1601. Ramon Azurin and Gregorio Araneta, Petitioners *v.* William von Raab, Commissioner of Customs of the United States Customs Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1603. Braj Nandan Singh, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1713. James Caporale, et al., Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1756. Harry R. Carlile Trust, Zelda Arthurs, Trustee, Petitioners *v.* Cotton Petroleum Corporation, et al. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 86-1762. Manhattan Eye, Ear and Throat Hospital, 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. 86-1766. Edward Caudill, Petitioner *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 86-1771. Student Roe, a minor by her next friend and natural guardian, M. Roe, Petitioner *v.* Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-1774. George Albert Ramirez, Petitioner *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 86-1776. Donald Gagne, etc., et al., Petitioners *v.* Mike Putnal. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1778. Nassau County Republican Committee, et al., Petitioners *v.* Lorraine C. Cullen, John L. Jund and Michael Landi, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1779. John B. Dunkle, Clerk, Circuit Court, Fifteenth Judicial Circuit of Florida, et al., Petitioners *v.* Camden I Condominium Association, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-1780. Nancy Angi, fka Nancy Nerat, Petitioner *v.* Marilyn Swacker, et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-1789. James Chongris and George Chongris, Petitioners *v.* Board of Appeals of Town of Andover, Massachusetts, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-1795. Robert J. Kondrat, Petitioner *v.* Barry M. Byron, Melvin G. Schaefer and George Kraincic. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1798. Nathaniel Atchison, Petitioner *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 86-1799. International Sound Technicians, et al., Petitioners *v.* Motion Pictures & Videotape Editors Guild, et al. Petition for writ of

certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1801. Irvin James Huntzinger, Sr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Federal Circuit denied.

No. 86-1808. Robert W. Costigan, Petitioner *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia Office, denied.

No. 86-1811. William Anest, et al., Petitioners *v.* Lake County, Illinois, et al. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 86-1814. Thomas K. Pinner, Petitioner *v.* James J. Schmidt, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1832. Pat Tata, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-1848. James Shelton, et ux., dba University Village Music Center, Petitioners *v.* United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-1859. Proctor Hopson Post Memorial Association, Inc., Petitioner *v.* City of New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 86-1881. Tracy S. Barcelona, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-1886. Cooper Stevedoring Company, Inc., et al., Petitioners *v.* Aetna Casualty & Surety Company. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 86-1897. John J. Finn, Petitioner *v.* Sheila H. Finn. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 86-1907. Dilip K. Paul, Petitioner *v.* Federal Mine Safety and Health Review Commission and PB-KBB, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-1916. John Flahive, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-1928. W. W. Mims, Individually and dba The Edgefield Advertiser, Petitioner *v.* Edgefield County Communications, Inc., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 86-6183. Herman Vitatoe, Petitioner *v.* Otie R. Jones, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6221. Sylvester Jones, Petitioner *v.* First American Title Insurance Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6331. Robert E. Kelly, Petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 86-6445. Brett C. Kimberlin, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6523. Reed Wayne Hamilton, 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. 86-6672. Eugene Gregory, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6759. Sylvester Jones, Petitioner *v.* Raymond Howard, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6763. Robert Patton, Petitioner *v.* Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6826. Jerry L. Freeman, Petitioner *v.* Neil F. Hartigan, Attorney General of Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 86-6836. Herman Joshua Wallace and Albert Woodfox, Petitioners *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6840. Scott Michael Brasier, Petitioner *v.* Peter A. Douglas, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6842. Lawrence L. Flowers, 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. 86-6843. Bernard Carter Jerry-El, 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. 86-6850. Edward Currington, Petitioner *v.* Burl Duncan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6851. Isaac Edward Allen, Petitioner *v.* John Ashcroft, Governor of Missouri, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6853. Arnold L. Ruebke, Jr., Petitioner *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 86-6856. Willie Marshall, aka Abdullah Al-Amin Mustafa, 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. 86-6857. William Arthur Knight, 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. 86-6860. Bill Yuhas, Petitioner *v.* Mark Stroud. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 86-6866. David Dennis, 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. 86-6868. Charles L. Elliott, Petitioner *v.* Alan Stagner, Superintendent, Correctional Training Facility, Soledad, California, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 86-6871. John Craig Kehoe, 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. 86-6872. Joyce A. Foreman, Petitioner *v.* National Treasury Employees Union, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 86-6873. Bruce Quillon 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. 86-6876. Alvin Lee Harrison, 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. 86-6882. Victory Leonard Vesay, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6883. William E. Martin, Petitioner *v.* Richard P. Seiter. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6885. Darlene Schmidt, Petitioner *v.* Byron Schmidt, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 86-6893. Gregory R. Swink, Petitioner *v.* City of Pagedale, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6898. Tommy Spann, Petitioner *v.* Eugene S. LeFevre, Supt., Clinton Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86-6918. Mitsuko Shibuya, Petitioner *v.* Court of Appeals of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 86-6926. Daniel Dean Hepperle, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 86-6927. Ross Aaron, Petitioner *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 86-6928. Clarence Timmons, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 86-6939. Willie C. Davis, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 86-6940. Stephen J. Coghlan, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 86-6943. David Todd Jones, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6945. Juan Cordoba, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit denied.

No. 86-6961. Milton J. Conklin, Jr. Petitioner *v.* Elijah Tard, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 86-6962. Jorge Luis Buitrago, Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 86-6972. Herbert Collins, Petitioner *v.* Robert Brown, Jr., Director, Michigan Department of Corrections. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 86-6980. Charles Edward Jackson, Jr., Petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 85-5534. William "Billy" Mitchell, Petitioner *v.* Ralph Kemp, Warden. The petition for a writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is denied. Dissenting opinion by Justice Marshall with whom Justice Brennan and Justice Blackmun join.

No. 86-419. Ernest S. Patton, Ronald J. Marks, J. Harvey Bell and William Harrison, Petitioners *v.* Gregory S. Sourbeer. 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. 86-1505. Prestress Engineering Corporation, Petitioner *v.* Jose Isabel Gonzalez and John Repyak. Petition for writ of certiorari to the Supreme Court of Illinois denied. Dissenting opinion by Justice White.

No. 86-1800. G. M. Atkinson, et al., Petitioners *v.* Anadarko Bank & Trust Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Justice White would grant certiorari.

No. 86-1815. Credit Bureau Services, etc., Petitioner *v.* Thomas K. Pinner. The motion of Trans Union Credit Information Co. for leave to file a brief as *amicus curiae* is granted. The motion of Associated Credit Bureaus, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Credit Bureau, Incorporated of Georgia 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. 86-5391. Dobie Gillis Williams, Petitioner *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6506. Lois Nadean Smith, 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. 86-6825. Gregory Warren Beaver, Petitioner *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6921. Wayne Tompkins, Petitioner *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6969. Gerald M. Smith, 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. 86-6224. Jesse Joseph Tafero, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The motion of National Association of Criminal Defense Lawyers 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. Dissenting statement by Justice Brennan and Justice Marshall.

No. 86-6985. Connie Ray Evans, Petitioner *v.* Morris Thigpen, Commissioner, Mississippi Department of Corrections. The application for stay of execution of the 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.

#### REHEARINGS DENIED

No. 85-2121. Arizona, Petitioner *v.* William Carl Mauro;

No. 86-1136. Clement J. Pacyna, Petitioner *v.* John O. Marsh, Jr., Secretary of the Army;

No. 86-1669. Carl B. Branson, Appellant *v.* Cora Northington, et al.; and

No. 86-6702. Harlan Brian Cosner, Appellant *v.* Oregon. The petitions for rehearing are denied.

No. 85-2102. Montauk-Caribbean Airways, Inc., dba Long Island Airlines, Petitioner *v.* Judith Hope, et al.; and

No. 86-6429. Henry L. McCone, Petitioner *v.* District Court of Albany County, et al. The motions for leave to file petitions for rehearing are denied.

No. 86-1363. Robert W. Wangrud, Appellant *v.* Oregon. The petition for rehearing and other relief is denied.

No. 86-6750. Charles Troy Coleman, Petitioner *v.* John N. Brown, Warden, et al. The motion of respondents for leave to file response to petitioner's petition for rehearing is denied. The petition for rehearing is denied.

#### RECESS ORDER

The Court will take a recess from today until the first Monday in October, 1987, at which time the October 1986 Term will adjourn.

The Chief Justice said:

"Before we turn to the final announcement on today's calendar, we wish to take note with great regret the retirement of Justice Lewis F. Powell as a member of the Court. In due course, all eight of his colleagues will express in the form of a traditional letter their feelings for him as a friend and as a judge, and this letter and his response to it will then be made part of the Journal of the Court's proceedings.

Justice Powell came to the Court after an illustrious career of private practice and public service bespeaking the best traditions of the legal profession. He has now capped that career with fifteen years of able and devoted service as a Justice of this Court. We shall miss his wise counsel in our deliberations, but we look forward to being the continuing beneficiaries of his friendship."

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#### ORDER

Pursuant to the provisions of Title 28 U. S. C. Section 42, it is ordered that Justice White be, and he is hereby, assigned to the Eleventh Circuit as Circuit Justice, effective June 26, 1987, pending further order.

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#### ORDER IN PENDING CASE

No. A-2. Richard L. Dugger, Secretary, Florida Department of Corrections, Applicant *v.* James Agan. 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 White and by him referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 87-5038. Richard L. Whitley, Petitioner *v.* Muncy, Warden, 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 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.



SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 87-5052. John Russell Thompson, 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 writ of certiorari to the United States Court of Appeals for the Fifth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall. Justice Stevens would grant the application for stay of execution of the sentence of death.

No. 87-5053. John Russell Thompson, 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 writ of certiorari to the United States Court of Appeals for the Fifth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

No. 87-5070. Connie Ray Evans, Petitioner *v.* Donald A. Cabana, Acting Commissioner, Mississippi Department of Corrections. 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. Justice O'Connor took no part in the consideration or decision of this petition.

## REHEARING DENIED

No. 86-6985. Connie Ray Evans, Petitioner *v.* Morris Thigpen, Commissioner, Mississippi Department of Corrections. The application for stay of execution of the sentence of death addressed to Justice Brennan and referred to the Court is denied. Justice Brennan and Justice Marshall would grant the application. The petition for rehearing is denied.



SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 87-5130. Willie Lawrence Celestine, Petitioner *v.* Hilton Butler, Warden. 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 opinion by Justice Brennan and Justice Marshall.



SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-65. Lincoln Park Nursing and Convalescent Home, Applicant *v.* Richard Kahn, Guardian ad litem of Nancy Ellen Jobes, et al. The application for stay addressed to Justice Scalia and referred to the Court is denied. Justice Brennan took no part in the consideration or decision of this application.

No. 87-5161. Willie Watson, Jr., Petitioner *v.* Hilton Butler, Warden. The application for stay of execution of the sentence of death, presented to Justice White and by him referred to the Court, is denied. Dissenting opinion by Justice Brennan and Justice Marshall with whom Justice Blackmun joins as to Parts II and III. Justice Stevens would grant the application for stay of execution of sentence of death.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, 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."

## ORDERS IN PENDING CASES

No. A-909. Earlene Polyak, Applicant *v.* Tim T. Hamilton, etc., et al. The motion to compel the Clerk to docket a jurisdictional statement and a petition for a writ of certiorari addressed to Justice Blackmun and referred to the Court is denied.

No. A-910. Earlene Polyak, Applicant *v.* Buford Evans and Sons. The motion to compel the Clerk to file a petition for a common law writ of certiorari addressed to Justice Blackmun and referred to the Court is denied.

No. A-934. Mario A. Stein, Applicant *v.* United States. The application for bail addressed to Justice Brennan and referred to the Court is denied.

No. D-597. In the Matter of Disbarment of Edwin George Fabre. Disbarment order entered.

