

(ORDER LIST: 546 U.S.)

TUESDAY, OCTOBER 11, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

04-1387 TUGMAN, MARK 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 Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-1467 ROMAN-ROMAN, ALFREDO 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 Tenth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-9748 BRITT, SYLENA V. UNITED STATES

04-10673 TROTTER, ELEVESTER 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).

05-134 NORTH CAROLINA V. BRANCH, MONICA D.

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 Court of Appeals of North Carolina for further consideration in light of *Illinois v. Caballes*, 543 U.S. \_\_\_\_ (2005).

05-199 STACEY, RAYMOND V. HERMITAGE, PA, 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 Third Circuit for further consideration in light of *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. \_\_\_\_ (2005).

05-5218 MONCRIEF, SHIRLEY 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).

#### ORDERS IN PENDING CASES

05M16 FOOSE, CAROLYN V. BOOKER, ANTHONY, ET AL.

05M17 ATWELL, GEOFFREY W. V. DURAN, THOMAS V., ET AL.

05M18 DAVIES, AVON V. GREENOUGH, DR., ET AL.

05M19 COSTA, ANALIDIO V. STATE BAR OF CA, ET AL.

05M20 DAISY, JoANN V. USPS

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

04-723 STEVEDORING SERVICES, ET AL. V. PRICE, AREL, ET AL.

The motion of respondent Arel Price for attorney fees is denied without prejudice to filing in the United States Court of Appeals for the Ninth Circuit.

04-805 TEXACO INC. V. DAGHER, FOUAD N., ET AL.

The motion of Chamber of Commerce of the United States, et al. for leave to file a brief as *amici curiae* is granted. The motion of American Bankers Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of Northwest Ohio Physician Specialist Cooperative, LLC for leave to file a brief as *amicus curiae* is granted. The motion of Parker Hannifin Corporation for leave to file a brief as *amicus curiae* is granted. The motion of Visa U.S.A. Inc., et al. for leave to file a brief as *amici curiae* is granted. The motion of American Petroleum Institute for leave to file a brief as *amicus curiae* is granted. The motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of Verizon Communications Inc. for leave to file a brief as *amicus curiae* is granted.

04-1067 GEORGIA V. RANDOLPH, SCOTT F.

The motion of National Association of Criminal Defense Lawyers for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

04-1203 ) UNITED STATES V. GEORGIA, ET AL.

)  
04-1236 ) GOODMAN, TONY V. GEORGIA, ET AL.

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

04-1615 VINES, DWIGHT, ET AL. V. UNIV. OF LA AT MONROE, ET AL.

04-1657 CRUZ, JULIA V. BLUE CROSS AND BLUE SHIELD OF IL

The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

04-8384 DYE, PAUL A. V. HOFBAUER, WARDEN

The motion of Prison Legal Services of Michigan, Inc. and Criminal Defense Attorneys of Michigan for leave to file a brief as *amici curiae* is granted.

05-18 ARLINGTON CENT. SCH. DIST. V. MURPHY, PEARL, ET VIR

05-200 EMPIRE HEALTHCHOICE ASSURANCE V. McVEIGH, DENISE F.

The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

**CERTIORARI GRANTED**

04-1034 ) RAPANOS, JOHN A., ET AL. V. UNITED STATES

)  
04-1384 ) CARABELL, JUNE, ET AL. V. ARMY CORPS OF ENGINEERS, ET AL.

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

04-1527 S.D. WARREN CO. V. ME BD. OF ENVTL. PROTECTION

The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

04-1618 ZURICH INS. CO. V. CHATHAM COUNTY, GA

The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

04-1552 FELLERS, JOHN J. V. UNITED STATES

04-1602 HAROLD LEVINSON ASSOC., ET AL. V. CHAO, SEC. OF LABOR

04-1617 MICHIGAN V. BOLDUC, JERRY J.

04-1655 LA STATE BD. OF ELEMENTARY ED. V. PACE, TRAVIS, ET AL.

04-1660 PERRY, MICHAEL J. V. TEXAS

04-1663 RUBBO, ANGELA V. UNITED STATES

04-1671 LOTT, WILLIAM B. V. EASTERN SHORE CHRISTIAN CTR.

04-1723 YUEN, HENRY C., ET AL. V. SEC, ET AL.

04-1727 COHEN, RICHARD D. V. WORLD OMNI FINANCIAL CORP.

