

(ORDER LIST: 541 U.S.)

MONDAY, MARCH 29, 2004

**ORDERS IN PENDING CASES**

03M53 MURRELL, JOYCE ANN V. STATE FARM INS., ET AL.

03M54 HOFMANN, I. M. V. IL DEPT. OF HUMAN RIGHTS, ET AL.

03M55 HOFMANN, I. M. V. FERMILAB NAL/URA, ET AL.

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

03M56 CLINTON, RENE J. V. ATLANTA, GA

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time under Rule 14.5 is denied.

03M57 K. E. V. FL BD. OF BAR EXAMINERS

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time is denied.

**CERTIORARI GRANTED**

03-750 SMALL, GARY S. V. UNITED STATES

The petition for a writ of certiorari is granted.

03-892 CIR V. BANKS, JOHN W.

03-907 CIR V. BANAITIS, SIGITAS J.

The petitions for writs of certiorari are granted. The cases are consolidated and a total of one hour is allotted for oral argument.

03-1160 SMITH, AZEL P., ET AL. V. JACKSON, MS, ET AL.

The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

03-691 EGWAOJE, BENJAMIN V. UNITED STATES  
03-774 ILLINOIS V. BUNCH, BERNARD  
03-1051 HEFFINGTON, MARK, ET UX. V. BOB COOK HOMES, ET AL.  
03-1056 WALTON, LUANNE V. JOHNSON & JOHNSON, ET AL.  
03-1057 DENGEL, CARL A. V. BOLEN, UNITED STATES TRUSTEE  
03-1058 CARTER, RUBY, ET AL. V. MS DOC, ET AL.  
03-1059 CASS, LORI V. NEW YORK  
03-1060 WILLIAMS, PATRICIA, ET AL. V. GALVESTON INDEP. SCH. DIST.  
03-1064 NESBIT, NORMA J. V. GEARS UNLIMITED, INC.  
03-1065 STEINBRECHER, ROSEMARY C. V. STEINBRECHER, JOHN  
03-1067 MEDICAL INSTRUMENTATION, ETC. V. ELEKTA AB, ET AL.  
03-1069 PEIRCE, EMMA M., ET AL. V. MELLON BANK CORP., ET AL.  
03-1072 BANK ONE, NA V. WI DEPT. OF WORKFORCE DEV.  
03-1075 PIECZENIK, GEORGE V. DYAX CORP.  
03-1076 WILLIAMS, ASTON B. V. MADDI, JOSEPH, ET AL.  
03-1093 SHELTON, ROLAND A. V. SHELTON, MARYANN C.  
03-1105 BROWN, ROBERT E., ET UX. V. TURNER, WALLACE E., ET UX.  
03-1106 FAIRFAX REALTY, INC., ET AL. V. SMITH, ARMAND L., ET AL.  
03-1132 DUNLEAVY, JAMES P. V. ME COMM. ON JUDICIAL, ETC.  
03-1141 GISSLEN, BRENT V. CRYSTAL, MN, ET AL.  
03-1149 MISEK-FALKOFF, LINDA D., ET VIR V. McDONALD, JAMES J., ET AL.  
03-1154 SEARS, MARIAN V. PRINCIPI, SEC OF VA  
03-1155 GRACIA, AURELIO, ET AL. V. PEREZ-GUZMAN, JOSE E., ET AL.  
03-1232 VALLADARES-HELGUERA, JUAN J. V. UNITED STATES  
03-1233 WHEELER, HAROLD J., ET AL. V. UNITED STATES  
03-1241 HARRELSON, CHARLES V. V. UNITED STATES  
03-7686 O'NEAL, JOHN E. V. UNITED STATES

03-7760 DALLIO, THOMAS V. SPITZER, ATT'Y GEN. OF NY, ET AL.  
03-8046 BURGESS, STEVEN J. V. WISCONSIN  
03-8419 WRIGHT, JOEL D. V. CROSBY, SEC., FL DOC, ET AL.  
03-8518 RIVERS, MARC X. V. PENNSYLVANIA  
03-8527 REESE, STACEY V. BUTLER, WARDEN  
03-8544 TERRY, FREDERICK L. V. LAFLER, WARDEN  
03-8547 ESTRADA, ENRIQUE V. DRETKE, DIR., TX DCJ  
03-8558 CHAUDHARY, KAILASH C. V. CLARKE, WARDEN  
03-8567 OFFORD, JESSE J. V. CAIN, WARDEN  
03-8570 REDDING, SEAN A. V. WORKMAN, WARDEN  
03-8574 PFINGSTEN, JAMES C. V. KEMNA, SUPT., CROSSROADS  
03-8577 AMICK, JEFFREY V. DORMIRE, SUPT., MO, ET AL.  
03-8579 BURR, DONALD R. V. STATE OF TX CT., ET AL.  
03-8585 ALDER, MATTHEW L. V. CORRECTIONAL MEDICAL SERVICES  
03-8587 OGUNJOBI-YOBO, PAMELA H. V. DeKALB COUNTY, GA  
03-8589 PREYER, HOMER L. V. HALL, WARDEN  
03-8595 CALTABIANO, ALFRED R. V. GLOUCESTER, NJ  
03-8596 ERBY, MAURICE V. CARUSO, DIR., MI DOC  
03-8597 PARKER, RONARD V. ILLINOIS  
03-8599 BENNETT, RICKY A. V. LOUISIANA  
03-8607 OCHOA, HUGO F. V. JAMROG, WARDEN  
03-8608 WELDY, HENRY J. V. INDIANA  
03-8609 VALLE, MANUEL V. CROSBY, SEC., FL DOC  
03-8612 KATTICK, MICHAEL V. CROSBY, SEC., FL DOC  
03-8617 DAVIS, MARK R. V. ATKINSON, SHERIFF, ET AL.  
03-8623 LENNON, ROXANNE V. STONE, MICHAEL B.  
03-8625 McCOY, DAVON E. V. YARBOROUGH, WARDEN, ET AL.  
03-8627 GRAHAM, KENNETH R. V. GALAZA, WARDEN