No. D-612. In the Matter of Disbarment of James Bing. Disbarment order entered.

No. D-620. In the Matter of Disbarment of Anthony V. DeCello. Disbarment order entered.

No. D-624. In the Matter of Disbarment of Joseph H. Hallows. Disbarment order entered.

No. D-626. In the Matter of Disbarment of Morris Mazelis. Disbarment order entered.

No. D-629. In the Matter of Disbarment of Peter G. Mirto. Disbarment order entered.

No. D-631. In the Matter of Disbarment of Thomas John Burke. Disbarment order entered.

No. D-633. In the Matter of Disbarment of Peter Joseph Monaghan. Disbarment order entered.

No. D-638. In the Matter of Disbarment of M. Gene Haeberle. Disbarment order entered.

No. D-647. In the Matter of Disbarment of William Elden. It is ordered that William Elden, 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-648. In the Matter of Disbarment of David Monoker. It is ordered that David Monoker, 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-649. In the Matter of Disbarment of Fred F. Filsoof. It is ordered that Fred F. Filsoof, of Atlanta, Georgia, 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. 86-7154. Beauford White, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The application for stay of execution of sentence of death addressed to Justice Brennan and referred to the Court is denied. Justice Brennan and Justice Marshall would grant the application.

#### REHEARINGS DENIED

No. 86-1640. Pace Resources, Inc., Petitioner *v.* Shrewsbury Township, et al.;

No. 86-1648. Jack West, et al., Petitioners *v.* Multibanco Comermex, S.A., et al.;

No. 86-1671. Jamie E. Coker, Petitioner *v.* R. A. Gielow, Chairman, Railroad Retirement Board, et al.;

No. 86-1730. Matthew Setera, Petitioner *v.* Texas A & M University, et al.;

No. 86-5984. Milburn Wayne Bates, Petitioner *v.* Louisiana;

No. 86-6175. Pearly Wilson, Petitioner *v.* George F. Denton, et al.;

No. 86-6491. Andrea Hicks Jackson, Petitioner *v.* Florida;

No. 86-6519. Paul E. Cofield, Petitioner *v.* Merit Systems Protection Board;

No. 86-6677. Donald Henry Gaskins, Petitioner *v.* South Carolina;

No. 86-6713. James Earl Williams, Petitioner *v.* Frank Blackburn, Warden;

- No. 86-6730. Donald L. Turner, Petitioner *v.* Norman A. Fuerst;  
No. 86-6732. David Mark Pruett, Petitioner *v.* Virginia;  
No. 86-6753. Joseph J. Attwell, Petitioner *v.* Metropolitan Atlanta Rapid Transit Authority, et al.;  
No. 86-6776. Samuel Butler, Petitioner *v.* Rita Welschmeyer;  
No. 86-6786. James L. Martin, Petitioner *v.* Little, Brown & Co., Inc., et al.; and  
No. 86-6804. Kerry Brown-Bey, Petitioner *v.* United States Marshal. The petitions for rehearing are denied.

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CERTIORARI DENIED

No. 87-5193. John Brogdon, Petitioner *v.* Hilton Butler, Warden. 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.



SUPREME COURT OF THE UNITED STATES

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## ORDER

Pursuant to the provisions of Title 28 U.S.C. Section 42, it is ordered that Justice Scalia be, and he is hereby, assigned to the Eleventh Circuit as Circuit Justice, pending further order. The order of June 26, 1987, assigning Justice White to the Eleventh Circuit as Circuit Justice is vacated. It is further ordered that the Chief Justice be, and he is hereby, assigned to the Fifth Circuit as Circuit Justice, in addition to Justice White, effective August 1, 1987, pending further order.



SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-69. Ronald D. Castille, District Attorney, Philadelphia County, Applicant *v.* Martin Harris, et al. The application for recall and stay of mandate presented to Justice White and by him referred to the Court is denied. The temporary stay, heretofore entered on July 23, 1987, is vacated and the application for recall and stay is, in all respects, denied.



SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-147. Harol Whitley, Warden, Applicant *v.* Jimmy Neuschafer. The application of the Attorney General of Nevada for an order to vacate the stay of execution of sentence of death entered by the United States District Court for the District of Nevada presented to Justice O'Connor and by her referred to the Court is denied.

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SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 87-5319. Sterling Rault, Sr., Petitioner *v.* Hilton Butler, 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 the Fifth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, 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."

## ORDERS IN PENDING CASES

No. A-932 (OT 86). Paul Bechtel, et al., Applicants *v.* Superior Court of California, County of Los Angeles, et al. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. A-14. Rainsford J. Winslow, et al., Applicants *v.* Ralph H. Coyte, Judge, Supreme Court of Colorado, et al. The application for an injunction and other relief addressed to Justice Blackmun and referred to the Court is denied. Justice White took no part in the consideration or decision of this application.

No. A-35. Ambulance Service of Reno, Inc., dba 911 Paramedics, Applicant *v.* Nevada Ambulance Services, Inc., dba Medic I, Washoe Medical Center, Inc., et al. The application for temporary restraining order and other relief addressed to Justice Stevens and referred to the Court is denied.

No. A-62. Ronald R. Benjamin, Applicant *v.* Committee on Professional Standards. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. 85-2079. Laborers Health and Welfare Trust Fund, for Northern California, et al., Petitioners *v.* Advanced Lightweight Concrete Co., Inc. The motion of Chamber of Commerce of the United States for leave to file a brief as *amicus curiae* is granted. The motion of Associated General Contractors of America, Inc. for leave to file a brief as *amicus curiae* is granted.

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 Chamber of Commerce of the United States for leave to file supplemental brief *amicus curiae* is granted.

No. 86-761. Cynthia A. Forrester, Petitioner *v.* Howard Lee White. The motion of Illinois Judges Association for leave to file a brief as *amicus curiae* is granted.

No. 86-935. Regents of the University of California, Appellant *v.* Public Employment Relations Board, et al. The motion of appellant to dispense with printing the joint appendix is granted.

No. 86-1415. Evelyn Marino, et al., Petitioners *v.* Juan U. Ortiz, et al.; and Wayne Costello, et al., Petitioners *v.* New York City Police Department, et al. The motion of Dov Hikind, et al. for leave to file a brief as *amici 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.

#### REHEARINGS DENIED

No. 86-1141. George Vakalis, Petitioner *v.* Eugene M. Kagan, et al.;

No. 86-1599. Hector Reuben Sanchez, Petitioner *v.* Illinois;

No. 86-1727. John R. Connor, Appellant *v.* R. G. Sachs, et al.;

No. 86-1742. Stephen Marmott, et al., Petitioners *v.* Maryland Lumber Co., et al.;

No. 86-1759. Kenneth Wood, et al., Petitioners *v.* International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local 406, et al.;

No. 86-1808. Robert W. Costigan, Petitioner *v.* Pennsylvania;

No. 86-6221. Sylvester Jones, Petitioner *v.* First American Title Insurance Co., et al.;

No. 86-6506. Lois Nadean Smith, Petitioner *v.* Oklahoma;

No. 86-6645. Terrance Sawyer, Petitioner *v.* Illinois;

No. 86-6654. Anthony Guest, Petitioner *v.* Illinois;

No. 86-6685. John Glenn, Petitioner *v.* Ohio;

No. 86-6767. In Re Lawrence D. Caldwell, Petitioner;

No. 86-6802. Linda Kay Linder, Petitioner *v.* Raymond J. Linder;

No. 86-6821. Janè Jroe, Petitioner *v.* Jud Carhart, et al.;

No. 86-6844. Joyce A. Foreman, Appellant *v.* Merit Systems Protection Board;

No. 86-6872. Joyce A. Foreman, Petitioner *v.* National Treasury Employees Union, et al.;

No. 86-6876. Alvin Lee Harrison, Petitioner *v.* James A. Lynaugh, Director, Texas Department of Corrections;

No. 86-6883. William E. Martin, Petitioner *v.* Richard P. Seiter; and

No. 86-6927. Ross Aaron, Petitioner *v.* Alabama. The petitions for rehearing are denied.

No. 85-5348. David Buchanan, Petitioner *v.* Kentucky. The petition for rehearing or modification of opinion is denied.

No. 86-6758. William D. Hatton, Appellant *v.* Minnesota; and

No. 86-6816. Darrell Jerome Moore, Appellant *v.* American Savings and Loan Association, et al. The motions for leave to file petitions for rehearing are denied.



SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 86-7154. Beauford White, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. 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. 87-5362. Beauford White, Petitioner *v.* Richard L. Dugger, Secretary, Florida Department of Corrections. The application for stay of execution of the sentence of death presented to Justice Scalia 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.

No. 87-5363. Pierre Dale Selby, aka Dale S. Pierre, Petitioner *v.* Cook, Warden, et al. 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 Tenth Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

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SUPREME COURT OF THE UNITED STATES

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

## CERTIORARI DENIED

No. 87-5382. William "Billy" Mitchell, Petitioner *v.* Ralph M. Kemp, Superintendent, Georgia Diagnostic and Classification Center, et al. The application for stay of execution of the sentence of death presented to Justice Scalia 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 Marshall with whom Justice Brennan joins.



SUPREME COURT OF THE UNITED STATES

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Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, 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."

## ORDERS IN PENDING CASES

No. A-121. Jerome B. Rosenthal, Applicant *v.* State Bar of California. The application for stay and other relief addressed to Justice O'Connor and referred to the Court is denied.

No. A-122. Jerome B. Rosenthal, Applicant *v.* United States District Court for the Northern District of California and the Supreme Court of California. The application for stay and other relief addressed to Justice O'Connor and referred to the Court is denied.

No. D-605. In the Matter of Disbarment of David Ross Clarke. Disbarment order entered.

No. D-630. In the Matter of Disbarment of William Slater Allen, Jr. Disbarment order entered.

No. D-635. In the Matter of Disbarment of Edward Leo Fleischer. Disbarment order entered.

No. D-636. In the Matter of Disbarment of Arnold E. Brown. Disbarment order entered.

No. D-641. In the Matter of Disbarment of Benjamin B. Wechsler, II. Disbarment order entered.

No. D-643. In the Matter of Disbarment of Charles Rosenbleet. Disbarment order entered.

No. D-650. In the Matter of Disbarment of Paul Simon Slotkin. It is ordered that Paul Simon Slotkin, of Cherry Hill, 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-651. In the Matter of Disbarment of Vincent Paul Rigolosi. It is ordered that Vincent Paul Rigolosi, of Hackensack, 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-652. In the Matter of Disbarment of Donald R. Conway. It is ordered that Donald R. Conway, of Hackensack, 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-653. In the Matter of Disbarment of Paul A. Vaughn. It is ordered that Paul A. Vaughn, of Danville, Indiana, 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-654. In the Matter of Disbarment of Donald Joseph Miller. It is ordered that Donald Joseph Miller, 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. 86-2023. Carl Shepard, Petitioner *v.* United States. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. 86-6942. Elvester Goree, Petitioner *v.* Edwin H. Cunningham. The application for stay addressed to Justice Brennan and referred to the Court is denied.

SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. A-209. Joseph Blaine Starvaggi, Applicant *v.* James A. Lynaugh, Director, Texas Department of Corrections. The application for stay of execution of the sentence of death presented to Justice White and by him referred to the Court is denied. Dissenting statement by Justice Brennan and Justice Marshall.

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SUPREME COURT OF THE UNITED STATES

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

## ORDER

Pursuant to the provisions of Title 28 U. S. C. Sec. 42, it is ordered that Justice O'Connor be, and she is hereby, assigned to the Eleventh Circuit as Circuit Justice, pending further order. The order of July 31, 1987, assigning Justice Scalia to the Eleventh Circuit as Circuit Justice is vacated.