04-9100 OSIFE, DALE J. V. UNITED STATES

04-9334 ABRAHAM, NEVIA K. V. UNITED STATES

04-9409 TYTLER, THOMAS B. V. UNITED STATES

04-9926 CLARITT, TIMOTHY D. V. UNITED STATES

04-10095 SNOWDEN, TROY C. V. UNITED STATES

04-10210 MANDERS, JEFFERY W. V. UNITED STATES

04-10288 MOBIN, SHEIKH V. UNITED STATES

04-10339 DAIBO, BAWO V. UNITED STATES

04-10351 SPIELVOGEL, MICHAEL V. UNITED STATES

04-10421 STURGILL, CHARLIE V. UNITED STATES

04-10433 BUTLER, DAVID L. V. UNITED STATES

04-10465 CURTIS, GARLAND G. V. UNITED STATES

04-10500 WILLIAMS, STANLEY V. BROWN, WARDEN

04-10541 CHISHOLM, STEPHEN V. UNITED STATES

04-10657 SOLER, ALBERTO V. UNITED STATES

04-10747 ) MENELIO-VIVAS, LUIS V. UNITED STATES

)

05-5107 ) ESTUPINAN, ALEJANDRO, ET AL. V. UNITED STATES

05-1 McFARLAND, BARBARA, ET AL. V. CHEMINOVA, INC., ET AL.

05-2 LATHAM, MARY P. V. OFFICE OF THE ATT'Y GEN. OF OH

05-11 GEnCORP INC. V. OLIN CORP.

05-19 BERNBACK, MICHAEL V. GRECO, THOMAS

05-21 USX CORP., ET AL. V. BARNHART, COMM'R, SOCIAL SEC.

05-22 KNISLEY, M. R., ET AL. V. MEDTRONIC, INC.

05-23 MORALES, MICHAEL A. V. BROWN, WARDEN

05-24 LENTELL, JOHN K. V. MERRILL LYNCH & CO., ET AL.

05-27 WEBSTER, RICHARD V. UNITED AUTO WORKERS, ET AL.

05-39 GENERAL MOTORS CORP. V. FORD, DELMAS, ET AL.

05-42 PEOPLES, ROBIN L. V. UNITED STATES

05-43 CIANCI, VINCENT A. V. UNITED STATES

05-52 BFM LEASING CO., LLC, ET AL. V. PHILADELPHIA INDEMNITY INS. CO.

05-54 HAYS, JON R. V. UNITED STATES

05-55 HAMILTON CTY. DEPT. OF EDUCATION V. DEAL, MAUREEN, ET AL.

05-96 ) SMIT, COMM'R, VA DMV V. YAMAHA MOTOR CORP., U.S.A.  
) )

05-186 ) JIM'S MOTORCYCLE, INC. V. SMIT, COMM'R, VA DMV

05-141 MARTIN, JAMES L. V. USCA 8

05-155 SAUDI BASIC INDUSTRIES V. MOBIL YANBU PETROCHEMICAL

05-156 O.S.C. CO. V. ZYMBLOSKY, EDWARD, ET AL.

05-157 O.S.C. CO. V. ZYMBLOSKY, EDWARD, ET AL.

05-159 NOVAK, KATHLEEN I. V. ESTATE OF FRANKIE NOVAK

05-163 MEMORIAL-HERMANN HEALTHCARE V. ETHRIDGE, BEN, ET AL.

05-168 ) BRIDGESTONE/FIRESTONE V. MONROE EMPLOYEES RETIREMENT SYS.  
) )

05-170 ) BRIDGESTONE CO. V. MONROE EMPLOYEES RETIREMENT SYS.

05-169 ROBINSON, GERALD V. FORD-ROBINSON, KAREN

05-171 AEGIS SEC. INS. CO. V. CALIFORNIA

05-172 BOUTON, DONALD M. V. FARRELLY, GOV. OF VI, ET AL.

05-173 FIRST FINANCIAL VENTURES V. BANK ONE

05-174 KYE, BONG S., ET AL. V. LEE, CHANG W.

05-175 PALMIERI, PAUL V. LYNCH, PAMELA, ET AL.

05-177 DORN, WILLIAM R., ET AL. V. GMC, ET AL.

05-179 MOMPONGO, BOKOLE E. V. GONZALES, ATT'Y GEN.

