

(ORDER LIST: 545 U.S.)

MONDAY, JUNE 13, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

04-585 KLINGLER, CHARLOTTE, ET AL. V. DIR., DEPT. OF REVENUE, MO

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 Eighth Circuit for further consideration in light of *Tennessee v. Lane*, 541 U.S. 509 (2004), and *Gonzales v. Raich*, 545 U.S. \_\_\_\_ (2005).

04-617 UNITED STATES V. STEWART, ROBERT W.

The motion of respondent for leave to proceed *in forma pauperis* is granted. 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 *Gonzales v. Raich*, 545 U.S. \_\_\_\_ (2005).

04-1210 HEMBREE, GREGORY W. 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).

04-1362 HALE, FRANKLIN, ET UX. 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 Sixth Circuit for further

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

04-10018 DOCK, TROY P. 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).

04-10036 LUBOWA, DANIEL 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).

04-10141 TORRES, DAMON 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 Eighth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-10173 ALEXIS, LESLY 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).

**ORDERS IN PENDING CASES**

04A930 NIZNIK, CAROL A. V. STORE-TO-DOOR, CORP., ET AL.

The application for a temporary restraining order addressed to Justice Breyer and referred to the Court is denied.

03-10198 HALBERT, ANTONIO D. V. MICHIGAN

The motion of petitioner for leave to file a supplemental brief after argument is denied.

04-848 DOLAN, BARBARA V. USPS, ET AL.

The motion of petitioner to dispense with printing the joint appendix is granted.

04-9020 YOWEL, HABAKKUK E. BEN V. JOHNSON, DIR., VA DOC, ET AL.

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

04-9737 ROGERS, MICHAEL S. V. HUNTLEY PROJECT SCHOOL DIST.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 5, 2005, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI GRANTED**

04-1186 WACHOVIA BANK, NAT. ASSN. V. SCHMIDT, DANIEL G., ET AL.

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

**CERTIORARI DENIED**

03-1619 GDF REALTY INVESTMENTS, ET AL. V. NORTON, SEC. OF INTERIOR

04-969 SAUNDERS, BILLIE J., ET AL. V. UNITED STATES  
04-1041 KAHAWAIOLAA, PATRICK L., ET AL. V. NORTON, SEC. OF INTERIOR  
04-1138 TARIQ-SHUAIB, SYED M. V. NY CITY HOUS. AUTH.  
04-1191 MORGAN, JOYCE, ET AL. V. SKF USA, INC.  
04-1208 MOSTOLLER, ANN V. CW CAPITAL, LLC  
04-1218 NAT'L HERITAGE INS. CO. V. U.S., ex re1. BARRON, ET AL.  
04-1219 NEWTON, JAMES W. V. DIAMOND, MICHAEL, ET AL.  
04-1240 ROYAL CARIBBEAN CRUISES LTD. V. HALL, LAWRENCE W.  
04-1334 CROSBY, SEC., FL DOC, ET AL. V. NIX, TONY L.  
04-1340 CATERPILLAR INC. V. STURMAN INDUSTRIES, INC., ET AL.  
04-1353 MOORE, LAWRENCE V. IBEW, LOCAL 8, ET AL.  
04-1354 KINNEY, DARRYL V. HAMILTON PARTNERS  
04-1358 WHITE, AUSTA M., ET VIR V. TSCHERTER, STEVEN A., ET AL.  
04-1359 MARTINGALE, LLC V. LOUISVILLE, KY, ET AL.  
04-1377 BERKE, ROGER A. V. KENTUCKY  
04-1379 IVANOVA, MARIO M. V. COLUMBIA PICTURES INDUSTRIES  
04-1401 VAnGUILDER, EDWARD V. UNITED STATES  
04-1402 ESTATE OF MORELAND, ET AL. V. SPEYBROECK, JOSEPH  
04-1420 SATALICH, MIRO J. V. LOS ANGELES, CA  
04-1428 CREDEUR, GERALD, ET UX. V. M J OIL, INC., ET AL.  
04-1431 BENETIC, NICHOLAS J., ET UX. V. M/Y ATHENA ALEXANDER  
04-1433 BAJBOR, ZIGGY V. OFFICE OF COMPLIANCE, ET AL.  
04-1435 ROBERTI, RONALD W. V. FLORIDA  
04-1439 KEPPLER, FRANCIS E. V. NEW HAMPSHIRE  
04-1449 LIZZI, CHRISTOPHER T. V. WMATA, ET AL.  
04-1453 SLIP TRACK SYSTEMS, INC. V. METAL-LITE, INC.  
04-1456 BOND, FREDERICK O. V. COMM'R OF REVENUE OF MN  
04-1484 NANCE, WENDELL V. UNITED STATES