## SUPREME COURT OF THE UNITED STATES

Present: Chief Justice Rehnquist, Justice Brennan, Justice White, Justice Marshall, Justice Blackmun, Justice Stevens, 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."

## ORDERS IN PENDING CASES

No. A-177. Jean Elizabeth Morgan, Applicant *v.* Eric A. Foretich. The application for stay addressed to Justice Brennan and referred to the Court is denied.

No. D-646. In the Matter of Disbarment of Harry B. Madsen. Disbarment order entered.

No. 86-495. K Mart Corporation, Petitioner *v.* Cartier, Inc., et al.;

No. 86-624. 47th Street Photo, Inc., Petitioner *v.* Coalition to Preserve the Integrity of American Trademarks, et al.; and

No. 86-625. United States, et al., Petitioners *v.* Coalition to Preserve the Integrity of American Trademarks, et al. The motion of Yamaha International Corporation, 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. 86-684. California, Petitioner *v.* Billy Greenwood and Dyanne Van Houten. The motion of Americans for Effective Law Enforcement, Inc., et al. for leave to file a brief as *amici curiae* is granted.

No. 86-803. Michael Boos, J. Michael Waller and Bridget Brooker, Petitioners *v.* Marion S. Barry, Jr., Mayor, District of Columbia, 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. 86-805. Billy J. "B. J." Pinter, et al., Petitioners *v.* Maurice Dahl, 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. 86-946. Employment Division, Department of Human Resources of the State of Oregon, et al., Petitioners *v.* Alfred L. Smith; and

No. 86-947. Employment Division, Department of Human Resources of the State of Oregon, et al., Petitioners *v.* Galen W. Black.

The motion of American Civil Liberties Union Foundation, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is denied.

No. 86-1387. John H. Mackey, et al., Petitioners *v.* Lanier Collections Agency & Service, Inc. The motion of National Conference of State Legislatures, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-1415. Evelyn Marino, et al., Petitioners *v.* Juan U. Ortiz, et al.; and Wayne Costello, et al., Petitioners *v.* New York City Police Department, et al. The motion of Lawyers' Committee for Civil Rights Under Law for leave to file a brief as *amicus curiae* is granted. The motion of Equal Employment Advisory Council for leave to file a brief as *amicus curiae* is granted. The motion of National League of Cities, et al. for leave to file a brief as *amici curiae* is granted.

No. 86-1419. Oregon Department of Human Resources, et al., Petitioners *v.* Coos Bay Care Center, 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. 86-1430. R. "Roy" Peralta, Petitioner *v.* Heights Medical Center, Inc., dba Heights Hospital, et al. The motion of appellant to dispense with printing the joint appendix is granted.

No. 86-1461. Edward J. DeBartolo Corp., Petitioner *v.* Florida Gulf Coast Building and Construction Trades Council and National Labor Relations Board. The motion of the Solicitor General for divided argument is granted to be divided as follows: 20 minutes for petitioner and 10 minutes for the Solicitor General.

No. 86-1650. Trans World Airlines, Inc., Petitioner *v.* Independent Federation of Flight Attendants. The motion of Crossover Flight Attendants for leave to file a brief as *amicus curiae* is granted. The motion of Some Working TWA Flight Attendants for leave to file a brief as *amicus curiae* is granted.

No. 86-6284. John T. Satterwhite, Petitioner *v.* Texas. The motion of petitioner for divided argument to permit *amicus curiae* NAACP Legal Defense and Educational Fund, Inc. to present oral argument is denied. The motion of Coalition for the Fundamental Rights and Equality of Ex-Patients for leave to file a brief as *amicus curiae*, out-of-time, is denied.

No. 86-6867. Leslie Lowenfield, Petitioner *v.* C. Paul Phelps, Secretary, Louisiana Department of Corrections, 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. 87-5204. Donald Gene Williams, Petitioner *v.* Oklahoma. The application for stay and other relief addressed to Justice O'Connor and referred to the Court is denied.

#### REHEARINGS DENIED

No. 85-1581. Richard Solorio, Petitioner *v.* United States;

No. 85-1835. California, Petitioner *v.* Peter Rooney;

No. 85-2064. James Greer, Warden, Petitioner *v.* Charles "Chuck" Miller;

No. 85-2068. Walter H. Rankin, etc., et al., Petitioners *v.* Ardith McPherson;

No. 86-44. Shearson/American Express, Inc. and Mary Ann McNulty, Petitioners *v.* Eugene McMahan, et al.;

No. 86-1079. Stephen A. Koczak, Katherine E. Rotter and John G. Resch, Appellants *v.* G. Dallas Dixon, et al.;

No. 86-1631. Milton Margoles, Petitioner *v.* Alida Johns, et al.;

No. 86-1948. Henry Anderson, Appellant *v.* Oregon State Bar, et al.;

No. 86-5020. John Booth, Petitioner *v.* Maryland;

No. 86-5375. Christopher A. Burger, Petitioner *v.* Ralph Kemp, Warden; and

No. 86-5391. Dobie Gillis Williams, Petitioner *v.* Louisiana. The petitions for rehearing are denied.

No. 86-1801. Irvin James Huntzinger, Sr., Petitioner *v.* United States. The motion for leave to file a petition for rehearing is denied.

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No. 87-5491. Timothy McCorquodale, Petitioner *v.* Ralph Kemp, Warden. 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 writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

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No. 87-5516. Timothy McCorquodale, Petitioner *v.* Ralph Kemp, Warden. 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 writ of certiorari to the United States Court of Appeals for the Eleventh Circuit is denied. Dissenting statement by Justice Brennan and Justice Marshall.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

JUNE 29, 1987

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Dan Matthew Albertson	Tacoma, WA	Douglas K. Smith
Thomas Edward Albright	New York, NY	Eugene Ronald Scheiman
William R. Allensworth	Dallas, TX	George W. Bramblett, Jr.
David Almaraz	Laredo, TX	J. Roberto Rodriguez
Geoffrey Amsel	Austin, TX	Paul Joseph Van Osselaer
Steven L. Bell	Roswell, NM	John Walden Bassett, Jr.
Stanley James Bensussen	Richland, WA	William J. Bender
James Thomas Bialac	Phoenix, AZ	John P. Frank
Timothy William Bouch	Charleston, SC	Thomas Sumter Tisdale, Jr.
Richard M. Breen	Louisville, KY	Aaron Neal Herrington
Arthur P. Brock	Roswell, NM	John Walden Bassett, Jr.
Gordon Ralph Broom	Edwardsville, IL	Donald L. Metzger
John J. Butler	Raleigh, NC	H. Hugh Stevens, Jr.
Michael William Catalano	Nashville, TN	W.J. Michael Cody
D. Wade Christensen	Oklahoma City, OK	Michael C. Stewart
William Edwin Collard, Jr.	Houston, TX	Gary Benjamin Pitts
Richard Alan Conway	Richmond, VA	David Bernard Beach

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Roger W. Daley	New Brunswick, NJ	Nicholas J. Stroumstos, Jr.
Roland Edward Dannan	Reno, NV	John A. Lefcourte
Charles Timothy Delaney	Phoenix, AZ	Paul Franklin Eckstein
Gregory David Dickinson	Los Angeles, CA	Thomas W. Clarke
Charles Deering Donohue, Jr.	New York, NY	Peter J. Gartland
William Mark Dunn	Richmond, VA	Jerry Paul Slonaker
Frampton Wyman Dürban, Jr.	Charleston, SC	Armand Georges Derfner
Stuart A. Feldman	Charleston, SC	John F. Hardaway
Stephen A. Fennell	Washington, D.C.	John E. Nolan, Jr.
Patricia Merritt Ferguson	Myrtle Beach, SC	E. Windell McCrackin
Kirk L. Frankel	Huntington, WV	Joseph G. Martorella
Richard Allen Friedman	Los Angeles, CA	J. Michael Crowe
Lawrence C. Gates	Overland Park, KS	Gary Ellsworth Krause
David M. Gische	Washington, DC	Wallace A. Christensen
David S. Goldstein	Washington, DC	Arthur H. Bill
Robert James Gould	Washington, DC	Jerris Leonard
Marla Lynn Graff	Richmond, VA	Jerry Paul Slonaker
Feris M. Greenberger	Los Angeles, CA	Irving H. Greines
Claire H. Greve	Sacramento, CA	Irving H. Perluss
John Thomas Hall	Tulsa, OK	James O. Goodwin
Michael H. Hamilton	Chicago, IL	James Woolsey Bruce
Mark Lance Hankin	New York, NY	Bruce Egert
Robert George Hayes	Washington, DC	Anne Ellison Mickey
Kenyon Bales Howard	Visalia, CA	J. Patrick Sullivan
Brian John Hurst	Dallas, TX	David Ford Hunt

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
R. Clayton Hutchins	Grand Prairie, TX	George W. Bramblett, Jr.
Tommy H. Jagendorf	Memphis, TN	Walter Lee Bailey, Jr.
Susan Barbara Kaufman	New York, NY	Arthur M. Handler
Kenneth Nathan Klee	Los Angeles, CA	George M. Treister
Madelyn Jean Lamb	Edwardsville, IL	Donald L. Metzger
Douglas Marvin William Anthony LeClair	Mesa, AZ	Lance Frederick Jacobs
Jeffrey Daniel Lobach	York, PA	Harry J. Rubin
Gerald Anthony Madek	Boston, MA	Robert J. Gaynor
Richard S. Magruder	Kansas City, MO	Guy A. Magruder, Jr.
Edward Stuart Margolis	Chicago, IL	Arthur Raphael
Peter Anthony Marroso	Grand Blanc, MI	Frederick E. Salim
Joan Dean Marroso	Grand Blanc, MI	Robert Louis Seger
Bernard McIntyre	Beaufort, SC	James H. Moss
Gene Arthur Meneses	Los Angeles, CA	Jeffrey Hans Leo
Joseph B. Meyer	Cheyenne, WY	Sylvia Lee Hackl
Terry Elaine Miller	Washington, DC	Robert Sargent Shriver
Linda Len Ock Moy	Philadelphia, PA	James M. Crowley
Lea C. Noelke	Austin, TX	Rodger M. Zimmerman
Terrence George O'Brien	New Orleans, LA	Eugene George Taggart
Sharon Lynn O'Flaherty	Willowick, OH	John Esper Shoop
Scott M. Phelps	Birmingham, AL	Stephen E. Brown
Thomas E. Player, Jr.	Sumter, SC	Robert W. Brown
Elliot E. Polebaum	Washington, DC	Robert Sargent Shriver, Jr.
Andrew Frederic Popper	Washington, DC	Burton D. Wechsler

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Rodney C. Ramsey	Oklahoma City, OK	A. T. Elder, Jr.
Stuart Reiser	Paramus, NJ	Jay D. Rubenstein
Lawrence Rigie	White Plains, NY	Asher Fensterheim
Gerard Anthony Rose	Sacramento, CA	Irving H. Perluss
Robert L. Rotmil	New York, NY	Michael C. Rosenthal
Michael A. Scardato	Charleston, SC	George John Morris
Daniel Schorsch	Waynesboro, VA	Gordon Wallace Poindexter, Jr.
Rand Elio Scopel	North Olmsted, OH	Marc Richard Wolff
Hazel Elizabeth Shaffer	Richmond, VA	Jerry Paul Slonaker
John Andrew Sickel, Jr.	Canton, TX	Archibald Cowan McColl
James Andrew Simmons	Hendersonville, TN	W. Henry Haile
Edwin Warren Small	Knoxville, TN	James Erwin Fox
Timothy Xavier Sokas	Baltimore, MD	Henry James Schweiter
Mary Katharine Spong	Richmond, VA	Jerry Paul Slonaker
Judith A. Swift	Dallas, TX	John E. Kennedy
Sally M. Tedrow	Washington, DC	James R. O'Connell
Richard Andrew Thalheim, Jr.	Thibodaux, LA	Julian Rollins Murray, Jr.
Donald Domenick Vanarelli	South Plainfield, NJ	Richard A. Norris
Donald K. Vowell	Knoxville, TN	Wilson S. Ritchie
Robert S. Walt	Austin, TX	William Charles Zapalac
John Dean Warner, Jr.	St. Louis, MO	Robert Landen Nussbaumer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
W. Glenn Watts	Jackson, MS	Robert Franklin Spencer
March Herschel Weitzman	Santa Ana, CA	Mark J. Batt
Carlos Alfredo Jamieson Williams	Birmingham, AL	J. L. Chestnut, Jr.
John C. Wunsch	Chicago, IL	Joseph King Luby