05-180 CASTRO-RIVERA, EZEQUIEL, ET AL. V. FAGUNDO, FERNANDO, ET AL.

05-189 ORNDORF, JACOB M. V. PAUL REVERE LIFE INS. CO.

05-192 JOHNSON, BARBARA C. V. BOARD OF BAR OVERSEERS OF MA

05-193 JENSEN, REGINALD L. V. PRUDENTIAL FINANCIAL, ET AL.

05-194 OVERLAND, MARK E., ET AL. V. LOS ANGELES COUNTY, CA, ET AL.

05-195 SIMPSON, CYNTHIA V. CHESTERFIELD COUNTY BOARD

05-201 BURKLOW, JIM, ET AL. V. BASKIN-ROBBINS USA, CO., ET AL.

05-202 KEAN, HARRY T. V. FOX TELEVISION STATIONS, ET AL.

05-211 STETLER, LINDA, ET VIR V. SRN ENTERPRISES, INC.

05-213 HATCHER, WILLIAM E. V. PEED, JUDGE, ETC.

05-217 DJM, LIMITED V. ISLAND YACHTING MANAGEMENT, INC.

05-218 DRETKE, DIR., TX DCJ V. COLEMAN, TONY R.

05-220 BRUCE, DAVID, ET AL. V. HEFFELFINGER, US ATT'Y

05-221 JUPITER, JEAN-RONY V. GONZALES, ATT'Y GEN.

05-228 UDARBE, NOEL U. V. GONZALES, ATT'Y GEN.

05-231 KULESA, CRAIG V. SMALL, GREGORY F., ET UX.

05-233 CAMPBELL, JANET V. REGENTS OF THE UNIV. OF CA

05-239 HEALTHPATH OF MERCER COUNTY V. AETNA, INC., ET AL.

05-240 FISHER, MICHAEL V. TEXAS

05-241 BANKOLE, PRECIOUS V. INS

05-242 BURLINGTON NORTHERN R. CO., ETC. V. USDC MT

05-283 HOPKINS, BERNARD V. DiBELLA, LOU

05-285 ) LALANI, WENDY V. UNITED STATES

)

05-317 ) DHANANI, SHIRAZ V. UNITED STATES

)

05-330 ) LALANI, AMZAD V. UNITED STATES

05-303 JONES, JANET V. PENNSYLVANIA

05-307 PENNY, JONATHAN V. UNITED STATES

05-320 HAMRIC, RICHARD P. V. UNITED STATES

05-329 MILLER, MICHAEL L. V. UNITED STATES

05-334 PRATCHARD, JOSHUA J. V. UNITED STATES

05-5100 KEMP, TERRY L. V. UNITED STATES

05-5114 WAIDLA, TAUNO V. CALIFORNIA

05-5183 SMITH, JEFFREY, ET AL. V. UNITED STATES

05-5199 BIEGLER, MARVIN V. McBRIDE, SUPT., MAXIMUM CONTROL  
05-5200 DIVERS, JAMES E. V. LOUISIANA  
05-5221 ROSS, MARVIN E. V. UNITED STATES  
05-5225 DENNIS, WILLIE H. V. UNITED STATES  
05-5255 THOMPSON, EARL V. UNITED STATES  
05-5266 WHITE, MELVIN W. V. DRETKE, DIR., TX CJ  
05-5270 TOLAMA-SANTIZO, IVAN V. UNITED STATES  
05-5279 JOHNSON, BERNARD V. UNITED STATES  
05-5311 VENEGAS-CASTREJON, ERICK V. UNITED STATES  
05-5321 DAY, TIMOTHY A. V. UNITED STATES  
05-5370 TOROQUET-CERVANTES, NANCY V. UNITED STATES  
05-5467 DUNCAN, MARCO D. V. UNITED STATES  
05-5554 THACKER, STEVEN R. V. TENNESSEE  
05-5555 JAMES, MICHAEL A. V. LEWIS, WARDEN  
05-5558 SENN, GARY M. V. UNITED STATES  
05-5560 ASHWORTH, BRYAN V. ADDISON, WARDEN  
05-5563 TAFARI, INJAH E. V. GILMORE, JEROME, ET AL.  
05-5566 CRUTCHER, ANTHONY V. RYAN, ACTING WARDEN  
05-5567 DICKSON, BERTRAND V. ADAMS, WARDEN  
05-5570 PEGRAM, ROGER D. V. AULT, WARDEN  
05-5573 MAHDI, ABUWI V. MCI-WORLDCOM, ET AL.  
05-5574 MACIAS, JOSE C. V. DRETKE, DIR., TX DCJ  
05-5575 LEWIS, MARCUS V. SMITH, MIKE, ET AL.  
05-5576 KOKO, MELBOURN V. FLORIDA  
05-5577 PORTER, CHARLES D. V. CASON, WARDEN  
05-5578 MCGHEE, VOLNEY V. ILLINOIS  
05-5583 ROWE, CLAUDE V. DeKALB CRISIS CENTER, ET AL.  
05-5584 SABREE, G. SAIF V. MA PAROLE BOARD, ET AL.



