

(ORDER LIST: 543 U.S.)

MONDAY, FEBRUARY 28, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

04-414 ROACH, ELIZABETH R. V. UNITED STATES

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-1004 COLL, GUSTAVO E. V. UNITED STATES

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 Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-6302 SMITH, CARLTON V. V. UNITED STATES

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 United States Court of Appeals for the Sixth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7175 SENN, GARY M. V. UNITED STATES

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 United

States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7290 JIMENEZ-CID, PRISCILIANO V. UNITED STATES

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 United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7798 FRANCIS, ANTHONY V. UNITED STATES

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 United States Court of Appeals for the Eighth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7804 VANG, JOHN V. MINNESOTA

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 Appeals of Minnesota for further consideration in light of *Smith v. Massachusetts*, 543 U.S. ____ (2005).

04-7844 SMITH, BRYAN W. V. UNITED STATES

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 United States Court of Appeals for the Eleventh Circuit for further

consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7888 LEWIS, DANIEL C. V. UNITED STATES

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 United States Court of Appeals for the Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7903 DEASON, QUINTON W. V. UNITED STATES

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 United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7907 MOHR, CHRISTOPHER M. V. UNITED STATES

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 United States Court of Appeals for the Eighth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7917 ARMSTEAD, ROBERT V. UNITED STATES

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 United States Court of Appeals for the Third Circuit for further

consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7921 MANDILE, RICHARD A. V. UNITED STATES

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 United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7942 BURNETTE, CHERYL V. UNITED STATES

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 United States Court of Appeals for the First Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7957 WALKER, LAVAN M. V. UNITED STATES

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 United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7985 GUTIERREZ, GERARDO J. V. UNITED STATES

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 United States Court of Appeals for the Fifth Circuit for further

consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7986 GORE, JOHNNY L. V. UNITED STATES

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 United States Court of Appeals for the Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-7991 GUZMAN-REYES, JOSE A. V. UNITED STATES

04-8030 VILLANUEVA, MANUEL V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8041 EVANS, RONALD V. UNITED STATES

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 United States Court of Appeals for the First Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8065 EDWARDS, ROBERT E. V. UNITED STATES

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 United

States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8071 MENDOZA-MESA, RAMON V. UNITED STATES

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 United States Court of Appeals for the Eighth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8073 JOHNSON, WILLIAM L. V. UNITED STATES

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 United States Court of Appeals for the Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8074 MARSHEK, TYSON E. V. UNITED STATES

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 United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8075 LOWE, SIMON M. V. UNITED STATES

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 United

States Court of Appeals for the Sixth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8114 RODRIGUEZ, PABLO V. UNITED STATES

04-8128 BOWENS, MACK A. V. UNITED STATES

04-8130 AARON, ANTHONY L. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8162 ROSS, MARVIN E. V. UNITED STATES

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 United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8173 HARRIS, JAMES H. V. UNITED STATES

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 United States Court of Appeals for the Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8187 SOLLEDER, JOHN J. V. UNITED STATES

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 United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8189 HUDSON, DAVIDE V. UNITED STATES

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 United States Court of Appeals for the Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8207 HOLT, CARROLL V. UNITED STATES

04-8216 SIMPSON, GEORGE H. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8217 SANCHEZ-CARRASCO, JORGE V. UNITED STATES

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 United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8238 JACKSON, PAUL L. V. UNITED STATES

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 United States Court of Appeals for the Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8255 JUAREGUI-VILLAREAL, DAVID V. UNITED STATES

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 United States Court of Appeals for the Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8262 BOWKER, ERIK V. UNITED STATES

04-8274 SMITH, CARLOS V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8275 CIVIL, MANUELA D. V. UNITED STATES

04-8296 NGUYEN, HOANG V. V. UNITED STATES

04-8298 LOREDO-TORRES, ANTONIO V. UNITED STATES

04-8299 MARTINEZ, VICTOR H. V. UNITED STATES

04-8301 BATTEN, NICKIE A. V. UNITED STATES

04-8303 ARIAS-HERNANDEZ, JOSE, ET. AL. V. UNITED STATES

04-8304 MARTINEZ-ALFARO, FRANCISCO J. V. UNITED STATES

04-8305 GONZALEZ-AMARO, JACOBO M. V. UNITED STATES

04-8315 CANTU-MARICHALAR, UBALDO V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8318 PAGHENSE, ROBERTO V. UNITED STATES

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 United States Court of Appeals for the Second Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8328 HACKWORTH, LAWAYLON V. UNITED STATES

04-8355 GARCIA, RICARDO V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgment are vacated and the cases are remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8356 GRAY, MAUREEN V. UNITED STATES

04-8359 DE LA OSSA, SILVIO A. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted.