JULY 16, 1987

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David F. Albright, Jr.	Baltimore, MD	Benjamin Rader Goertemiller
Oscar Allen Alexander	Conway, SC	Saunders M. Bridges, Jr.
Susan D'Alonzo Ament	Wilmington, DE	Paul Harvey Spiller
Charles Thomas Arkoosh	Boise, ID	Barbara J. Neill Miller
Stephens Edward Atkins	Philadelphia, PA	H. Robert Fiebach
Chris Averkiou	Chicago, IL	William J. Bauer
Thomas Ancil Balmer	Portland, OR	Charles Allan Hart, Jr.
Martin Joseph Barrington	Richmond, VA	Gregory Branch Robertson
Dan Dale Barron	Ventura, CA	Philip Cohen
John Richard Beisner	Tustin, CA	Dale Robert Castle
William E. Betz	New York, NY	Anthony Blackshaw Barton
Eugene T. Branch	Atlanta, GA	Earle Benjamin May, Jr.
Kenneth Edward Chase	Bridgeport, CT	Samuel Louis Braunstein
Dennis Jeffrey Choate	Albany, KY	Daniel Allen Simons
Kristine Ann Chrey	Seattle, WA	Daniel Peter Brink

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert August Chrisman	Covina, CA	Robert Ernst Weiss
Gary Mitchell Cohen	Ft. Lauderdale, FL	Sheldon J. Schlesinger
Bruce Richard Cohen	Phoenix, AZ	William Joseph Friedl
David Albert Cook	Atlanta, GA	Thomas McKee West
Susan M. Cormier	Hartford, CT	Wesley Wells Horton
Donald Lester Creach	Richmond, VA	Gregory Branch Robertson
Bryce Scott Davis	Cullman, AL	Robert Bruce Barnett
Alexandra Davis	Hartford, CT	Wesley Wells Horton
Basil De La Cruz	White Plains, NY	Robert H. Law, III
Marc Oneal Dedman	New Orleans, LA	Robert Sherrill Johnson, Jr.
George Deretich	St. Paul, MN	Mary Sarazin Timmons
James Di Maio	Woodland, CA	Judge Harry Albright Ackley
Craig Alan Diamond	Grass Valley, CA	Peter Hinsdale Cuttitta
Mark W. Dixon	Tulsa, OK	Randall Eugene Rose
Richard Lynn Ducote	New Orleans, LA	Jerome Friedman
James Benjamin Eaton, III	Houston, TX	Larry Paul Frith
Robert Mauldin Elliot	Winston-Salem, NC	William Gottholdt Pfefferkor
John C. Everett	Prairie Grove, AR	Woodson W. Bassett, Jr.
Henry Merritt Farnum	New York, NY	Stephen I. Zetterberg
Murphy J. Foster, III	Baton Rouge, LA	Boris F. Navratil
George Charles Garikes	Washington, DC	Craig Wallace Hulvey

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paula Gellman	New York, NY	Andrea Green
Sheldon G. Gilman	Louisville, KY	S. Arnold Lynch
Patrick J. Gilpin	Houston, TX	Davis T. Lopez
William L. Grossmann	Flint, MI	Richard P. Banas
John J. Hatzell, Jr.	Philadelphia, PA	Frank X. O'Brien
Michael Owen Hawkins	Anderson, SC	Judge G. Ross Anderson, Jr.
Joyce E. Hee	San Francisco, CA	Teresa Tan
Ronald Arthur Hope	Little Rock, AR	Norman Dale Price
Maureen Anne Horgan	Naugatuck, CT	Richard Allan Bieder
Bernard Philip Horn	Washington, DC	Frances L. Horn
John Lawrence Howard	Washington, DC	Daniel R. Levinson
Hollis T. Hurd	Pittsburgh, PA	Leonard L. Scheinoltz
Toby R. Hyman	New York, NY	Michael A. Cardozo
Freddie Newell Jackson	Houston, TX	William R. Hughes
Nina Jacobsohn	Ft. Lauderdale, FL	Roy W. Allman
Melissa Walker Johnson	San Francisco, CA	Michael G. Millman
J. Brian Johnson	Allentown, PA	James C. Lanshe
Curtis Lorenzo Jones, Jr.	Miami, FL	Harold Long, Jr.
Roy Jeffrey Kahn	Miami, FL	Harry Martin Solomon
Ira T. Kasdan	Washington, DC	James Hamilton
Michael Louis Kelly	Los Angeles, CA	Jacques Soiret
Amy Kempfert	Tulsa, OK	Randall Eugene Rose
Robert John Krehbiel	St. Louis, MO	Gerre S. Langton
William R. Kutner	New York, NY	Michael A. Cardozo
Susan LaReine Borden Lagerman	Phoenix, AZ	W. Mark Sendrow
Amy Grace Langerman	Phoenix, AZ	Stanley J. Marks

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Renee Barbara Laniado	Baltimore, MD	Thomas Carey Ries
James Alan Lazarus	Buffalo, NY	John P. Cox
Steve A. Leben	Overland Park, KS	Robert L. Driscoll
Steve Lile	Lawton, OK	Nicholas D. Garrett
Pamela A. Mann	New York, NY	Alan D. Aviles
Charles E. Markey	Trenton, NJ	Roberto Alcazar
Scott Charles Marks	Bowling Green, KY	William Jerry Parker
Jefferey Allen Mason	Goodland, KS	Bradley Glenn Rigor
Faith Mesnekoff	Miami, FL	Theodore J. Sakowitz
Martha L. Minow	Cambridge, MA	Newton N. Minow
David Donnell Mitcham	Houston, TX	Jerry D. Patchen
Elaine Elsner Mittleman	Falls Church, VA	Edward P. Elsner, Jr.
James R. Mowbray	Lincoln, NE	Scott Philip Helvie
Analeslie Muncy	Dallas, TX	David J. LaBrec
Doyle Wayne Neighbours	Lake Jackson, TX	Ogden Loeb Bass, Jr.
Charles William Nichols	Palestine, TX	Charles H. Clark
William Allen Nickles, III	Columbia, SC	Benjamin Anderson Johnson
Sharon L. O'Grady	San Francisco, CA	Michael F. Perlis
Tomson Tio Ong	Santa Ana, CA	Edward James Cooper
Gerald M. Oscar	New York, NY	Sandra DiIorio Thorn
Douglas G. Parker	Phoenix, AZ	Lawrence O. Anderson
James L. Payne	Costa Mesa, CA	Howard C. Hay
Daniel Max Pell	York, PA	Marc G. Tarlow
Stephen Beville Pence	Louisville, KY	Craig Charles Jacobsen

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Barbara Peyton	Woodland, CA	Judge Harry Albright Ackley
James Alan Phillips	Fayetteville, AR	Bill Clinton
David Christopher Pishko	Winston-Salem, NC	William Gottholdt Pfefferkor
Lawrence Gary Reinhold	Columbus, OH	James Kura
Joan Frances Roach	Atlanta, GA	Albert Sidney Johnson
Marshall Robert Roofner	Dallas, TX	James N. Sabin
Paul Terrance Ross	Long Beach, CA	Michael M. Gless
Helen S. Rozenberg	Waukegan, IL	Fred L. Foreman
Dana Sack	San Francisco, CA	Robert Edward Lando
Randi Susan Saul-Olson	Visalia, CA	Russell R. McKinney
Michael J. Schaffer	Sioux Falls, SD	Ellsworth E. Evans
Michael G. Schiavone	Savannah, GA	G. Terry Jackson
Joseph Stephen Schmutz	Charleston, SC	William L. Runyon, Jr.
Kirk Stephan Schumacher	Reno, NV	Gordon H. DePaoli
Richard E. Schwartz	St. Louis, MO	Michael S. Starr
Frank E. Scofield	Austin, TX	Karen Ruble Johnson
Leslie Scott	Jackson, MS	James Lawton Robertson
Sharon Lynn Sherman	Coronado, CA	Sebastian D'Amico
James Charles Shy	Houston, TX	Wallace Gordon Malone
R. John Sloan, Jr.	Omak, WA	Kelly Hancock
Phillip K. Smith	Tulsa, OK	Charles A. Kothe
Sidney O. Smith, Jr.	Gainesville, GA	Earle Benjamin May, Jr.
Gary D. Sowards	San Francisco, CA	Timothy John Foley
Richard Lawrence Spencer	Houston, TX	Alexander Ross Rommel, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard W. Sponseller	Harrisburg, PA	LeRoy S. Zimmerman
Robert K. Spotswood	Birmingham, AL	Douglas Arant
Jean R. Sternberg	San Francisco, CA	Michael G. Millman
Jeffrey Michael Sutherland	Fort Worth, TX	Stephen Arthur Goodwin
Susan Marie Pearce Tate	Athens, GA	Donald Eugene Wilkes, Jr.
Warner Maurice Thomas, Jr.	Columbus, OH	Walter J. Wolske, Jr.
David F. Tilles	Los Angeles, CA	John Bruce Golper
Daniel F. Tritter	New York, NY	Martin E. Silfen
Loyde Hugh Warren	Oklahoma City, OK	Kenneth W. Turner
King Waters	Houston, TX	Paul Edward Stallings
Cynthia Gail Weaver	Elberton, GA	E. Freeman Leverett
Daniel Stephen Weber	San Diego, CA	Dale, A. Hilmen
Gail R. Weinheimer	San Francisco, CA	Michael G. Millman
Joel S. Weiss	New York, NY	David L. Katsky
Connie Mae Welcome- Sadler	Lafayette, LA	Walter Edward Keller, Jr.
Allene C. Zanger	San Francisco, CA	Roderick Eugene Walston

## JULY 31, 1987

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas J. Ansbro Jr.	Fort Lauderdale, FL	Gerald L. Knight
Ross E. Arneson	Mankato, MN	David J. Twa
Madison P. Aydelott III	Searcy, AR	Christopher Charles Raff
S. Jack Balagia Jr.	Austin, TX	Patrick Errol Higginbotham

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas E. Balhoff	Baton Rouge, LA	William Randolph D'Armond
Max Dewey Ballinger	Greensboro, NC	Beverly C. Moore
James M. Becker	Philadelphia, PA	Thomas J. Rueter
Stephen Louis Berry	Saint Marys, GA	J. Grover Henderson
Andrew Stuart Birrell	Minneapolis, MN	Ronald I. Meshbesh
Todd Boley	Oakland, CA	Brenton Lee Rogozen
Keith A. Bolton	Seattle, WA	John P. Lycette Jr.
Gerard Boruch	Secaucus, NJ	Peter J. Gindin
John Roberts Boyd	Laguna Beach, CA	William Merritt Wilcoxon II
George A. Brattain	Terre Haute, IN	David I. Day Jr.
Andrew Phillip Bridges	San Francisco, CA	Jerome I. Braun
Richard Alan Brown	Sunnyvale, CA	Meyer Scher
David Odell Carson	Beverly Hills, CA	Alan L. Isaacman
Mark Clement	Pittsburgh, PA	James K. O'Malley
Howell Cobb III	El Paso, TX	James F. Hulse
Bruce Mark Cohn	Glen Cove, NY	Susan Buckley
Gregory A. Conley	Washington, DC	Keith Allen Teel
Richard E. Coulson	Oklahoma City, OK	David Kline
Christopher Ward Cummings	New York, NY	James P. O'Neill
Willis Clark Cunnagin	London, KY	William Gary Crabtree
Elmer Cunnagin Jr.	London, KY	William Gary Crabtree
Diana M. Daniels	New York, NY	Edward Bennett Williams
Allen Edward Danzig	New York, NY	Elliot Paskoff
Michael Charles Darnell	New Orleans, LA	Sam A. LeBanc III
Susan Nell Deatherage	Martinsville, VA	Benjamin Randolph Gardner