05-5589 ROBINSON, ANTHONY V. FOLINO, SUPT., GREENE  
05-5593 DAVIS, MARVIN B. V. WERHOLTZ, SEC., KS DOC  
05-5594 CLARK, MICHAEL S. V. RYAN, ACTING WARDEN  
05-5596 DOVE, ANTHONY V. BOYETTE, CORR. ADM'R I, NASH  
05-5597 DOWNES, WILLIAM D. V. CARROLL, WARDEN, ET AL.  
05-5602 ADAWAY, DARRICK T. V. FLORIDA  
05-5607 BURKETT, DELBERT L. V. TEXAS  
05-5610 BRADFORD, RAYMOND A. V. AYERS, WARDEN  
05-5613 MELENDEZ, MARLON V. McGRATH, WARDEN  
05-5616 SUMBRY, LARRIANTE V. DAVIS, SUPT., IN  
05-5620 VALCHAR, JOHNNY R. V. TX BD. OF PARDONS AND PAROLES  
05-5621 TOUSSAINT, PATRICK V. KLEM, SUPT., MAHANOY, ET AL.  
05-5629 DAVIS, HARRY W. V. UNITED STATES  
05-5632 BURDETTE, JOHN V. RUSHTON, WARDEN, ET AL.  
05-5633 BILBREY, EMMA J. V. DOUGLAS, WARDEN  
05-5639 HARRISON, BOBBY V. KEMNA, SUPT., CROSSROADS, ET AL.  
05-5640 FIGUEROA, MIGUEL V. ZON, SUPT., WENDE  
05-5644 LAY, THOMAS M. V. MAZER-HART, STANLEY  
05-5649 DAUGHERTY, RICKY J. V. MISSOURI  
05-5651 ALLEN, GENE A. V. DISTRICT COURT OF NV, ET AL.  
05-5656 GUZMAN, FRANK T. V. DUKE, WARDEN  
05-5658 SERVIN, JOSE D. V. HARRISON, WARDEN  
05-5662 SYLVESTER, JAMIE V. McKEE, WARDEN  
05-5664 MANDILE, RICHARD A. V. UNITED STATES  
05-5667 TODD, JAMES E. V. CROSBY, SEC., FL DOC, ET AL.  
05-5668 POWELL, ROSE C. V. KELLER, TONY A., ET AL.  
05-5671 QUINTON, LAWRENCE G. V. DRETKE, DIR., TX DCJ  
05-5672 GOLDMAN, JACKIE V. FAIRBANKS CAPITAL CORP., ET AL.

