

(ORDER LIST: 547 U.S.)

MONDAY, JUNE 12, 2006

CERTIORARI -- SUMMARY DISPOSITIONS

05-710 FRIEMANN, ROBERT F. 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 Second Circuit for further consideration in light of *Zedner v. United States*, 547 U.S. \_\_\_\_ (2006).

05-988 LINGLE, GOV. OF HI V. ARAKAKI, EARL F., ET AL.

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 *DaimlerChrysler Corp. v. Cuno*, 547 U.S. \_\_\_\_ (2006). The Chief Justice took no part in the consideration or decision of this petition.

05-7009 SMITH, VIRGIL 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 Seventh Circuit for further consideration in light of *Zedner v. United States*, 547 U.S. \_\_\_\_ (2006).

05-9182 BAZAN, 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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. 220 (2005).

**ORDERS IN PENDING CASES**

05A738 SCHULZ, ROBERT L. V. WASHINGTON CTY BD OF SUPERVISORS

The application for stay addressed to Justice Scalia and referred to the Court is denied.

05M87 GOSSAGE, HENRY E. V. OPM

The motion of petitioner for leave to proceed as a veteran is granted.

05M88 DEVBROW, EUGENE V. COTTON, SUPT., PENDLETON

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

05-409 KIRCHER, CARL, ET AL. V. PUTNAM FUNDS TRUST, ET AL.

The motion of respondents for leave to file a supplemental brief after argument is granted. The motion of petitioners for leave to file a supplemental brief after argument is granted.

05-493 ORNASKI, WARDEN V. BELMONTES, FERNANDO

The motion of respondent for appointment of counsel is granted. Eric S. Multhaup, Esquire, of Mill Valley, California, is appointed to serve as counsel for the respondent in this case.

05-1159 HATCH, ATT'Y GEN. OF MN V. CELLCO PARTNERSHIP, ET AL.

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

05-1526  
(05A1090) IN RE GRAND JURY PROCEEDINGS

The application for stay addressed to Justice Breyer and

referred to the Court is denied. The motion of petitioner to expedite consideration of the petition for a writ of certiorari is denied.

05-9212 LaFRENIERE, ZAKARIAH V. TRUSTEES OF CA STATE UNIV.

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

05-10231 DeLUCA, KAREN A. V. KATCHMERIC, DENIS

05-10655 HEATH, A. J. V. PERRY, STEPHEN A.

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until July 3, 2006, 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**

05-996 MARRAMA, ROBERT L. V. CITIZENS BANK OF MA, ET AL.

The petition for a writ of certiorari is granted.

05-9264 JAMES, ALPHONSO V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted limited to Question 2 presented by the petition.

**CERTIORARI DENIED**

04-1276 DOTSON, ALLEN V. GRIESA, JUDGE, USDC SD NY

05-1019 ARTUS, SUPT., CLINTON V. GERSTEN, BEN

05-1032 OTAH, ORJI I. V. GONZALES, ATT'Y GEN.

05-1037 XEROX CORP. V. UNITED STATES

05-1062 COREAS, WILLIE V. UNITED STATES

05-1073 MARTIN, JOSEPH V. UNITED STATES

05-1082 BUTTRICK, DUSTIN V. UNITED STATES

05-1125 OSMAN, NANCY V. FORD MOTOR CO.

05-1136 E. I. DU PONT DE NEMOURS AND CO. V. LIVING DESIGNS, INC., ET AL.

05-1138 ALABAMA, ET AL. V. ARMY CORPS OF ENGINEERS, ET AL.

05-1141 MATTAPONI INDIAN TRIBE, ET AL. V. VIRGINIA, ET AL.

05-1142 SNYDER, FORMER DIR., IL, DOC V. THORNTON, RODGER

05-1280 DESERT LAND, LLC V. DEL MAR MORTGAGE, INC., ET AL.

05-1283 SADOSKI, JEANETTE V. MOSLEY, JUDGE, ET AL.

05-1290 KOVALCHICK, PETER V. R/S FINANCIAL CORPORATION

05-1292 BARR, EDWARD J. V. CAMELOT FOREST CONSERVATION

05-1295 MITCHELL, MICHAEL R. V. LOS ANGELES COUNTY, CA, ET AL.

05-1296 SCHINDLER, KURT V. WHITEMAN, DORIT, ET AL.

05-1300 ANDUZE, LISA V. FLORIDA ATLANTIC UNIVERSITY

05-1338 HARTER, WAYNE V. COMM'R FOR PATENTS

05-1371 ANTHONY, JOSEPH L. V. VIRGINIA STATE BAR

05-1377 SMALLRIDGE, ERIC W. V. FLORIDA

05-1383 ABERNETHY, LYNN D. V. SNOW, SEC. OF TREASURY

05-1395 TAYLOR, TODD, ET AL. V. SEC

05-1408 RODRIGUEZ, ROBINSON W. V. UNITED STATES

05-1417 JONES, SHARANDA P. V. UNITED STATES

05-9351 ) SAMPSON, JAMAL R. V. UNITED STATES

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05-9423 ) FRANKLIN, ERIC T. V. UNITED STATES

05-9579 FOWLER, AARON V. INDIANA

05-9782 PETTY, ROBERT W. V. STINE, WARDEN

05-10200 FOX, DAVID V. HURLEY, WARDEN

05-10201 GONZALEZ, ANTONIO V. CALIFORNIA

05-10207 FITCH, JIM H. V. SCHRIRO, DIR., AZ DOC, ET AL.