The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8380 RAMOS-BIRRUETA, TRINIDAD V. UNITED STATES

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 United States Court of Appeals for the Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8389 SAUNDERS, TERRELL V. UNITED STATES

04-8401 ALPERT, CARL H. V. UNITED STATES

04-8431 PEREZ, JORGE L. V. UNITED STATES

04-8442 PIERCE, GARY J. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

ORDERS IN PENDING CASES

04M50 JOHNSON, WILLIAM S. V. CAIN, WARDEN

The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is denied.

04M51 BRENNAN, JOHN V. MERCEDES BENZ USA, ET AL.

04M52 WILSON, DEMETRIUS A. V. BARTOS, WARDEN, ET AL.
04M53 MEADOWS, CORTEZ N. V. OKLAHOMA, ET AL.
04M54 HENDERSON, THOMAS V. YARBOROUGH, WARDEN, ET AL.
04M55 LEON C. BAKER P.C. V. MERRILL LYNCH

The motions to direct the Clerk to file petitions for writs of certiorari out-of-time are denied.

04M56 HAMRICK, DON V. BUSH, PRESIDENT OF U.S., ET AL.

The motion for leave to proceed as a seaman is denied.

03-9877 CUTTER, JON B., ET AL. V. WILKINSON, DIR., OH DOC, ET AL.

The motion of the Acting Solicitor General for divided argument is granted.

04-277) NAT'L CABLE & TELECOMM. ASSN. V. BRAND X INTERNET SERVICES
04-281) FCC, ET AL. V. BRAND X INTERNET SERVICES

The motion of the Acting Solicitor General for divided argument is granted.

04-278 CASTLE ROCK, CO V. GONZALES, JESSICA

The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

04-607 LABORATORY CORP. OF AMERICA V. METABOLITE LABORATORIES, ET AL.

The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States limited to the following question: Respondent's patent claims a method for detecting a form of vitamin B deficiency, which focuses upon a correlation in the human body between elevated levels of certain amino acids and deficient levels of vitamin B. The method consists of the following: First, measure the level of the relevant amino acids using any device, whether the device

is, or is not, patented; second, notice whether the amino acid level is elevated and, if so, conclude that a vitamin B deficiency exists. Is the patent invalid because one cannot patent "laws of nature, natural phenomena, and abstract ideas"? *Diamond v. Diehr*, 450 U.S. 175, 185 (1981).

04-7036 VENTIMIGLIA, VINCENT M. V. ST. LOUIS COUNTY, MO, ET AL.

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

04-7799 JALIL, RICARDO V. AVDEL CORPORATION, ET AL.

04-7854 TSABBAR, ZION V. 17 EAST 89TH STREET TENANTS

04-8325 HIGH, GEORGE, ET UX. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until March 21, 2005, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

CERTIORARI GRANTED

04-473 GARCETTI, GIL, ET AL. V. CEBALLOS, RICHARD

The motion of California State Association of Counties for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted.

04-597 UNITHERM FOOD SYS., INC. V. SWIFT-ECKRICH, INC., ET AL.

The petition for a writ of certiorari is granted limited to the following question: Whether, and to what extent, a court of appeals may review the sufficiency of evidence supporting a civil jury verdict where the party requesting review made a motion for judgment as a matter of law under Rule 50(a) of the

Federal Rules of Civil Procedure before submission of the case to the jury, but neither renewed that motion under Rule 50(b) after the jury's verdict, nor moved for a new trial under Rule 59?

04-631 RICHARDS, STEPHEN S. V. PRAIRIE BAND POTAWATOMI NATION

04-712 LINCOLN PROPERTY CO., ET AL. V. ROCHE, CHRISTOPHER, ET UX.

The petitions for writs of certiorari are granted.

CERTIORARI DENIED

04-450 TSOLAINOS, PANOS T. V. LOUISIANA

04-489 BROWARD YACHTS, INC. V. SEAGROVE TRADING, INC.

04-536 NEW ORLEANS, LA V. MUNICIPAL ADMIN. SVCS., INC.

04-570 MARTIN, MARY V. BOYD GAMING CORP., ET AL.

04-624 HAMMOND, DUWAYNE D., ET AL. V. COEUR D'ALENE TRIBE OF ID

04-668 McBRIDE, D., ET AL. V. ORTIZ, JOSE

04-705 BRYAN, TOMI W. V. BELLSOUTH TELECOMMUNICATIONS

04-718 WILLIAMS, GEORGE A., ET AL. V. JACKSONVILLE, FL, ET AL.