05-5674        INGRAHAM, HANRI R. V. UNITED STATES  
05-5675        SANDIFER, ERIC T. V. LEWIS, WARDEN  
05-5676        NEWMAN, ROBERT L. V. UCHTMAN, WARDEN  
05-5678        RUTHERFORD, GERALD R. V. UNITED STATES  
05-5682        DUARTE-BENITEZ, CONSTANTINO V. UNITED STATES  
05-5688        WELKER, CHARLES V. RUSSO, JUDGE, ETC.  
05-5690        RILEY, BILLY R. V. SANDOVAL, BRIAN, ET AL.  
05-5692        MEADOR, DAVID L. V. SWEATT, WARDEN  
05-5693        MOHAMMED-BLAIZE, OLABIYI V. INS, ET AL.  
05-5695        OLIVER, ROBBIN I. V. OKLAHOMA, ET AL.  
05-5696        BURGESS, RAYMOND V. SCOFIELD, WARDEN  
05-5698        BENNETT, GERALD E. V. UNITED STATES  
05-5699        BUSH, HORACE V. UNITED STATES  
05-5700        BIROTTE, RODRIGUE V. GONZALES, ATT'Y GEN.  
05-5701        SVEUM, MICHAEL A. V. SMITH, WARDEN  
05-5714        DOCKERY, GARRY L. V. UNITED STATES  
05-5715        COOPER-SMITH, MICHAEL T. V. BELLEQUE, SUPT., OR  
05-5716        CARCHIDI, ANTHONY P. V. KENMORE DEVELOPMENT  
05-5717        CORDOVA, ARTHUR D. V. MUELLER, WARDEN  
05-5718        CENSKE, THOMAS A. V. MARQUETTE COUNTY JAIL  
05-5719        B. L. V. FRANKLIN CTY. CHILDREN SERVICES  
05-5728        McDONALD, EMMA W. V. BELLSOUTH TELECOMMS. INC.  
05-5729        POLITE, LILLIE, ET AL. V. UNITED STATES  
05-5730        LYLES, RONNIE M. V. MILLER, WARDEN  
05-5732        MATTHEWS, FELTON V. CLARK COUNTY, NV, ET AL.  
05-5733        RATSAVONGSY, DAOLEAUNG V. CADEN, WARDEN  
05-5737        ROSEBERRY, HOMER R. V. ARIZONA  
05-5741        SCRUGGS, ROBERT S. V. PALMER, JEFF, ET AL.

05-5742 WALKER, LeVAUGHN G. V. CARROLL, WARDEN, ET AL.  
05-5745 DAVIS, DONALD L. V. GEORGIA  
05-5746 BLOUNT, NATHAN V. DRETKE, DIR., TX DCJ  
05-5747 ABEYTA, DENNIS V. CALIFORNIA  
05-5749 BOATSWAIN, HOLLIS V. GONZALES, ATT'Y GEN.  
05-5755 SMITH, GREGORY V. CALIFORNIA  
05-5756 SKIPWORTH, MICHAEL V. COYNE, JUDGE, ETC.  
05-5757 SHIPMAN, RICHARD V. SMITH, WARDEN  
05-5761 HUDSON, JOHN A. V. WARD, DIR., OK DOC, ET AL.  
05-5763 HARPER, DALE V. GAMBLE, JAMES, ET AL.  
05-5775 PADILLA, VICTOR V. UNITED STATES  
05-5776 CHARLES-SANCHEZ, MERVIN J. V. UNITED STATES  
05-5777 LYTLE, JENNIFER L. V. UNITED STATES  
05-5778 MASTERS, JEFFREY J. V. UNITED STATES  
05-5785 BONGA, JEFFREY L. V. RENICO, WARDEN  
05-5788 LOPERA, JAVIER V. UNITED STATES  
05-5789 SMITH, SCOTT V. KENTUCKY  
05-5792 ELKO, JEFFREY V. SUSTER, JUDGE, ETC.  
05-5797 LAWHON, ALBERT H. V. FLORIDA  
05-5805 PITTS, ELDORADO V. SCRIBNER, WARDEN  
05-5817 MAHADEVAN, RAVINDRAN V. GONZALES, ATT'Y GEN.  
05-5818 LE, DUYET H. V. BELLEQUE, SUPT., OR  
05-5821 PROSHA, LEROY T. V. VIRGINIA  
05-5826 PARNELL, KENNETH W. V. WALL, DEBRA A., ET AL.  
05-5828 JOHNSON, WARREN L. V. WARREN, WARDEN  
05-5835 WOOD, JAMES A. V. FLORIDA  
05-5858 GALES, ARTHUE L. V. NEBRASKA  
05-5860 CORONEL, PAUL K. V. HAWAII

05-5866 AL-HAKIM, MARZUQ V. DOSS, C. L., ET AL.

05-5873 MORALES, MARY A. V. McKESSON HEALTH SOLUTIONS, LLC

05-5875 ZULUAGA, LUIS V. MASSACHUSETTS

05-5876 BRANCH, MONICA D. V. NORTH CAROLINA

05-5883 JONES, EUGENE K. V. STEWART, VICTOR, ET AL.

05-5890 HOUSER, KEVIN G. V. McDANIEL, WARDEN, ET AL.