05-10222 BLANTON, ANDRE V. GIURBINO, WARDEN

05-10232 ELKINS, GREGORY V. MISSISSIPPI

05-10235 JAMES, FRANCIS A. V. McDONOUGH, INT. SEC., FL DOC  
05-10238 ROSS, MICHAEL J. V. SPITZER, ATT'Y GEN. OF NY  
05-10245 SMITH, BRADFORD V. ORANGE COUNTY, CA  
05-10252 BERGSTROM, JEFFERY M. V. TEXAS  
05-10257 LANG, JAMES E. V. BRISCOE, BILL, ET AL.  
05-10260 MCGHEE, WALTER V. PALMER, ANDREW  
05-10262 LANE, DAVID L. V. FLORIDA  
05-10265 FLEMING, LEROY V. CARUSO, DIR., MI DOC, ET AL.  
05-10268 WILCOX, NORBERT S. V. GRIBBINS, WALTER  
05-10269 WOODARD, WILLIAM D. V. MISSISSIPPI  
05-10270 GARNER, AARON J. V. KENTUCKY  
05-10274 HALL, WILLIAM V. ROMANOWSKI, WARDEN  
05-10282 BOWMAN, MARION V. SOUTH CAROLINA  
05-10284 BENNETT, CARL V. LIGHT, ROBERT  
05-10288 BYRD, WILLIAM H. V. CORNELL CORRECTIONS, ET AL.  
05-10292 DENT, HENRY J. V. DRETKE, DIR., TX DCJ  
05-10293 COLEMAN, KENYON L. V. WASHINGTON  
05-10294 ENCALADE, LONNIE C. V. WAKEFIELD, G., ET AL.  
05-10302 MICHAIELESCO, ORTANSA V. EMC MORTGAGE, ET AL.  
05-10303 CHISUM, JACK W. V. KELLEY, DAN, ET AL.  
05-10306 AUBUCHONT, JAMES V. CATTELL, WARDEN  
05-10313 NELSON, ANTWON D. V. KEMNA, SUPT., CROSSROADS  
05-10319 HAMM, ANCELL V. PENNSYLVANIA  
05-10328 COLONEL, TOMMAS L. V. FLORIDA  
05-10340 SIMPSON, COREY C. V. WALKER, WARDEN  
05-10352 NOORLUN, LYLE J. V. NORTH DAKOTA  
05-10386 HUYNH, PHU V. V. CASTRO, WARDEN  
05-10426 PARIS, PATRICK D. V. TENNESSEE

05-10432 BLAKE, BARBARA V. POTTER, POSTMASTER GEN., ET AL.  
05-10463 SCARBERRY, RONALD R. V. IOWA  
05-10488 SAFRIT, HOWARD E. V. PICKELSIMER, SUPT., PIEDMONT  
05-10490 NUNEZ, EMILIO J. V. FLORIDA  
05-10504 ABIMBOLA, RAFIU A. V. GONZALES, ATT'Y GEN., ET AL.  
05-10544 KALSKI, STEVEN V. LOS ANGELES COUNTY, CA, ET AL.  
05-10557 LOWER, CHRISTIAN D. V. ARIZONA  
05-10585 ZARAGOZA, ENRIQUE V. EVANS, ACTING WARDEN  
05-10692 WATERFIELD, FREDERICK L. V. McDONOUGH, INT. SEC., FL DOC  
05-10696 MATTOX, MICHAEL K. V. KANSAS  
05-10698 LAGRASSA, CHRISTOPHER J. V. CALIFORNIA  
05-10704 LEWIS, VINCENT C. V. GRAMS, WARDEN  
05-10717 BROCK, NATHAN W. V. KANSAS  
05-10720 BRANCH, ROBERT V. PRUETT, WARDEN  
05-10725 CLARK, KELLY T. V. KANSAS  
05-10733 PIERRE, GREGORY V. CONNECTICUT  
05-10745 WALKUP, HARRY E. V. HAINES, WARDEN  
05-10797 LEWIS, QUAVARY A. V. UNITED STATES  
05-10801 DILL, PETE V. UNITED STATES, ET AL.  
05-10817 DAVIS, ELIJAH V. UNITED STATES  
05-10820 WHITE, MARVIN A. V. UNITED STATES  
05-10821 RESNICK, HERMAN V. UNITED STATES  
05-10827 TRETO-BANUELOS, EMILIO V. UNITED STATES  
05-10833 WHITE, JAYVON R. V. UNITED STATES  
05-10834 SIERRA-GONZALEZ, LUIS V. UNITED STATES  
05-10835 WILSON, LEE A. V. UNITED STATES  
05-10836 BOOMER, MICHAEL V. UNITED STATES  
05-10837 ABREGO-VILLARREAL, HECTOR V. UNITED STATES