03-8640 NGUYEN, THANH P. V. PHILLIPS, AUSTIN F., ET AL.  
03-8641 ALLEY, SEDLEY V. BELL, WARDEN  
03-8643 WEAVER, OTIS L. V. JOHNSON, DIR., VA DOC  
03-8646 PARKS, CARLTON B. V. CHATTANOOGA, TN, ET AL.  
03-8651 WILSON, LAMONT E. V. DRETKE, DIR., TX DCJ  
03-8652 TAYLOR, DARREN X. V. JONES, WARDEN  
03-8665 WILLIAMS, ROBERT V. OHIO  
03-8687 TILLER, CARLOS R. V. GEORGIA, ET AL.  
03-8694 FITTEN, DORNA S. V. CHATTANOOGA-HAMILTON HOSPITAL  
03-8756 JONES, CEDRIC V. UNIV. OF CENTRAL FL, ET AL.  
03-8795 JACKSON, FREDERICK G. V. FRANK, SEC., WI DOC  
03-8800 KRAY, SAP V. WASHINGTON  
03-8825 VORAVONGSA, LAMPHONE V. WALL, DIR., RI DOC  
03-8833 PALLADINO, MAURO V. PERLMAN, SUPT., MOHAWK  
03-8879 SCOTT, NOEL P. V. LINDSEY, WARDEN  
03-8885 WILLIAMS, ARTHUR V. AVIALL SERVICES INC.  
03-8916 RHODES, GREGORY G. V. ILLINOIS  
03-8937 HORNE, ODESSA V. POTTER, POSTMASTER GEN.  
03-8954 PHILLIPS, MURLIN R. V. MISSOURI  
03-8973 MURILLO-CONTRERAS, JESUS V. UNITED STATES  
03-8986 BOYER, JOSHUA K. V. UNITED STATES  
03-8990 WILSON, DALTON K. V. UNITED STATES  
03-8994 CUEVAS, MANUEL V. UNITED STATES  
03-8999 BENNETT, CHARLES E. V. UNITED STATES  
03-9001 STERLING, DAVID J. V. UNITED STATES  
03-9008 MAXWELL, LLOYD G. V. UNITED STATES  
03-9014 CHARLES, WISLEY V. UNITED STATES  
03-9015 CIANCAGLINI, JOHN V. UNITED STATES

03-9019 GATES, ALLEN L. V. UNITED STATES  
03-9022 HOLT, GARY W. V. FLEMING, WARDEN  
03-9024 FLOWERS, MERLIN E. V. UNITED STATES  
03-9025 HOFFMAN, HUBERT G. V. UNITED STATES  
03-9027 WALL, MITCHELL V. UNITED STATES  
03-9028 WILLIAMS, ALAN D. V. UNITED STATES  
03-9035 GIL, RICHARD V. UNITED STATES  
03-9040 OUTLEY, EDWARD L. V. UNITED STATES  
03-9041 McARTHUR, ANTHONY V. UNITED STATES  
03-9042 MORALES-MADERA, GABRIEL V. UNITED STATES  
03-9044 VARGAS-DURAN, ENRIQUE V. UNITED STATES  
03-9047 STOKES, ERIC V. UNITED STATES  
03-9048 ) SHRYOCK, RAYMOND, ET AL. V. UNITED STATES  
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03-9159 ) THERRIEN, RANDY, ET AL. V. UNITED STATES  
03-9055 BECERRA, ALVARO V. UNITED STATES  
03-9056 GRANDISON, ANTHONY V. UNITED STATES  
03-9058 GRESHAM, ROGER E. V. MILES, WARDEN  
03-9060 HUPP, MARION E. V. UNITED STATES  
03-9064 HALEY, ARTHUR A. V. UNITED STATES  
03-9065 GADSON, TIMOTHY V. UNITED STATES  
03-9066 GAINES, LEETAVIOUS M. V. UNITED STATES  
03-9068 FLEMING, DEREK M. V. BROOKS, WARDEN  
03-9074 STOSSEL, RICHARD A. V. UNITED STATES  
03-9079 WARDRICK, ROBERT V. UNITED STATES  
03-9080 ZEPEDA-OROZCO, HUMBERTO V. UNITED STATES  
03-9085 FIELDS, JIMMY L. V. UNITED STATES  
03-9088 GIBSON, CHARLES C. V. UNITED STATES  
03-9089 GRAHAM, STEPHEN J. V. UNITED STATES