05-5898 LOGAN, HIAWATHA V. COLUMBIA AK REGIONAL HOSPITAL

05-5904 WELCH, VAN P. V. JOHNSON, DIR., VA DOC

05-5907 ABDELHAQ, YASSER V. WEST VIRGINIA

05-5914 BOLDT, ERNA E. N. V. BARNHART, COMM'R, SOCIAL SEC.

05-5926 JONES, GARY S. V. ORTIZ, EXEC. DIR., CO DOC

05-5931 MARTIN, VISTON S. V. VIRGINIA

05-5983 PREVO, CLARA L. V. FDIC, ET AL.

05-6002 BROWN, RONALD V. ILLINOIS

05-6003 WAGNER, MICHAEL L. V. WAINSTEIN, KENNETH

05-6007 GREENE, TRAVERS A. V. McDANIEL, WARDEN, ET AL.

05-6028 MARTIN, MICHAEL L. V. MACFARLAND, ADM'R, SOUTH WOODS

05-6031 HIGINIA, ROY V. NEW JERSEY

05-6037 KRONCKE, ROBERT E. V. PHOENIX, AZ, ET AL.

05-6040 MCGEE, JEFFREY V. TERRY, WARDEN

05-6047 CAPERS, AUGUSTUS T. V. H & R BLOCK FINANCIAL ADVISORS

05-6049 FECK, WILLIAM G. V. COLORADO

05-6062 METZENBAUM, TERRY S. V. EEOC

05-6064 COPLEY, CRAIG O. V. USDC ED NC

05-6070 GOSSETT, BENJAMIN S. V. BARNHART, COMM'R, SOCIAL SEC.

05-6074 HOLBROOK, JAMES P. V. YAMAMOTO FB ENGINEERING

05-6086 MOSLEY, CHARLES V. UNITED STATES

05-6111 ADAMS, ARTHUR V. UNITED STATES

05-6120 MADERA-SANCHEZ, LUIS A. V. UNITED STATES  
05-6121 JACOBS, NATHAN E. V. MICHIGAN, ET AL.  
05-6124 WYATT, JOEL A., ET AL. V. UNITED STATES  
05-6133 PEREZ-SERANO, JOSE L. V. UNITED STATES  
05-6145 SMILEY, KEITH V. UNITED STATES  
05-6146 SANTIAGO-LUGO, ISRAEL V. UNITED STATES  
05-6148 JOSEPH, PATRICK V. UNITED STATES  
05-6150 MILTON, WILLIE C. V. UNITED STATES  
05-6151 NELSON, AL-SHERIES V. UNITED STATES  
05-6152 JOLLY, CHRISTOPHER V. UNITED STATES  
05-6155 CRISPIN, JUAN V. UNITED STATES  
05-6158 GILFORD, QUINCY V. V. UNITED STATES  
05-6160 GARCIA-COVARRUBIAS, MIGUEL V. UNITED STATES  
05-6162 CRAVEN, KEVIN L. V. UNITED STATES  
05-6163 SEQUIN, DAVID M. V. UNITED STATES  
05-6169 SALINAS-CAPISTRAN, ISRAEL V. UNITED STATES  
05-6170 RAMIREZ-PEREZ, RODOLFO V. UNITED STATES  
05-6171 SANCHEZ-ANDRADE, ANTONIO V. UNITED STATES  
05-6172 SAWYERS, TYRICE L. V. UNITED STATES  
05-6173 MARCUSSEN, DENNIS V. UNITED STATES  
05-6176 COLON-COLON, VICTOR M. V. UNITED STATES  
05-6177 DREWRY, RICHARD W. V. UNITED STATES  
05-6178 CAMACHO-IBARQUEN, ELVIS F. V. UNITED STATES  
05-6179 DILKS, RUEBEN V. UNITED STATES  
05-6183 PETRO, RANDY V. UNITED STATES  
05-6191 JOHNSON, WILLIAM R. V. UNITED STATES  
05-6193 ZION, OMAR L. V. UNITED STATES  
05-6195 TYLER, EDDIE R. V. UNITED STATES