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gloria B. Diamond	Tewksbury, NJ	Judge Marilyn Loftus
Julia Ann Dobbins	Fort Worth, TX	Stephen Arthur Goodwin
Guy Edward Craig Doupe	Richland, WA	Stanley James Bensussen
Gerard F. Dunne	New York, NY	Eliot Samuel Gerber
James Howard Efting	Sunnyvale, CA	Brett A. Borah
Stephen W. Elliott	Oklahoma City, OK	David Kline
Deborah A. Ellis	New York, NY	Joan E. Bertin
Thomas Alvin Farr	Wake Forest, NC	Armistead Jones Maupin
Allan P. Feigelson	Riverdale, MD	Samuel Blibaum
Michael J. Fields	Jefferson City, MO	Michael L. Boicourt
William Ross Fischer	Fort Collins, CO	Ward H. Fischer
R. Greg Fowler	Alexandria, LA	Edwin O. Ware
William M. Franz	Crystal Lake, IL	James G. Militello
Mark W. Garrett	Memphis, TN	Charles Gardner Black
Patrick J. Garver	Salt Lake City, UT	Gordon L. Roberts
Scott Longstreth Ghormley	Newport Beach, CA	Alan Errol Spears
Robert Dale Gibb	Thousand Oaks, CA	W. Neal Writer
James S. Gleason	Binghamton, NY	John M. Keeler
Janet Lee Goetz	Washington, DC	John William Griffin
Fredric N. Goldberg	Grand Rapids, MI	John C. Jones
Kathie Shirk Gonick	Lancaster, PA	Kenelm Lawrence Shirk Jr.
Jeffrey Gonick	Lancaster, PA	Kenelm Lawrence Shirk Jr.
Emile E. Gouiran	Staten Island, NY	Ronald C. Goldfarb

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William D. Hand	New York, NY	Anthony J. Mercorella
Alan Weichsel Harris	Dallas, TX	Alfred H. Ebert Jr.
William G. Herrmann	Harker Heights, TX	James Roy Lindley
Paul Eugene Hoeffel	Bucyrus, OH	Clarence F. Purdy
Ralph Warren Holmen	Chicago, IL	Phyllis Jane Holmen
Terry Lee Hord	Ada, OH	William Frederick Kluge
Hugh Freeman Jackson III	Sunnyvale, CA	Meyer Scher
Elizabeth L. Jacobs	Detroit, MI	Steven Fishman
John J. Jacobson	Los Angeles, CA	Harry Moore Halstead
Ronald P. Kaplan	Los Angeles, CA	Irving H. Greines
Thomas K. Kaulukukui Jr.	Honolulu, HI	Wayne Marshall Pitluck
Terrence Edward Kehoe	Orlando, FL	James Matthias Russ
Sandra S. Kerrick	Crystal Lake, IL	James G. Militello
Michael Stephen Klein	Oakland, CA	Robert Edward Lando
Keith Michael Kula	Chicago, IL	Steven J. McCoy
Richard Edward Kummer	Mountain Lakes, NJ	John N. Bain
James Stanley Lemell	Baton Rouge, LA	Paul Paymond Lamonica
Daniel A. B. Lenhart	Los Angeles, CA	Albert Harold Mackenzie
Leonard J. Levenson	New York, NY	Louis R. Aidala
Richard F. Levins	Philadelphia, PA	Gerard P. Shotzberger
J. Kerrington Lewis	Pittsburgh, PA	Richard Cyril Witt
Michael Robert Lied	Detroit, MI	James G. Fausone
Michael Willi Lowe	Louisville, KY	Laurence John Zielke

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert W. Ludwig Jr.	Washington, DC	Thomas J. Whalen
Marty Corbett Marran	Pawtucket, RI	John Stephen Lennon
Joseph Edward Marran Jr.	Pawtucket, RI	John Stephen Lennon
Andrea L. McArdle	Mount Vernon, NY	Kenneth E. Powell
Thomas B. McVey	Washington, DC	Robert James Woody
John Randall Miller	Altoona, PA	Ralph Thomas Forr Jr.
Joel Wiley Mohrman	Houston, TX	Ben D. Tobor
Robert L. Mueller	San Francisco, CA	Burton F. Boltuch
Douglas J. Muirhead	Minneapolis, MN	James Fredric Roegge
Merrill Francom Nelson	Salt Lake City, UT	David B. Erickson
Peter Oliver Okin	Raleigh, NC	David Phillip Tennant
Jerilyn Paik	Sacramento, CA	Irving H. Perluss
Kim Daniel Parrish	Oklahoma City, OK	Larry Derryberry
John Darwin Peck	Pasadena, CA	Joseph Harold Berg
Russell Taylor Perkins	Nashville, TN	Avon N. Williams Jr.
Susan McGinley Peterson	New Orleans, LA	James Joseph O'Connor
Thomas Arthur Pobjecky	Tallahassee, FL	Sid J. White
William A. Poore	Providence, RI	Thomas C. Angelone
Rick L. Powers	Knoxville, TN	Foster D. Arnett
Charles R. Reddick	Homerville, GA	Berrien L. Sutton
James Russell Redeker	Philadelphia, PA	H. Robert Fieback
Sally M. Richardson	Miami, FL	Phillip G. Newcomm

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald S. Rosen	Los Angeles, CA	Louis P. Petrich
Carol S. Rosenbloom	Pittsburgh, PA	Joan Orié Melvin
Jorn S. Rossi	Newport Beach, CA	W. Bailey Smith
Vincent R. Ryan Jr.	Houston, TX	Mike Driscoll
Rene Irvin Salomon	Baton Rouge, LA	Walter L. Smith Jr.
Michael Stephen Saphier	Los Angeles, CA	Richard Allen Weisz
Julian Leigh Shepard	Washington, DC	John Eugene Fiorini III
Edward Frank Sherer	Asheville, NC	Paul Haralson Leonard III
Robin Shapiro Shribman	Boston, MA	William Francis Mulroney
Michael J. Smith	Chicago, IL	Irwin J. Askow
Howard A. Sohn	Miami, FL	David Joseph Finger
John Anthony Spinuzzi	Dallas, TX	Michael F. Linz
Thomas Jeffers Stein	Mobile, AL	Thomas E. Harrison
Marquis D. Street	Greensboro, NC	Ronald Barbee
Billy Ray Stubblefield	Georgetown, TX	R. Mark Dietz
Henry V. Sutton	Memphis, TN	Charles Gardner Black
Leonard Tachner	Newport Beach, CA	James Barth Bear
M. Gay Taylor	Salt Lake City, UT	James Stuart Jardine
Marian Haycock Tully	West Covina, CA	Robert Kennedy Scott
Gary Verburg	Phoenix, AZ	Katherine Ott
Bradish Johnson Waring	Charleston, SC	Thomas Sumter Tisdale Jr.
Jeffrey Robert White	Washington, DC	Jack T. DiLorenzo
Jeanette Wolfley	Boulder, CO	Yvonne T. Knight
Joseph Sutherland Wright Jr.	Chicago, IL	William B. Martin Gross

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Norman Gregory Young	Los Angeles, CA	Charles T. Morrison Jr.
Alice Emily Zaft	Springfield, MA	Irving D. Labovitz
Mark R. Zeidman	Houston, TX	Rex D. VanMiddles- worth

## AUGUST 6, 1987

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leslie M. Alden	Fairfax, VA	Joyce Ann Naumann Massey
Kevin R. Bartley	Odessa, TX	Paul McCollum
Peter Vincent Baugher	Chicago, IL	W. Donald McSweeney
Carol J. Bell	Chicago, IL	Jerome F. Goldberg
David B. Bell	Augusta, GA	Robert C. Norman
Michael Alan Bernstein	Fort Lauderdale, FL	Ovid C. Lewis
Dock A. Blanchard	Gainesville, FL	Judge William T. Swigert
William J. Boklund	La Porte, IN	Jeffrey L. Thorne
Jonathan David Bonime	New York, NY	V. Rock Grundman Jr.
John Boyajian	Providence, RI	Robert Barney Mann
Michael D. Brofman	Bayside, NY	Philip Irwin Aaron
Byrd R. Brown	Pittsburgh, PA	Everett E. Utterback
Ellen A. Bruce	Boston, MA	Laura Bendit Monroe
Mark J. Bunim	New York, NY	Joel I. Klein

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James H. Burgess Jr. Jeffrey Scott Calkins	Sarasota, FL Irvine, CA	M. Joseph Lieb Jr. John Wilcox McCauley
Robert Canada	Evansville, IN	John Daniel Clouse
Linda Cantoni Debra A. Catron	New York, NY Hazard, KY	Robert Kasanof Clarence A. Noble III
Francis M. Cerniglia Steven Joseph Chmielewski	New York, NY Los Angeles, CA	Stephen D. Hans Robert Charles Fellmeth
Nicholas W. Clark	Washington, DC	George R. Murphy
Steven Alan Cohen	Phoenix, AZ	Allen Benjamin Bickart
Daniel S. Cohen	Utica, NY	Frank Eugene Blando
Jonathan Asher Cohen Myron Gene Cohn Edward B. Cooley	Potomac, MD Tustin, CA Springfield, MA	Gary Green Dale Albert Castle Thomas Aquinas Kenefick III
Richard H. Coombs Jr.	Santa Ana, CA	Laura Hankins Hinrichs
John Arthur Cothorn	Detroit, MI	Susan Healy Zitterman
Patricia Eileen Cowart Louie V. Delorie Jr.	Miami, FL Yakima, WA	Bennett Falk Leslie Alan Powers
William DiBuono	Rocky Hill, NY	Robert Jordan Clark
Nydia Maria Diaz-Buxo	Caguas, PR	Blas C. Herrero Jr.
Anthony William Djinis Kathi Alyce Drew	Potomac, MD Dallas, TX	Lee A. Pickard John Calder Vance
Robert Donald Durham	Portland, OR	Henry H. Drummonds

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jim T. Elia	Fresno, CA	Nance Anne Craddock
James Peter Epstein	Sharon, PA	Thomas Thorne Frampton
Marvin H. Feingold	Charleston, SC	Francis Xavier McCann
Armond J. Festine	Utica, NY	Frank Eugene Blando
Edward Fitzpatrick	Chicago, IL	R. R. McMahan
Tara Shurling Frick	Columbia, SC	Judge David Walker Harwell
Judy Alma Gano	Wilmington, OH	Granville Allen Gano
Ellis Ronald Garnett	Augusta, GA	Lisa J. Krisher
E. Spivey Gault	Greenville, MS	W. Wayne Drinkwater Jr.
Robert Gene Gilmore	Fresno, CA	C. Russell Georgeson
Julia Ann Gold	Charleston, SC	Allan Riley Holmes
Lyn I. Goldberg	San Diego, CA	Thomas T. Anderson
Phillip J. Griego	San Jose, CA	Stephen Wayne Parrish
Robert T. Grimit	Lincoln, NE	John R. Baylor
Robert J. Gruendel	New York, NY	Alfred E. Yudes Jr.
Richard Michael Hagstrom	Salt Lake City, UT	David Lawrence Wilkinson
H. Gordon Hall	New Haven, CT	Joseph I. Lieberman
Ben Hamburg	San Francisco, CA	Richard D. Dinkelspiel
James Gilbert Harralson	Owensboro, KY	Margaret Hornbeck Greene
Brian Douglas Hast	Hayward, CA	Ted W. Cassman
Alan William Haverty	Burlingame, CA	Joseph W. Cotchett