04-819 SWIFT-ECKRICH, INC. V. UNITHERM FOOD SYSTEMS, INC.

04-867 RODRIGUEZ, ISIDORO V. VANDER JAGT, GUY, ET AL.

04-884 MILLER, LOTTIE J. V. FIRSTAR BANK N.A.

04-887 SOETH, MUMU CINDY, ET VIR V. GONZALES, ATT'Y GEN.

04-890 NAVARRO, ANGELICA D. L., ET AL. V. GONZALES, ATT'Y GEN.

04-907 APPOLO FUELS, INC. V. UNITED STATES

04-960 SPURGEON, STEVEN V. FLEMING, SUPT., MONROE

04-987 ZIMMER, DAVID H., ET AL. V. FISERV SERVICES, INC.

04-1003 DOWTY, THOMAS W. V. UNITED STATES

04-1007 MERCER, DWAIN V. UNITED STATES

04-1013 WALLACE, RANDALL V. UNITED STATES

04-1019 DHINSA, GURMEET S. V. UNITED STATES
04-6030 ADAMS, DON R. V. GILLIS, SUPT., COAL TWP., ET AL.
04-6444 ANDREWS, OSCAR V. UNITED STATES
04-6524 OGDOD, WALTER V. PENNSYLVANIA
04-6711 OVIEDO, VINCENT C. V. MYERS, KELLEY M.
04-6713 NUNES, JOSE F. V. GONZALES, ATT'Y GEN.
04-7040 BARAJAS-AVALOS, PIEDAD V. UNITED STATES
04-7094 DIXON, WILL V. TEXAS
04-7227 BROWN, VERNON V. LUEBBERS, SUPT., FARMINGTON
04-7369 RAMIREZ, ROBERT R. V. UNITED STATES
04-7430 CONNER, KEVIN A. V. McBRIDE, SUPT., MAXIMUM CONTROL
04-7441 LANZILOTTA-DICKS, LOUISE V. THOMAS MORE COLLEGE
04-7448 WORKMAN, PHILIP R. V. SUMMERS, ATT'Y GEN. OF TN
04-7688 RICHMOND, EARL V. POLK, WARDEN
04-7757 WAGATHA, DANIELLE V. SATELLITE BEACH POLICE DEPT.
04-7814 ROBINSON, THOMAS V. DiGUGLIELMO, SUPT., GRATERFORD
04-7822 MARTINEZ, JAMES E. V. TEXAS
04-7831 MARSHALL, CHARLES R. V. LAW OFFICES OF RICHARD TANZER
04-7835 BISHOP, DALE L. V. MISSISSIPPI
04-7852 J. W. V. ILLINOIS
04-7853 ZIMMERMAN, ROCKIE L. V. ORTIZ, EXEC. DIR., CO DOC
04-7857 SLOAN, SAMUEL H. V. GRAHAM, NERO, ET AL.
04-7858 SLOAN, SAMUEL H. V. KNAPP, CHARLES E.
04-7859 SINQUEFIELD, DAVID E. V. MOSELY, WARDEN
04-7862 MULLEN, DAVID V. LAVAN, SUPT., DALLAS
04-7864 LEE, DZOW V. MILLER, SUPT., EASTERN
04-7865 MARTIN, ROBIN S. V. YARBOROUGH, WARDEN
04-7867 SOKOLSKY, MARK S. V. LOS ANGELES COUNTY, CA, ET AL.