05-10839 BASS, GAILYN V. UNITED STATES  
05-10840 BENNETT, LEE R. V. UNITED STATES  
05-10841 BLACK, RANDY L. V. UNITED STATES  
05-10842 BLACK, AMANDA V. UNITED STATES  
05-10843 ACKLIN, WILLARD L. V. UNITED STATES  
05-10844 WASHINGTON, CONCHITA M. V. UNITED STATES  
05-10845 WEST, WILLIAM H. V. UNITED STATES  
05-10853 PAZ-BARONA, ELBA N. V. UNITED STATES  
05-10854 JENSEN, RYAN H. V. UNITED STATES  
05-10859 SANTIAGO-OCASIO, HECTOR V. UNITED STATES  
05-10860 DE LA GARZA, PEDRO E. V. UNITED STATES  
05-10861 CURRY, ANTHONY V. UNITED STATES  
05-10862 DANIELS, WILLIAM V. UNITED STATES  
05-10863 LEACH, CARLOS V. UNITED STATES  
05-10864 WALTER, MARKENO V. UNITED STATES  
05-10868 DURHAM, DESMOND V. UNITED STATES  
05-10870 ENRIQUEZ, ERASMO M. V. UNITED STATES  
05-10871 ERAZO, FERNANDO V. UNITED STATES  
05-10876 JACKSON, PATRICK V. UNITED STATES  
05-10881 WHITMAN, BRADLEY S. V. BARTOW, DIR., WI RESOURCE CENTER  
05-10887 HOOPER, MICHAEL L. V. UNITED STATES  
05-10888 GONZALEZ, DAVID V. UNITED STATES  
05-10908 JOHNSON, GEORGE D. V. UNITED STATES  
05-10909 McDOUGALD, CARL A. V. UNITED STATES  
05-10914 TATUM, WILLIAM S. V. UNITED STATES  
05-10915 VARGAS-GARCIA, RAIMUNDO V. UNITED STATES  
05-10920 FRANCE, JAMIE L. V. UNITED STATES

- 05-10921 PAGE, GEORGE F. V. NORTH CAROLINA  
The petitions for writs of certiorari are denied.
- 05-1024 EVANS, ACTING WARDEN V. TREVINO, ANTHONY  
The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.
- 05-1128 ARAKAKI, EARL F., ET AL. V. LINGLE, GOV. OF HI, ET AL.  
The petition for a writ of certiorari is denied. The Chief Justice took no part in the consideration or decision of this petition.
- 05-1167 TEXAS V. PENRY, JOHNNY P.  
The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.
- 05-1204 SARKES TARZIAN, INC. V. U.S. TRUST CO.  
The petition for a writ of certiorari is denied. The Chief Justice took no part in the consideration or decision of this petition.
- 05-1372 SPIEGEL, MARSHALL V. LENG, RICHARD, ET AL.  
The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. The petition for a writ of certiorari is denied.
- 05-9916 KLIESH, JOHN V. BUCKS CTY. DOMESTIC RELATIONS  
The petition for a writ of certiorari is denied. Justice Alito took no part in the consideration or decision of this petition.
- 05-10624 AL-HAKIM, MARZUQ V. USDC ND FL  
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.

05-10726 SANTO, LAMONZ V. GILLIS, SUPT., COAL TOWNSHIP

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

**MANDAMUS DENIED**

05-10224 IN RE GREGORY COTHON

The petition for a writ of mandamus is denied.

**REHEARINGS DENIED**

05-877 JERONIMO-BAUTISTA, VIRGILIO V. UNITED STATES

05-967 M2 SOFTWARE, INC. V. MADACY ENTERTAINMENT, ET AL.

05-985 TITTLE, CHARLES J. V. BOTTORFF-TITTLE, DOROTHY D.

05-1015 AMAYA, GRACIELA V. PITNER, JAY J., ET AL.

05-1038 VALLADARES, MONICA A. V. DIEDE, WAYNE J., ET AL.

05-9049 IN RE GREGORY T. HOWARD

05-9078 VELISHKA, MARTIN J. V. T.N.T. HOME BUILDERS, ET AL.

05-9107 PAGEL, EARL L. V. WASHINGTON MUTUAL BANK, ET AL.

05-9248 BEA, MARION L. V. VIRGINIA

05-9299 FULLER, RALPH L. V. SAM CAMUS, ET AL.

05-9310 WILSON, DEMETRIUS A. V. GODDARD, ATT'Y GEN. OF AZ

05-9388 CRUZ, FELIO V. FL DOC

05-9416 WILLIAMS, VINCENT E. V. WASHINGTON, WARDEN

05-9419 HARBISON, EDWARD J. V. BELL, WARDEN

05-9621 IN RE GINN DOOSE, AKA VIRGINIA DOOSE

05-9648 MILLS, JUNIOR W. V. HELLING, WARDEN, ET AL.

The petitions for rehearing are denied.