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Harrell Herring	Canton, MS	Donald W. Hansen
Helen Hershkoff	New York, NY	Holly Maguigan
James W. Hill	Houston, TX	Richard Markum Ramsey
Lorinda L. Hinch	Mercer, PA	Thomas Thorne Frampton
Charles Hinton	Houston, TX	Douglas Michael O'Brien
Douglas Roy Jacobson	San Antonio, TX	Patrick J. Kelly
Edward D. Johnson	Los Angeles, CA	Daniel Hanin
Judy J. Johnson	Irvine, CA	Robert Gerhart Lane
Mark P. Johnson	Kansas City, MO	Edward James Holland Jr.
Timothy D. Junkin	Washington, DC	Samuel J. Buffone
Robert Dennis Kehoe	Cleveland, OH	John J. Horrigan
Richard C. Kraus	East Lansing, MI	Max R. Hoffman Jr.
Neil Kuchinsky	Colonial Heights, VA	Robert Christopher Elliott II
Gary Lee Lancaster	Pittsburgh, PA	Justin Morris Johnson
James Y. Leong	Beverly Hills, CA	Allen Edmund Susman
Michael Way Lodwick	New Orleans, LA	Wood Brown III
Jeffrey Mark Loeb	Los Angeles, CA	Andrew Steven Garb
John C. Lynn	Boise, ID	David Z. Nevin
Bruce Russell MacLeod	San Francisco, CA	Jerome I. Braun
Roger Herbert Madon	New York, NY	Carolyn Diane Gentile
Rodney S. Margol	Jacksonville, FL	John Andrew DeVault III
Douglas M. Marshall	Santa Ana, CA	Mark J. Batt
Clarence Allan Martin III	Monroe, LA	George Wear Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William McBlief	Winston-Salem, NC	Guy F. Driver Jr.
Louis Patrick McFadden Jr.	Atlantic City, NJ	Robert N. McAllister Jr.
Arthur Daniel McGarry	Seattle, WA	Stuart Gregory Oles
Archibald W. McMillan	Dayton, OH	LeRoy Coyle Brown
Francisco G. Medina	Houston, TX	Theodore Goller
Creighton E. Mershon Sr.	Louisville, KY	Robert G. Breetz
Jeremy Daniel Michaels	Gillette, WY	Alan Kooi Simpson
Scott D. Michel	Washington, DC	Richard E. Timbie
Robert J. Miller Sr.	Beverton, OR	Henry Smith Kane
George Duncan Milliken Jr.	Bowling Green, KY	Joe B. Campbell
Don Mock	Itasca, IL	James R. Schirott
Gary Wm. Moylen	Morristown, NJ	Glenn D. Goldberg
Robert G. Newman	San Antonio, TX	Philip J. Pfeiffer
Roger O'Sullivan	Scottsdale, AZ	Calvin Curtis Thur
Douglas Stuart Oles	Seattle, WA	Stuart Georgory Oles
Joseph J. Ortego	Uniondale, NY	Leslie R. Bennett
Richard William Pacelli	Tustin, CA	Dale Albert Castle
Alison Maude Pease	Philadelphia, PA	Dona Seeman Kahn
Ronald Kajetan Perkowski	Washington, DC	James van Roden Springer
Richard Alan Peterson	Greenville, PA	Geo. Hardy Rowley
Christopher Lee Phillippe	Conroe, TX	Oliver Samuel Heard Jr.
Steven B. Pokotilow	New York, NY	Lawrence Rosenthal
Robert Stanley Powell	Alexandria, VA	Justin Weisner Williams

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Robert Rheinberger	Stillwater, MN	Ellard Joseph Pexa Jr.
Andrew S. Richardson	Providence, RI	Robert Barney Mann
Douglas G. Roberts	Syracuse, NY	James Edward Sparkes
Raymond L. Robinson	Miami, FL	Bruce Grant Hermelee
William Charles Robison	Long Beach, CA	Harold I. Cherness
Francis C. Rohrich	Linton, ND	Quentin N. Burdick
Robert John Rudock	Miami, FL	Melville Stephen Smith III
Thomas Peter Schult	Kansas City, MO	Frank S. Perkin Jr.
Nicholas L. Shaheen	Boston, MA	David M. Shaw
Bruce G. Shanahan	Los Angeles, CA	Jacques E. Soiret
Terrance James Shannon	Tustin, CA	Dale Albert Castle
Myron Shapiro	Miami, FL	Wendy Frank Lumish
Alan J. Sheppard	Fargo, ND	Mark Gray Schneider
William A. Short Jr.	Bessemer, AL	Lee E. Bains
Carole M. Stanyar	Detroit, MI	Deborah Jean Gaither-Gaskin
John Stember	Pittsburgh, PA	Daniel Lee Haller
Jane G. Stevens	New York, NY	Leonard M. Marks
Gregory Thomas Stewart	Tallahassee, FL	Robert Lowry Nabors
Ashley Hamilton Story	Raleigh, NC	N. Hunter Wyche Jr.
Michael F. Sturley	Kirkville, NY	Justice Lewis F. Powell Jr.
Mark C. Tanenbaum	Charleston, SC	Allan Riley Holmes
David M. Thomas	Houston, TX	Robert Shelly Bambace

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ralph I. Thomas	Montesano, WA	Don S. Willner
Julie St. John Thornton	Miami, FL	Richard Edward Doran
Robert M. Travers	Pontiac, IL	Charles Edward Glennon
Emile L. Turner Jr.	New Orleans, LA	Thomas M. Young
Robert A. Voorhis	New York, NY	Mario Merola
Stuart E. Warren	Owensboro, KY	Dennis Allen Kaufman
Thomas A. Watrous	Martinez, CA	Peter Dalrymple Langley
Howard B. Weber	Brooklyn, NY	Ralph Gulko
Anne B. Wetherholt	Dallas, TX	John Calder Vance
Mary Ann Filler Whiteside	Denver, CO	John Milton Hutchins
Michael H. Williamson	Seattle, WA	Douglas M. Fryer
T. J. Wray	Houston, TX	Alfred John Harper II

## AUGUST 21, 1987

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Patrick J. Anderson	Northfield, IL	Robin Madison Demouth
Jeffrey Alan Armstrong	Morristown, TN	John M. Rosenberg
Michael J. Athans	Atlanta, GA	Hugh C. Griffin
Richard Joseph Ayooob	Los Angeles, CA	Charles Richard Ajalat
Carl Raushenbush Bladwin	New York, NY	James Ira Meyerson
Pierre-Philippe Barkats	Washington, DC	Albert E. Arent
Leroy Joseph Barker	Anchorage, AK	Larry Gayle Berry
Martin J. Bienenstock	New York, NY	Harvey Robert Miller

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Allen Blazer	Chagrin Falls, OH	Craig Spangenberg
Christopher Davis Bray	Boise, ID	Donald W. Lojek
J. Wynell Brooks	Birmingham, AL	Ronda Hubbard Lacey
David Clifford Burger	New York, NY	Ruth Rabstein
Stanley Turner Case	Spartanburg, SC	Thomas Alexander Evins
Mitchell A. Charney	Louisville, KY	Fred M. Goldberg
Geraldine L. Clanton	Omaha, NB	Keith I. Frederick
Ralph D. Clifford	Stamford, CT	Theodore Godlin
Joseph M. Cloud	Huntsville, AL	Earl E. Cloud
John F. Clough III	Juneau, AK	William B. Rozell
Grace Ella Cohen	Camarillo, CA	Philip Cohen
John P. Colangelo	New York, NY	Richard C. Yeskoo
Thom K. Cope	Lincoln, NB	James A. Cada
Joan Frances Curry	Montesano, WA	Michael Gary Spencer
Glenn W. Denham	Middlesboro, KY	William A. Watson
Michael Mark Dest	San Bernardino, CA	Sherman Donald Ames
Judith Dixon	Winchester, CT	Joseph F. Keefe
Paul Dolan	Maui, HI	Joseph R. Carter Jr.
Carl Edwin Douglas	Los Angeles, CA	Johnnie L. Cochran Jr.
Joseph A. Dunn	Phoenix, AZ	Mark Wilmer
Lynne Todd Edgerton	New York, NY	Jacqueline Manney Warren
Daniel Mark Elkort	San Francisco, CA	Marc Feldman
Alan Epstein	Denver, CO	Robert S. Treece
Charles M. Fahlbusch	Miami, FL	Richard L. Polin
Edward Ray Fechtel	Eugene, OR	Arthur Curtis Johnson
Kerry G. Fellows	Houston, TX	Garry Michael Cooper

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeanne Marie Forch	Washington, DC	James Franklin Rill
Michael J. Frazelle	Phoenix, AZ	James W. Evans
Laura Lee Freppel	Lincoln, NB	Martel J. Bundy
Barbara J. Gaden	Richmond, VA	Samuel Miels Dumville
Julia Marie Garwood	San Diego, CA	Patricia Darlene Benke
Stephen Harry Gelb	Teaneck, NJ	David Ng
Kenneth Geller	New York, NY	Robert James Roventini
Thomas F. Geraghty	Chicago, IL	John Seelig Elson
Melinda Christina Ghilardi	Scranton, PA	George E. Schumacher
Kirk Melville Gibbons	Tampa, FL	Robert Vencill Williams
John Blain Gibbons	Tampa, FL	Robert Vencill Williams
Stephen Givando-Cline	Chesapeake, VA	Robert E. Kowalsky Jr.
Jose P. Gonzalez-Garcia	San Juan, PR	Daniel Pernas-Beceiro
James S. Greenan	San Francisco, CA	R. Barry Churton
Robert Chisholm Grenfell	Jackson, MS	James K. Child Jr.
Michael James Grigsby	Marysville, OH	David F. Allen
Howard E. Gurwin	Farmington Hills, MI	Stephen R. Bernstein
David Brian Hamilton	Baltimore, MD	John H. West III
John Payne Hancock Jr.	Grosse Pointe Park, MI	William M. Saxton
Kenneth V. Handal	New York, NY	Jiro Murase
John F. Hanlon Jr.	Fort Lauderdale, FL	D. David Keller
Richard C. Hartgrove	Little Rock, AR	Garry Sullivan Wann
J. Lade Heaton	Salt Lake City, UT	Wayne L. Black
William McCandless Herlihy	Charleston, WV	Charles Brecknock Stacy

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Donald Moultrie Holler	Moncks Corner, SC	Charles Love Terry III
William Vinton Hoyle Jr.	Newport News, VA	William Vinton Hoyle
Charles G. Humble	Bethany, OK	Andrew M. Coats
Edgar Neville James	Washington, DC	Peter Edward Scheer
Anthony Jamison	Rock Island, IL	Walter D. Braud
Lorri L. Jean	Washington, DC	Clarence D. Suiter
Andrea Marie Johnson	Houston, TX	Emil Thomas Bayko
Thomas A. Jones	Cheyenne, WY	Sylvia Lee Hackl
Colleen Lundwall Kellman	Wilton, CT	Lester David Steinman
Duncan S. Kemp III	Hammond, LA	Judge Edward Brent Dufreche
Douglas K. Kerner	Los Angeles, CA	David Charles Karp
John Bruce Lewis	Cleveland, OH	John D. Maddox
Laurence B. Liebowitz	Elmsford, NY	Carlos Marco Recio
Stephen Linden	Huntington Woods, MI	Thomas Roland Sullivan
John David Lord	Beverly Hills, CA	Jackson Vincent Lord
Joseph Robert McFaul	Newport Beach, CA	Carlton Eugene Russell
Janet Dixon McMurtray	Greenville, MS	W. Wayne Drinkwater Jr.
William Mark Methenitis	Dallas, TX	Royal H. Brin Jr.
T. Thomas Metier	Fort Collins, CO	Ward H. Fischer
Craig Scott Miller	Cleveland, OH	Malcolm C. Douglas
Bernard Stephen Miller III	Granite City, IL	Moses Wilkins Harrison
Robert Arthur Moore	Rapid City, SD	Franklin J. Wallahan
Katrina Kimberlyn Morris	San Francisco, CA	David J. Schmit
Franklin Ames Morse II	South Bend, IN	Stanley C. Fickle