05-6196 VANEGAS-MALDONADO, JOSE H. V. UNITED STATES  
05-6197 SAUNDERS, TERRELL V. UNITED STATES  
05-6198 CABEZAS, JOSE M. V. UNITED STATES  
05-6199 OTHON, MARIA D. V. UNITED STATES  
05-6201 SMITH, JESSIE L. V. UNITED STATES  
05-6203 SCHAFFNER, TERRY E. V. LeBLANC, WARDEN  
05-6204 RODRIGUEZ-NICHOLS, EDDIE S. V. UNITED STATES  
05-6205 ROSENDARY, COREY D. V. UNITED STATES  
05-6206 CASTILLO-MARTINEZ, LORENZO V. UNITED STATES  
05-6207 CHAPPELL, WILLIAM J. V. UNITED STATES  
05-6208 ESSICK, ROGER D. V. UNITED STATES  
05-6209 ESPINOZA-GAMEZ, JOSE G. V. UNITED STATES  
05-6210 CARDENAS-TAPIA, ROBERT V. UNITED STATES  
05-6211 CASTILLO-RESENDEZ, RAFAEL V. UNITED STATES  
05-6212 DELONG, JOHN E. V. UNITED STATES  
05-6213 CURTIS, ROBERT R. V. UNITED STATES  
05-6214 COYNE, JAMES M. V. UNITED STATES  
05-6215 JOHNSON, TYRONSKI V. UNITED STATES  
05-6217 SILER, MICHAEL V. UNITED STATES  
05-6221 BRAY, JAMES D. V. UNITED STATES  
05-6222 NIEVES-BOGADO, NOEL O. V. UNITED STATES  
05-6223 BOCHAS, JULIO C. V. UNITED STATES  
05-6224 BIFULCO, FRANK V. UNITED STATES  
05-6225 HARRIS, CLAYTON V. UNITED STATES  
05-6233 COSME, CARLOS I. V. UNITED STATES  
05-6234 DOWLING, AVONDA V. V. UNITED STATES  
05-6235 LEMUSU, ALOFAGA V. UNITED STATES  
05-6237 OVERTON, WILLIAM J. V. UNITED STATES

05-6238 ZABAWA, PHILIP V. UNITED STATES  
05-6239 TUBBS, MICHAEL E. V. UNITED STATES  
05-6240 NEWSOME, ALBERT W. V. UNITED STATES  
05-6241 WALKER, DEMARKO S. V. UNITED STATES  
05-6242 MARTINEZ-LUGO, ROBERTO V. UNITED STATES  
05-6243 BRYANT, ANDREW C. V. UNITED STATES  
05-6245 ALCANTARA, ALEXIS E. V. UNITED STATES  
05-6246 ALLEN, JOHN H. V. UNITED STATES  
05-6249 BARRETT, DAVID V. UNITED STATES  
05-6253 JOHNSON, TINA M. V. UNITED STATES  
05-6259 SKORNIK, FRANK V. UNITED STATES  
05-6260 SANTIAGO-LUGO, ISRAEL V. UNITED STATES  
05-6261 ROMEU, JOSE A. V. UNITED STATES  
05-6262 REYNA, FRANCISCO J. V. UNITED STATES  
05-6267 LOSSIAH, JASON V. UNITED STATES  
05-6276 CARRANZA, SANTIAGO G. V. UNITED STATES  
05-6278 CHILDS, MOSES V. UNITED STATES  
05-6279 DANIELS, HERNANDEZ L. V. UNITED STATES  
05-6280 MATEO, VICTOR V. UNITED STATES  
05-6281 BRUCE, FLOYD M. V. UNITED STATES  
05-6286 NAVARRO, JUAN A. V. UNITED STATES  
05-6290 WOOTEN, JERRY L. V. UNITED STATES  
05-6293 TANNER, ROBERT L. V. UNITED STATES  
05-6294 TAYLOR, RAYMOND V. UNITED STATES  
05-6295 VILLAFANE-JIMENEZ, JUAN E. V. UNITED STATES  
05-6300 REMOI, OKOCCI V. UNITED STATES  
05-6303 POPE, ANTHONY V. UNITED STATES  
05-6304 OLIVO, AUGUSTIN V. UNITED STATES