03-9091 BURKE, LEON V. UNITED STATES  
03-9094 GRAHAM, GARY E. V. UNITED STATES  
03-9099 LANG, BRETT V. UNITED STATES  
03-9101 ORRIS, DONALD G. V. UNITED STATES  
03-9102 MORA, JOSE V. UNITED STATES  
03-9107 BONSU, SETH V. UNITED STATES  
03-9108 RIVERA, JAIME V. UNITED STATES  
03-9109 ATKINSON, LESLIE V. DEWALT, WARDEN  
03-9112 BROWN, JAMES V. UNITED STATES  
03-9115 MASSEY, SCOTT D. V. UNITED STATES  
03-9119 CURTIS, LAUREL A. V. CIR  
03-9125 WASHINGTON, CARL B. V. UNITED STATES  
03-9129 ISAACS, BARRINGTON V. UNITED STATES  
03-9132 GIDA, MOHAMMED V. UNITED STATES  
03-9136 CAMPA-FABELA, EFFRAIN V. UNITED STATES  
03-9138 CAVE, DAVID M. V. UNITED STATES  
03-9144 GIBSON, ROBERT M. V. UNITED STATES  
03-9146 GORMLEY, PURVIS H. V. UNITED STATES  
03-9148 BERRY, LAROY A. V. UNITED STATES  
03-9153 GUERECA, JOSE A. V. UNITED STATES  
03-9155 GILLETTE, EDWIN L. V. UNITED STATES  
03-9156 GILLON, INGMAR E. V. UNITED STATES  
03-9157 FULLER, JAMES S. V. UNITED STATES  
03-9164 ZAUCEDA-LOPEZ, FRANCISCO J. V. UNITED STATES  
03-9173 LEINENBACH, JAMES F. V. UNITED STATES  
03-9179 MIRANDA, JESUS R. V. UNITED STATES  
03-9182 MANGAL, GHULAM V. UNITED STATES  
03-9184 PEREZ, LUIS A. V. UNITED STATES

03-9185 ORTUNO, CARLOS M. V. GERLINSKI, WARDEN, ET AL.

03-9196 ABRAHAM, KEITH V. UNITED STATES

The petitions for writs of certiorari are denied.

03-1014 ELI LILLY & CO. V. BD. OF REGENTS OF UNIV. OF WA

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

03-1077 THOMAS, COREY V. WAL-MART STORES, INC.

03-1173 MASON, DANNY V. UNITED STATES

The petitions for writs of certiorari are denied. Justice Breyer took no part in the consideration or decision of these petitions.

03-9110 RASHID, AMIN A. V. USDC ED PA

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

#### **HABEAS CORPUS DENIED**

03-9197 IN RE GERALD BURKS

The petition for a writ of habeas corpus is denied.

#### **MANDAMUS DENIED**

03-1219 IN RE EILEEN VEY

The petition for a writ of mandamus is denied.

#### **REHEARINGS DENIED**

03-7024 HARRIS, STEVEN J. V. UNITED STATES

03-7055 CLAIBORNE, DENNIS G. V. HENDERSON, B., ET AL.

03-7075 GARNETT, RUBY M. V. PAYNE, LAURELL L., ET AL.  
03-7094 BROOKS, JAMES L. V. NIX, CHMN., ETC., ET AL.  
03-7211 SMITH, JOSEPH D. V. DRETKE, DIR., TX DOC  
03-7352 CHUA-ZULUETA, TERESITA V. ASHCROFT, ATT'Y GEN.  
03-7426 HENDROCK, CAROLYN V. GILBERT, RICKY  
03-7532 ATKINSON, TEDDY T. V. UNITED STATES  
03-7533 LUCZAK, THEODORE V. MOTE, WARDEN.  
03-7847 WATSON, EVERETT V. OHIO  
03-7898 SLATER, ALTON L. V. UNITED STATES

The petitions for rehearing are denied.

#### **ATTORNEY DISCIPLINE**

D-2357 IN THE MATTER OF DISBARMENT OF ROBERT R. WIGHTMAN-CERVANTES

Robert R. Wightman-Cervantes, of Dallas, Texas, having been suspended from the practice of law in this Court by order of January 12, 2004; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and a response having been filed;

It is ordered that Robert R. Wightman-Cervantes is disbarred from the practice of law in this Court.

#### **RECESS ORDER**

The Court will take a recess from Monday, April 5, 2004, until Monday, April 19, 2004.