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bridget Read Mugane	Washington, DC	Louis Alan Clark
Patrick Judd Murray	Seattle, WA	Kenneth A. MacDonald
Arthur Nakazato	Los Angeles, CA	Mark Elliott Beck
Frederick Ernest Newman	Fremont, CA	Richard Stuart Blakely
Donald Arthur Newman	Los Angeles, CA	Robert W. Loeffler
Floyd Terral Norrick	Hillsboro, MO	John W. Howald
Gregg Joseph Ormond	Coral Gables, FL	William Andrew Haggard
Judith K. Otamura-Kester	Los Angeles, CA	Donald C. Smaltz
Lawrence A. Ouellette Jr.	Bridgeport, CT	James F. Kenney
Anthony Paduano	New York, NY	Laurence Truman Sorkin
Ronald M. Price	Madison, NC	Vernon Elliott Cardwell
John A. Price	Dallas, TX	Jay Joseph Madrid
David E. Ralston	Blue Ridge, GA	Edward D. Tolley
James N. Reeves	Anchorage, AK	Phillip James Eide
Robert Henry Renneker	Dallas, TX	Christopher M. Weil
Gary C. Riley	Odessa, TX	Kathleen McCollum McCulloch
Richard Rosenbaum	Fort Lauderdale, FL	Douglas Alan Blankman
Alan Mark Salsbury	Norfolk, VA	Philip R. Trapani
Daniel Richard Satriana Jr.	Denver, CO	Robert S. Treece
Robert Maurice Schaaf	Princeton, NJ	John W. Bissell
George Francis Schoener Jr.	Philadelphia, PA	John Rogers Carroll
John E. Selent	Louisville, KY	James R. Cox
Patrick Charles Simek	Lubbock, TX	A. W. Salyars
Mark Samuel Sochaczewsky	Brooklyn, NY	Peter C. Salerno
Delmar David Steinbock Jr.	Raleigh, NC	Lacy H. Thornburg
William M. Straus	Mattapoisett, MA	Scott Wesley Lang

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kevin Joseph Street	Savannah, GA	Lloyd Joseph Street
Daniel Lawrence Sullivan	Harrisburg, PA	James John Kutz
Mary Stewart Tansey	St. Louis, MO	Paul Robert Otto
Robert J. Verdisco	Washington, DC	William Dean Coston
Ellen Maura Viakley	Pittsburgh, PA	Robert L. Walker
Warren Theodore Raymond VonBittner Jr.	Miami, FL	David Walden Mills
Stephen Robert Wade	Ontario, CA	George W. Porter
Sherwood Glen Wakeman	Oakland, CA	Robert D. Raven
Gregory Hamilton Ward	San Jose, CA	James H. Pooley
Timothy Roy Weaver	Yakima, WA	James B. Hovis
Louis Jerry Weber	Hillsboro, MO	John W. Howald
Michael Alan Weiss	Los Angeles, CA	Michael Drell
William Thomas Wertman Jr.	Martinsburg, WV	Garry G. Geffert
Susan Mendenhall West	Anchorage, AK	Larry Gayle Berry
Peter Emmett Wiese	Hartford, CT	Stephen J. O'Neill
John Robert Winters Jr.	Corona, CA	Francis Parker McGee II
Jacques M. Wood	Pittsburgh, PA	Charles Richard Volk
Stephen Mark Anthony Woodworth	Duxbury, MA	Francis J. Lynch II
Joseph B. Yancey	Knoxville, TN	Donald K. Vowell

## SEPTEMBER 2, 1987

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Samuel Lee Akers	Chattanooga, TN	Vick Speed
John I. Alber	St. Louis, MO	George S. Hecker
Bruce L. Atkins	Hackensack, NJ	Michael Lawrence Scherby
D. J. Baker	Houston, TX	Harry Allen Perrin
Stephen Michael Bales	Cleveland, OH	Timothy Marion Bittel

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
M. Louise Barrett	Miami, FL	Lucia A. Dougherty
Dan G. Baucum	Dallas, TX	Emmett Colvin Jr.
Louis D. Bilionis	Raleigh, NC	Malcolm Ray Hunter Jr.
Michael A. Blickman	Indianapolis, IN	Susan B. Tabler
Allen Blumenthal	Los Angeles, CA	Richard Alan Katzman
David Lionel Boddie	Houston, TX	Craig Anthony Washington
Karl Joseph Brandes	Tampa, FL	Douglas Jules Titus Jr.
William Stanley Brobston	Bessemer, AL	Edwin L. Brobston
Charles E. Bruzga	New York, NY	Marvin C. Soffen
Francis C. Bryan	Mt. Sterling, KY	Robert L. Chenoweth
John Lindsay Burnett Jr.	Little Rock, AR	John Thomas Lavey
Laurie J. Butler	Beverly Hills, CA	Maxwell E. Greenberg
Victor Gregory Cabral	Sacramento, CA	Cruz Reynoso
Robert Elton Campbell	Washington, DC	John Joseph McGrath Jr.
Kevin Kitpatrick Carson	Lake City, FL	Richard Walter Prospect
Judith Brown Chomsky	Philadelphia, PA	Edmond A. Tiryak
Roger Farrell Claxton	Dallas, TX	Hubert Dee Johnson Jr.
Leonard Marshall Cockrill	Yakima, WA	E. Frederick Velikanje
Anthony David Dokurno	Gardner, MA	James Jerome Quigley
James Buckner Doyle	Lake Charles, LA	Edgar Fisher Barnett
Jon C. Dubin	New York, NY	Suzanne Marie Lynn

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Carol Dumond	San Francisco, CA	Hector Anninos
Mark Elliott Dunlap	Portland, ME	Robert Edmond Mittel
Edirissa Mohammad Omar Faal	Los Angeles, CA	Robert C. Fortune
Gerald Fabiano	Boston, MA	Phillip M. Davis
Peter James Farnsworth	Point Pleasant, NJ	Benjamin Madnick
Andrew Thomas Fede	Bogota, NJ	William Patrick Schuber
David Lewis Feld	New York, NY	Jeffrey David Woolf
Harold Raymond Finn	Cass Lake, MN	Kent Phillip Tupper
Sharon Elaine Flanagan	Los Angeles, CA	Rochelle Browne
Charles Edward Floyd	Fairmont, NC	Ferd Leary Davis Jr.
John C. Fogle	Mt. Sterling, KY	Robert L. Chenoweth
Steve Gaskins	Minneapolis, MN	Brian Boru O'Neill
Thomas J. Giblin	Union, NJ	Carolyn Diane Gentile
Kevin C. Gleason	Miami, FL	Dante B. Fascell
Jeffrey C. Grant	Seattle, WA	Peggy Ann Nagae
Carol A. Griffin	Boston, MA	Elizabeth Butler Heath
Robert Sumter Griffin II	Newton Grove, NC	John R. Parker Jr.
Don J. Gutteridge Jr.	Oklahoma City, OK	Jo Angela Ables
Richard Jay Hackerman	Baltimore, MD	Roland Walker
Robert Christian Harrison	Tyler, TX	Orrin Lea Harrison II
Mark Edmund Hasse	Dallas, TX	Henry Wade
Marvin J. Hirn	Louisville, KY	James R. Cox
John Joseph Horgan	St. Louis, MO	Robert E. Keaney
Horace Bryan Ives III	Charlotte, NC	William Edward Poe

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeffrey Steven Jacobovitz	Washington, DC	Joseph Jack Bernard
Raymond B. Jue	Los Angeles, CA	Joseph M. O'Heron
Stephen Reid Knox	Montclair, NJ	Richard Edward Kummer
Daniel Mark Kolko	New York, NY	James J. Romano Jr.
Louis Paul Kossman	Cleveland, MS	Alfred A. Levingston
John M. Kunst Jr.	Cincinnati, OH	John William Beatty
Andrew R. Laidlaw	Chicago, IL	Gerald Dunlap Skoning
Arnold Frederick Laikin	Philadelphia, PA	Carl W. Hittinger
Owen Patrick Lalor	Jackson, MS	Peyton S. Irby Jr.
Joseph John Leahy III	Springfield, OR	Edward Clair Harms Jr.
Philip Henry Lebowitz	Philadelphia, PA	David Richman
Gerald S. Leeseberg	Columbus, OH	Walter J. Wolske Jr.
Tania Love Leon	Charlotte, NC	Ferd Leary Davis Jr.
Michaelene Loughlin	Newark, NJ	Stephen Mark Latimer
William Lupo	New York, NY	Maurice Brill
Kimball Douglas Mattson	Walker, MN	Kent Phillip Tupper
John Albert Maxfield	Raleigh, NC	Sidney Smith Eagles Jr.
Barry Alan McClenahan	San Antonio, TX	Edward Paul Fahey
W. Thaddeus Miller	New York, NY	Elliott B. Nixon
Oliver Warren Mowry Jr.	Greenville, SC	William Byrd Traxler Jr.
Richard L. Nelson	Dallas, TX	Henri L. Bromberg Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Paul Nemeth	Drexel Hill, PA	Thomas W. Williams
Allen K. Neyhard	Watson town, PA	Charles J. McKelvey
Kevin O'Hara	Santa Ana, CA	Ronald Angelo Mollis
Steven Paul Oliver	Anchorage, AK	LeRoy Eugene DeVeaux
Susan M. Otto	Oklahoma City, OK	David E. Booth
Edward J. Pallotta Jr.	Los Angeles, CA	Harry Moore Halstead
Lynn Mara Paltrow	New York, NY	Nan D. Hunter
Paul Nelson Paquette	Los Angeles, CA	Bradley C. Withers
Lisa S. Pearson	New York, NY	Susan Buckley
John Mahlon Phelps II	Lillington, NC	Ferd Leary Davis Jr.
Arthur Richard Philpott	Kaneohe, HI	Keith Thomas Sefton
Judith Ann Powell	Atlanta, GA	Matthew Henry Patton
John C. Purbaugh	Charleston, WV	Garry G. Geffert
Terrence J. Quane	LaGrange Park, IL	Thomas P. McLaughlin
I. William Quickel	Lovington, NM	Ronald R. Walker
D. Mark Quiner	Cheyenne, WY	Judge Charles Stuart Brown
Judith I. Ratner	Albany, NY	Michael S. Buskus
Doyle E. Richardson	Manchester, TN	Grady Nelson Forrester
Joseph Marion Rimac Jr.	Los Angeles, CA	Charles Forrest Bannan
R. Lee Roberts	Los Angeles, CA	Edward S. Renwick
Richard L. Roble	Atlanta, GA	Frank G. Carrington Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Nick A. Rotering	Helena, MT	Diane Rotering Kilbourne
Valerie L. Salven	Lexington, KY	Virgil W. Webb III
Marie Sansone	Anchorage, AK	Robert Stanley Ditus
George Santini	Cheyenne, WY	Judge Charles Stuart Brown
Victor William Santochi	Los Angeles, CA	John P. Kenosian
Michael Ferd Schilawski	Cary, NC	Richard L. Braun
Robert J. Schreck	Buffalo, NY	Michael H. Ranzenhofer
Thomas H. Scruggs	Jackson, MS	Perry E. Brown Jr.
Alan M. Shafer	Los Angeles, CA	William Benjamin Creim
B. Keith Shake	Indianapolis, IN	James Clifford Courtney
Michael Thomas Sheedy	Milwaukee, WI	Patrick Thomas Sheedy
Gary K. Shipman	Wilmington, NC	Ferd Leary Davis Jr.
Jessica Leigh Sibley	Winona, MS	William Liston
Richard Arthur Sparr Jr.	San Antonio, TX	Edward Paul Fahey
Sharon A. Sprague	Washington, DC	Rose Elizabeth Bird
David E. Stanley	Baton Rouge, LA	J. Michael McDonald
Scott Charles Strattard	Saginaw, MI	Harvey Dennis Walker
James Suglio	Fort Lauderdale, FL	Max A. Rudmann
Patricia Hughes Torres	Montrose, CA	Larry Rothman
G. Wesley Urquhart	Houston, TX	James W. McCartney
Lane Waring Vaughn	Melbourne, FL	Richard Haynes