04-1494 WHITE, YANCEY L. V. HOBART, WARDEN  
04-1503 CRANK, ERNEST C. V. UNITED STATES  
04-1515 EMR NETWORK V. FCC, ET AL.  
04-8743 THORNBLAD, JOSEPH D. V. ANDERSON, LINDA, ET AL.  
04-9012 VALENTINE, JERRY L. V. UNITED STATES  
04-9085 HORNER, STEVEN R. V. TEXAS  
04-9094 LAILA, ISSAM AHMAD S. V. UNITED STATES  
04-9097 RODRIGUEZ, CHARLES V. DISTRICT COURT OF NV, ET AL.  
04-9102 NEWMAN, LEE A. V. UNITED STATES  
04-9318 MCCARTHY, KIMBERLY L. V. TEXAS  
04-9533 WICKEM, SHAWN V. CAIN, WARDEN  
04-9541 STRADER, DANIEL D. V. CROSBY, SEC., FL DOC, ET AL.  
04-9542 THOMAS, DAVE A. V. VIRGINIA  
04-9543 SCOTT, VRAIN V. CROSBY, SEC., FL DOC  
04-9553 STEPHENS, JABARI V. CRIST, ATT'Y GEN. OF FL, ET AL.  
04-9557 ASHWORTH, BRYAN V. OKLAHOMA  
04-9560 ARKOW, JACOB V. CROSBY, SEC., FL DOC  
04-9567 FASSLER, LAWRENCE A. V. PENDLETON, WARDEN  
04-9570 HARRIS, JIMMY V. MISSISSIPPI, ET AL.  
04-9573 CARTER, CHARLES R. V. MITCHELL, SHERIFF, ET AL.  
04-9574 CRAYTON, STEVEN V. CONWAY, SUPT., ATTICA  
04-9575 CHILDS, TAWAN R. V. ANDERSON, WARDEN  
04-9578 McLITTLE, AIJALON W. V. THOMPSON, JAMES K., ET AL.  
04-9583 OWENS, GEORGE V. FRANK, SEC., WI DOC  
04-9584 RICHARDSON, ERWIN V. BOCK, WARDEN  
04-9589 DISCH, MICHAEL F. V. O'DONNELL, WARDEN, ET AL.  
04-9590 DAVENPORT, RODNEY V. WOODFORD, DIR., CA DOC  
04-9591 RIVERS, DOYLAN V. V. WILSON, WARDEN