04-7873 KANG, JAMES V. CALIFORNIA
04-7878 OMUNA, WILLIAM N. V. FISHER, THOMAS, ET AL.
04-7883 DuBOSE, GERRY C. V. KELLY, JOHN D., ET AL.
04-7891 ADI, JOHN V. PRUDENTIAL, ET AL.
04-7897 PRUITT, BENJAMIN V. ILLINOIS
04-7900 CLARK, WILLIE E. V. GONZALES, ATT'Y GEN.
04-7925 CARTER, JERRY V. GIURBINO, WARDEN
04-7930 LANCASTER, CHRISTOPHER V. MISSISSIPPI
04-7936 OMUNA, WILLIAM V. GARCIA, ACTING COMM'R OF INS
04-7952 LUCZAK, THEODORE V. MOTE, WARDEN
04-7980 HAMPTON, WILLIE V. UNITED STATES
04-8002 VALLE, SACRAMENTO V. GA DOC
04-8019 CATALANO, LAURENCE V. NEW JERSEY
04-8027 STEVENSON, AMOS D. V. LEWIS, WARDEN
04-8057 ADAMS, ROY L. V. MISSISSIPPI
04-8132 WATTS, GORDON W. V. FL COMM'N ON HUMAN RELATIONS
04-8151 WILKINSON, NEIL E. V. CROSBY, SEC., FL DOC, ET AL.
04-8180 WOODBERRY, THOMAS V. MCKUNE, WARDEN, ET AL.
04-8229 LIEDTKE, J. BRENT V. UNITED STATES
04-8241 MOORE, TERRANCE L. V. UNITED STATES
04-8249 SORRELLS, ANTHONY L. V. CROSBY, SEC., FL DOC, ET AL.
04-8291 BELL, MICHAEL A. V. UNITED STATES
04-8300 JACKSON, DARRYL E. V. UNITED STATES
04-8313 ELIZONDO-RODRIGUEZ, JULIO C. V. UNITED STATES
04-8327 GRIFFIN, ELMER V. V. UNITED STATES
04-8333 McLEAN, CLEVELAND V. UNITED STATES
04-8336 TODD, DIVELLER V. UNITED STATES
04-8337 WASHINGTON, MARNAIL V. UNITED STATES

04-8347 VEGA-COSME, MIGUEL A., ET AL. V. UNITED STATES
04-8351 RUTHERFORD, ANTHONY V. UNITED STATES
04-8354 HARTLEY, ALBERT D. V. UNITED STATES
04-8366 REID, JOHN L. V. UNITED STATES
04-8375 VENTRICE, CHRISTOPHER V. UNITED STATES
04-8383 LEWIS, CINDY V. UNITED STATES
04-8387 CLAY, CLARENCE V. UNITED STATES
04-8388 STEWART, CHARLES L. V. UNITED STATES
04-8393 ORIAKHI, DANIEL V. UNITED STATES
04-8398 TAYLOR, GREGORY V. UNITED STATES
04-8400 WILLIAMS, SHON C. V. UNITED STATES
04-8403 BRITT, L. J. V. UNITED STATES
04-8421 GUERRERO, AGUSTIN V. UNITED STATES
04-8427 ESTRADA-SOTO, NICANOR V. UNITED STATES
04-8428 DADE, DAMON V. UNITED STATES
04-8434 BURSE, DAMON V. UNITED STATES

The petitions for writs of certiorari are denied.

04-704 TRAWINSKI, BENON J. V. UNITED TECHNOLOGIES CARRIER

The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this petition.

04-7869 ARANDA, ROQUE T. V. STEWART, VIRGINIA, ET AL.

04-8332 OWENS-EL, JAMES J. V. HOOD, WARDEN

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

HABEAS CORPUS DENIED

04-8566 IN RE THOMAS F. BOWLING

The petition for a writ of habeas corpus is denied.

REHEARINGS DENIED

03-10875 MENDOZA, ROSARIO V. BARNHART, COMM'R, SOCIAL SEC.

04-5708 CEDANO-MEDINA, DAGOBERTO S. V. UNITED STATES

04-6345 JACKSON, ARTHUR D. V. CAMBRA, WARDEN, ET AL.

04-6557 PRUITT, DAVID M. V. CROSBY, SEC., FL DOC

04-6708 BANSAL, DEVENDRA P. B. V. LAMAR UNIV., ET AL.

04-6818 RICHBURG, JESSE E. V. UNITED STATES

04-7003 IN RE DANIEL R. VOVAK

04-7127 PESCI, JAMES E. V. GANSHEIMER, WARDEN

04-7287 ROHN, DERRICE D. V. UNITED STATES

04-7300 IN RE DANIEL R. VOVAK

04-7318 CASTRO-BALDERAS, IGNACIO V. UNITED STATES

04-7323 CISNEROS-MUNIZ, JUAN C. V. UNITED STATES

04-7324 AGUILAR-GARCIA, TOMAS V. UNITED STATES

04-7424 TOWNSEND, NAKOMA V. UNITED STATES

04-7436 MCKENZIE, RICARDO A. V. UNITED STATES

04-7479 SPRY, SUSAN C. V. UNITED STATES

04-7535 GREEN, LASHONDA R. V. UNITED STATES

The petitions for rehearing are denied.

03-10956 ECKARDT, ALBERT C. V. CROSBY, SEC., FL DOC

The motion for leave to file a petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from Monday, March 7, 2005,
until Monday, March 21, 2005.