05-6305 NUNN, MICHAEL J. V. UNITED STATES  
05-6306 LAWRENCE, THOMAS R. V. UNITED STATES  
05-6307 CRAYTON, LESTER W. V. UNITED STATES  
05-6308 CROSS, TONY F. V. UNITED STATES  
05-6309 DENNISON, BRYAN J. V. UNITED STATES  
05-6316 MAGALLANEZ, PETE V. UNITED STATES  
05-6317 JONES, ROBERT I. V. UNITED STATES  
05-6318 ROBINSON, JAMES S. V. UNITED STATES  
05-6319 RAY, CHARLES W. V. UNITED STATES  
05-6320 RUBIO, HECTOR V. UNITED STATES  
05-6321 OSTRANDER, MICHAEL V. UNITED STATES  
05-6322 REEVES, ANTONIO V. UNITED STATES  
05-6325 BROCK, SHANE W. V. UNITED STATES  
05-6326 BRONSON, JOHN I. V. UNITED STATES  
05-6327 ALCANTAR, SERGIO O. V. UNITED STATES  
05-6328 ALBRITTON, BOBBY L. V. UNITED STATES  
05-6332 KEMP, ANTHONY B. V. UNITED STATES  
05-6340 COBB, ANTONIO V. UNITED STATES  
05-6341 CACHO-BONILLA, FLOR DE MARIA V. UNITED STATES  
05-6343 WALLS, BARRISS W. V. UNITED STATES  
05-6347 WEBB, TOMMIE V. UNITED STATES  
05-6353 SNAGGS, WILLIAM V. UNITED STATES  
05-6354 BELL, JAMES W. V. UNITED STATES  
05-6355 AUSTIN, GREGORY L. V. UNITED STATES  
05-6361 CHARLOT, MAX V. UNITED STATES

The petitions for writs of certiorari are denied.

04-1520 NEW YORK V. ZAPPULLA, GUY

The motion of respondent for leave to proceed *in*



*forma pauperis* is granted. The motion of respondent to strike petitioner's reply brief is treated as a motion to seal the brief, and the motion is granted. Petitioner is directed to file a redacted reply brief for the public record within 10 days. The petition for a writ of certiorari is denied.

04-1632 GORDON, ROBERT S. V. UNITED STATES

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

04-1693 CONTESSA PREMIUM FOODS, INC. V. BERDEX SEAFOOD, INC., ET AL.

The motion of International Trademark Association for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

04-1695 LEE, MICHAEL A. V. CRAIGHEAD, SHENITA, ET AL.

The motion of Minnesota Police and Peace Officers Association Legal Defense Fund, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

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

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

05-25 DiGUGLIELMO, SUPT., GRATERFORD V. BRINSON, CURTIS

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

05-48 TEVA PHARMACEUTICALS USA, INC. V. PFIZER, INC.

The petition for a writ of certiorari is denied. The Chief

Justice, Justice O'Connor, and Justice Breyer took no part in the consideration or decision of this petition.

05-139 MARICOPA COUNTY, AZ, ET AL. V. AGSTER, CAROL ANN, ET AL.

The motion of American Medical Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of County of Los Angeles, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

05-205 SMITH, TED, ET AL. V. WEST VIRGINIA, EX REL. SAYLOR

The motion of Employment Dispute Services, Inc. for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

05-5591 MURRAY, JAMES M. V. FLEET MORTGAGE GROUP, ET AL.

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

05-5702 JOHNSON, ANTHONY E. V. UNITED STATES

05-6314 MONREAL-MONREAL, JOSE V. UNITED STATES

05-6334 MITCHELL, STEPHEN V. UNITED STATES

The petitions for writs of certiorari before judgment are denied.

#### **HABEAS CORPUS DENIED**

05-6256 IN RE NICHOLAS J. QUEEN, SR.

05-6370 IN RE GREGORY L. MOORE

The petitions for writs of habeas corpus are denied.

#### **MANDAMUS DENIED**

05-165 IN RE KANION'KE:HAKA, ET AL.

The petition for a writ of mandamus and/or prohibition is

denied.

**REHEARINGS DENIED**

04-9046 IN RE JAMES MORRIS  
04-9269 HOLLIHAN, RICHARD V. SOBINA, SUPT., SOMERSET, ET AL.  
04-9490 LUCAS, ISIAH V. LEWIS, WARDEN  
04-9564 FERRO, ERNESTO V. UNITED STATES  
04-9755 KING, GERALD V. DRETKE, DIR., TX DCJ  
04-9835 BARBOSA, LUIS H. V. UNITED STATES

The petitions for rehearing are denied.

02-611 DERMAN, HERBERT V. UNITED STATES

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