04-9593 DOLENZ, BERNARD J. V. VAIL, NANCY  
04-9594 BAILEY, PAULA V. YUKINS, WARDEN  
04-9598 MIMS, ALTON V. MICHIGAN  
04-9599 DEAN, REGINALD V. TEXAS  
04-9602 TODD, DAVID J. V. TODD, REBECCA J.  
04-9605 PETERKA, DANIEL V. CROSBY, SEC., FL DOC  
04-9613 DI NARDO, ANNA, ET AL. V. BIELUCH, SHERIFF  
04-9614 CRITTENDEN, JAMES E. V. CALDERON, WARDEN  
04-9615 DIXON, CLEO V. CACIOPPO, DINO T., ET AL.  
04-9625 BENIGNI, KENNETH S. V. SMITH, CHRISTOPHER, ET AL.  
04-9630 CALDWELL, JOHNNY R. V. USUT  
04-9634 SANTANA, FLORENTINO R. V. ARIZONA  
04-9637 MILLER, CHARLES L. V. GEORGIA  
04-9638 PETSCHL, SHANE M. V. MINNESOTA  
04-9639 STROUT, NOREEN-EVELYN V. CERTAIN REAL PROPERTY, ET AL.  
04-9643 TAYLOR, NIMROD B. B. V. RYAN, ACTING WARDEN  
04-9645 MARINO, ACHIM J. V. TEXAS  
04-9647 NASH, NEHEMIAH V. NEW YORK  
04-9651 WAULS, SAMUEL L. V. YARBOROUGH, WARDEN  
04-9653 SORIA, BENITO A. V. GIURBINO, WARDEN  
04-9691 PETERSEN, GEORGE V. V. BERGHUIS, WARDEN  
04-9708 CUMBERBATCH, LENA V. FLORIDA  
04-9714 MENDOZA-GAUNA, JOSE R. V. FED. BUREAU OF PRISONS, ET AL.  
04-9721 LESLIE, ROBERT A. V. SUPERIOR COURT OF CA  
04-9722 JONES, CHIEVY V. CROSBY, SEC., FL DOC, ET AL.  
04-9736 LAKE, KORI L. V. WASHINGTON  
04-9743 DiBARTOLO, THOMAS A. V. LEHMAN, SEC., WA DOC, ET AL.  
04-9759 STROPE, MICHAEL L. V. MCKUNE, DAVID R., ET AL.

04-9779 JOHNSON, ELFRIDA V. PONDER, MIKE, ET AL.

04-9784 RODRIGUEZ, MARCELO V. CUNNINGHAM, SUPT., WOODBOURNE

04-9804 GIBSON, JAMES V. MOTE, WARDEN

04-9809 LIGHTBOURNE, IAN D. V. CROSBY, SEC., FL DOC

04-9843 JOHNSON, TIMOTHY H. V. CRAWFORD, DIR., NV DOC, ET AL.

04-9853 WILLIAMS, FLOYD V. RYAN, ACTING WARDEN

04-9874 MOODY, PAULINE V. DELRAY BEACH POLICE, ET AL.

04-9875 SPOONER, MICHAEL V. JACKSON, WARDEN

04-9887 STEPHENS, GREGORY L. V. FLORIDA

04-9901 McDUFFIE, ROBERT V. NEELY, KAREN, ET AL.

04-9902 WEBB, CHARLES D. V. CASON, WARDEN

04-9950 PAYNE, JOHN V. DiGUGLIELMO, SUPT., GRATERFORD

04-10013 HILDERBRAND, KEITH A. V. UNITED STATES

04-10034 ROCHA, GUILLERMO V. HOLDER, WARDEN

04-10038 SMART, KENNY E. V. UNITED STATES

04-10039 DIXON, AHMAD Y. V. UNITED STATES

04-10044 QUINN, JIMMY V. UNITED STATES

04-10048 FLEISCHER, MARK H. V. UNITED STATES

04-10049 FOSTER, MAURICE V. UNITED STATES

04-10051 THOMAS, RANDY B. V. UNITED STATES

04-10059 STOKES, CHARLES E. V. UNITED STATES

04-10060 SMALLS, MITCHELL V. UNITED STATES

04-10061 SAVAGE, ABRAHAM V. UNITED STATES

04-10062 BELL, DENNIS R. V. UNITED STATES

04-10067 JONES, EARL C. V. PENNSYLVANIA

04-10071 SUKUP, THOMAS M. V. UNITED STATES

04-10073 BRADLEY, LARRY R. V. UNITED STATES

04-10076 TRUESDALE, ALVIN B. V. SMITH, WARDEN, ET AL.