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jakmes Ronald Vignery	Goodland, KS	Jeffrey Allen Mason
Christopher Joseph Walker III	Gainesville, GA	Robert Lawrence Husby Jr.
Marc Lamar Warren	Tampa, FL	Charles Paul Schropp
Leonard Glenn Weisberg	Boca Raton, FL	Bruce Edmund Winter
Kyle Wesendorf	Chicago, IL	Robert P. Isaacson
Stanley Ziegler White	Beverly Hills, CA	Ferd Leary Davis Jr.
Michael H. Whitehill	Beverly Hills, CA	Steven B. Stevens

## SEPTEMBER 17, 1987

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gregg David Adler	Hartford, CT	James R. Barnett
J. Calvin Aker	London, KY	Carl W. Breeding
James Edward Allen Jr.	Oakland, CA	Stanley P. Hebert
Kimball R. Anderson	Chicago, IL	Edward Lane Foote
Bruce D. Angiolillo	New York, NY	Cyrus R. Vance
Denise Boone Azar	Montgomery, AL	Richard N. Meadows
Robert E. Ballard	Houston, TX	Nick C. Nichols
William A. Barth	Louisville, KY	John T. Ballantine
Alan Edward Basford	Libertyville, IL	Howard M. Lang
Marc O. Beem	Chicago, IL	R. Dickey Hamilton
Daniel J. Beller	New York, NY	Simon H. Rifkind
Jay Samuel Belshaw	Torrance, CA	Jerome L. Bleiweis
Andy D. Bennett	Nashville, TN	W.J. Michael Cody
Jose Arturo Berlanga	Houston, TX	Burt Ballanfant
Daniel Thornton Bernhard	San Francisco, CA	Michael F. Perlis
Laura Besvinick	Miami, FL	Bruce Wayne Greer

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Armistead Boardman	Dallas, TX	Leonard Elbert Hoffman Jr.
Henry M. Bohnhoff	Albuquerque, NM	Harold D. Stratton Jr.
Dolores Anne Bomrad	Kenosha, WI	Terry W. Rose
Karon O. Bowdre	Birmingham, AL	Theodore B. Olson
William Curtis Brighton	Terre Haute, IN	David I. Day Jr.
Raymond L. Brown Jr.	Alexandria, LA	Thomas Kimball Brocato
Melvyn L. Cantor	New York, NY	Cyrus R. Vance
Robert A. Castrodale	Grand Coulee, WA	Robert H. Whaley
William A. Clark	Columbus, OH	Richard Sterling Donahey Jr.
Daryl Russell Coffey	Fort Worth, TX	William Van Thompson Jr.
Kevin Francis Collins	Stamford, CT	James J. Killerlane
Clement John Colucci III	New York, NY	Sheldon Howard Elsen
William Robert Connor III	Rye, NY	John E. Cone Jr.
C. Randall Cook	San Luis Obispo, CA	Judge William R. Fredman
Oliver Seto Cox	Sacramento, CA	Anthony L. Miller
Sherri L. Cranmore	St. Louis, MO	Harry O. Moline Jr.
Diane Rae Crowley	San Francisco, CA	Donald Wayne Rees
David Paul Cunningham	Houston, TX	Lawrence W. Sauer Jr.
Richard Charles Daniels	College Park, MD	Carlton M. Green
Randy Iris Danto	San Jose, CA	Judge Marilyn Loftus
Joseph Michael Davis	Tampa, FL	John Phillip Griffin
Charles Lea Deem	San Diego, CA	Eugene Lincoln Freeland
Stephen J. DelGiudice	Takoma Park, MD	Jerome A. Barron

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
June E. Denlinger	Baton Rouge, LA	Keith Baker Nurdyke
Neil Joel Dilloff	Lutherville, MD	Deborah Topper Garren
Michael Bruce Dodds	Vancouver, WA	Richard Alan Melnick
Terry Bancroft Dowd	Washington, DC	Mark Lewis Evans
Sharon Bullock DuPuis	Fontana, CA	Judge Marilyn Loftus
Thomas Joseph Eberly	Tiffin, OH	Charles D. Hering Jr.
Edgar M. Elliott III	Birmingham, AL	Theodore B. Olson
Elliott L. Epstein	Lewiston, ME	Robert S. Hark
Bernard F. Finn	Lansing, MI	Lawrence P. Schneider
Arthur F. Fite III	Anniston, AL	Walter J. Merrill
David T. Flaherty Jr.	Lenoir, NC	Robert Bond Byrd
Andrew Robert Fogle	Libertyville, IL	Howard M. Lang
Martha Elizabeth Ford	Washington, DC	Martin H. Gerry
Ellyn Laura Freiberg	Edgewater, NJ	Roy W. Breslow
Dennis L. Friedman	Philadelphia, PA	Juan J. Laureda
Thomas R. Gerarde	Wethersfield, CT	Ronald Gold
Marsha B. Glisson	New Port Richey, FL	Judge Marilyn Loftus
Susan Goldsweig	Yonkers, NY	Richard Goldsweig
Gary R. Greenberg	Boston, MA	Robert B. Carpenter
Martin Gringer	Brooklyn, NY	Richard M. Naness
Penda D. Hair	Washington, DC	Elaine Ruth Jones
Leonard E. Harmon	New York, NY	George W. Wright
Stuart Alan Heaton	Miami, FL	Gilbert Jackson Hardy Jr.
Bernd Gunter Heinze	Philadelphia, PA	Randal Cornell Teague
Steven M. Helm	Danville, IL	John P. O'Rourke

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stephen A. Herman	Washington, DC	Jeffrey S. Davidson
Patrick K. Hetrick	Buies Creek, NC	Margaret Person Currin
Lawrence Wilson Hewitt	Charlotte, NC	George J. Miller
Jimmie Robert Ippolito Jr.	Montgomery, AL	Richard N. Meadows
James K. Jackson	Alexandria, VA	George William Frick
Robert J. Jessee	Johnson City, TN	James T. Bowman
Brian K. Julian	Boise, ID	Jim Jones
Edward M. Kalish	Chicago, IL	Michael L. Closen
Lawrence P. Katzenstein	St. Louis, MO	Carroll J. Donohue
Katheryn K. Kaufman	Oklahoma City, OK	James Mark Kaufman
Henry C. Kinslow	El Dorado, AR	Bobby E. Shepherd
Claude Clare Knight	St. Charles, MO	Wayne Thomas Schoeneberg
Bruce G. Kokernak	Sarasota, FL	M. Joseph Lieb Jr.
Janet Marcia Kosman-Rose	New York, NY	Craig Schiller
Scott A. Kruse	Los Angeles, CA	William Jeffrey Kilberg
Carolyn A. Kubitschek	Brooklyn, NY	Monroe H. Freedman
John M. Lang	London, KY	Carl W. Breeding
H. Thomas Leonard	Ponca City, OK	Joseph S. Lewis
Raymond J. Lester	Orland Park, IL	Joseph J. Hasman
D. Michael Linihan	St. Louis, MO	Thomas M. Hanna
Daniel E. Livingston	Hartford, CT	James R. Barnett
David G. Martin	Saint Paul, MN	Eugene M. Warlich
Marc S. Mayer	Chicago, IL	Seymour Zaban
Robert R. McBride	Lafayette, LA	James W. Bean
Michael Charles McIntyre	Los Angeles, CA	Stephenie Regena Slahor
Frank Edward Merrick	Orlando, FL	James Matthias Russ

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Patterson Carl Meuth Donald P. Minahan	Libertyville, IL Pittsburgh, PA	Howard M. Lang LeRoy S. Zimmerman
E. Bay Mitchell III	Enid, OK	Edward A. DeClerck
Boris Moczula	Edison, NJ	Maureen A. Varley
Robert Waldo Morgan George Michael Newcombe Phillip Arthur Nichols Richard Seiji Nishite Joseph W. O'Reilly	Baton Rouge, LA New York, NY Stephenville, TX Sacramento, CA Louisville, KY	Paul D. Laxalt Roy L. Reardon John Eldon Terrill Anthony L. Miller Edward F. Rectenwald
Richard J. Ovelmen	Miami, FL	Bruce Wayne Greer
Richard Howard Page	Olathe, KS	James W. McCartney
Edward Charles Parker	Jackson, MS	Joseph D. Cascio Jr.
Nelson Jose Perez-Sosa Bruce A. Peterson Daniel Henry Pfeifer	San Juan, PR Holdrege, NB South Bend, IN	Ramon A. Alfaro Jeffrey A. Bogue Charles A. Sweeney Jr.
Edward King Poor IV	Chicago, IL	James Robert Vogler
Scott Douglas Raphael	Newport Beach, CA	Frank C. Rothrock
A. Douglas Reece L. Martin Reeder Jr.	London, KY West Palm Beach, FL	Carl W. Breeding John Myron Farrell
Michael Lane Rosen	Tallahassee, FL	Chesterfield Harvey Smith
Kathleen Conolly Rupinski Bruce Ian Schimmel Elliott S. Schlissel	Florence, NJ Houston, TX Rockville Centre, NY	James J. Ciancia Stephen P. Dillon Milan Kenneth Gregory
William Schwartz Paul A. Share	Boston, MA New York, NY	Paul J. Liacos Emil Thomas Bayko

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jonathan Drew Smith	Baltimore, MD	David Henry Bamberger
James Fulton Stanley III	Denver, CO	William R. Sharpe
Jack Warren Staton	Mullens, WV	John D. Amos
Brenda Smith Stedham	Anniston, AL	Walter J. Merrill
Alan L. Sternberg	Bloomington, IL	Leon Joseph Zanoni
Priscilla J. Triolo	Hackensack, NJ	John K. Walsh
William Roger Truitt	Washington, DC	Michael A. Brown
Phyllis Ungerer	Los Angeles, CA	Bernard Samuel Kamine
Bernard R. Vash	Kenosha, WI	Terry W. Rose
Gerald Donald Waite	Las Vegas, NV	John R. Kinsinger
John K. Walsh Jr.	Hackensack, NJ	John K. Walsh
Harry David Weller	West Hartford, CT	James Gaylord Clark
Luther C. West	Baltimore, MD	Allan Barry Rabineau
Patrick Westerkamp	Matawan, NJ	James Edward Farrell Jr.
Pamela R. Winnick	New York, NY	John David Canoni
Ralph E. Wiser III	Portland, OR	Marc David Blackman
Frederick G. Wohlschlaeger	Cleveland, OH	Philip R. Ehrenkranz
Judith Schleitwiler Wolicki	Chicago, IL	R. Dickey Hamilton
Henry E. Yoes III	Lake Charles, LA	Edgar Fisher Barnett
Craig James Zinda	Milwaukee, WI	Gregory Bruce Beam



SUPREME COURT OF THE UNITED STATES

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

## ORDER IN PENDING CASE

No. 87-5546. Donald G. 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 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.