04-10078 WILLIAMS, ERICK D. V. UNITED STATES  
04-10079 TOOLASPRASHAD, LATCHMIE V. DeROSA, WARDEN, ET AL.  
04-10086 MARMOL, ARMANDO V. UNITED STATES  
04-10090 BRIONES, ERIBERTO M. V. UNITED STATES  
04-10092 OUNOUSIAN, SOUSANA V. UNITED STATES  
04-10102 LEDFORD, JAMES A. V. UNITED STATES  
04-10106 ROMAIN, CARL S. V. UNITED STATES  
04-10133 SMITH, DENNIS D. V. UNITED STATES  
04-10135 DANCY, KHASAN V. UNITED STATES  
04-10137 BASS, EDWARD M. V. UNITED STATES  
04-10143 GOMEZ, JOHN J. V. UNITED STATES  
04-10145 HOWARD, CEDRIC V. UNITED STATES  
04-10152 TORRES, JOHNNY V. UNITED STATES  
04-10159 WILSON, ERNEST V. UNITED STATES  
04-10161 GOIST, PAUL B. V. UNITED STATES  
04-10171 JONES, COREY V. UNITED STATES  
04-10174 BELL, CLIFFORD V. UNITED STATES  
04-10175 ASHE, TURNER V. UNITED STATES  
04-10179 PALACIOS, DIOGENES V. UNITED STATES  
04-10180 BROWN, VERNON V. CRAWFORD, DIR., MO DOC, ET AL.

The petitions for writs of certiorari are denied.

04-1020 ) MEDIA GENERAL, INC. V. FCC, ET AL.  
) )  
04-1033 ) NAT'L ASS'N OF BROADCASTERS V. FCC, ET AL.  
) )  
04-1036 ) TRIBUNE CO., ET AL. V. FCC, ET AL.  
) )  
04-1045 ) NEWSPAPER ASS'N OF AM., ET AL. V. FCC, ET AL.  
) )  
04-1168 ) FCC, ET AL. V. PROMETHEUS RADIO PROJECT, ET AL.  
) )  
04-1177 ) SINCLAIR BROADCAST GROUP, INC. V. FCC, ET AL.

The petitions for writs of certiorari are denied. Justice



Breyer took no part in the consideration or decision of these petitions.

04-1342 PADILLA, JOSE V. HANFT, C. T.

The petition for a writ of certiorari before judgment is denied.

04-1367 CINTRON PARRILLA, KENIA, ET VIR V. ELI LILLY INDUS., INC.

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

04-1469 CHIECO, VINNIE V. WILLIS & GEIGER, ET AL.

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

04-9559 BROWN, THEODIS V. O'KEFFE, KEVIN, ET AL.

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.

04-9612 JONES, LARRY D. V. BIRKETT, WARDEN

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. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

04-9906 KOGER, TODD E. V. KAPLAN, INC., ET AL.

The petition for a writ of certiorari before judgment is denied.

**HABEAS CORPUS DENIED**

04-10181 IN RE ROBERT J. SERAFIN

04-10182 IN RE DARYL W. SLOAN

04-10251 IN RE ANTHONY L. GREENHILL

The petitions for writs of habeas corpus are denied.

**MANDAMUS DENIED**

04-9119 IN RE AMESHEO D. CANNON

04-9621 IN RE MARZUQ AL-HAKIM

04-9652 IN RE DANNY BELL

The petitions for writs of mandamus are denied.

**REHEARINGS DENIED**

04-1079 IN RE GARY R. WALL

04-1091 AMAECHI, CHRISTOPHER N. V. UNIV. OF KENTUCKY, ET AL.

04-1101 ZURLA, DANIEL E. V. DAYTONA BEACH, FL, ET AL.

04-1204 U. S., ex rel. GRAVES, ET AL. V. ITT EDUCATIONAL SERVICES

04-7698 GUZEK, RANDY L. V. OREGON

04-8302 AHMED, NAWAZ V. OHIO

04-8417 FARR, THOMAS W. V. TENNESSEE

04-8475 KELLEY, MICHAEL A. V. WILKINSON, DIR., OH DOC, ET AL.

04-8511 TREECE, CHARLES A. V. ORLEANS PARISH JUDICIAL BRANCH

04-8778 ELLIS, WILLIAM S. V. EMERY, RICHARD, ET AL.

04-8832 SCOTT, OMAR Y. V. UNITED STATES

04-8864 WIDNER, JAMES V. CROSBY, SEC., FL DOC

04-8940 IN RE FLORENCE W. NZONGOLA

04-9257 BOWERS, VANCE V. UNITED STATES

The petitions for rehearing are denied.

**RECESS ORDER**

The Court will take a recess from Monday, June 13, 2005,  
until Monday, June 20, 2005.