

(ORDER LIST: 546 U.S.)

MONDAY, OCTOBER 17, 2005

ORDERS IN PENDING CASES

05M21 WILLIAMS, DARREN D. V. UNITED STATES

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

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

)

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

The motion of Tennessee, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is granted.

04-1329 IL TOOL WORKS INC., ET AL. V. INDEPENDENT INK, INC.

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

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

The order granting the petition for a writ of certiorari is amended to read: The petition for a writ of certiorari is granted limited to the following question: "Whether an entity that does not qualify as an 'arm of the State' for Eleventh Amendment purposes can nonetheless assert sovereign immunity as a defense to an admiralty suit?"

CERTIORARI GRANTED

05-83 WASHINGTON V. RECUENCO, ARTURO R.

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

**CERTIORARI DENIED**

04-9842 JACKSON, ANARIAN C. V. ARKANSAS

04-10511 WILLIAMS, MICHAEL B. V. MAYBERG, WARDEN

04-10639 MORIN, THOMAS V. UNITED STATES

05-61 EDWARDS, BENNY R. V. VA INT'L TERMINALS, INC., ET AL.

05-88 COOPER, CORNELIUS, ET AL. V. SOUTHERN COMPANY, ET AL.

05-92 UNITED STATES V. PHILIP MORRIS USA INC., ET AL.

05-117 VERTRUE INC. V. MEDVALUSA HEALTH PROGRAMS, INC.

05-149 PRATER, WILLIAM J. V. ORMISTON, DAVID C.

05-206 RODRIGUEZ-JURATOVAC, JACQUELINE V. PUERTO RICO ELECTORAL COMM.  
N. E. V. HEDGES, CINDY J., ET AL.

05-210 TESTON, MICHAEL V. AR BD. CHIROPRACTIC EXAMINERS

05-214 HADFIELD, RUSSELL J. V. McDONOUGH, SHERIFF, ET AL.

05-215 DAWOOD, JAMAL N. V. CALIFORNIA

05-223 CARROLL, SUSAN V. FAUCHEUX, LOUIS

05-224 PINEVILLE, LA V. LIBERTY MUTUAL INS. CO., ET AL.

05-226 FEARING, MARLENE, ET AL. V. PARR, MARY, ET AL.

05-245 KERIAN, PAUL D. V. HARVEY, SEC. OF ARMY, ET AL.

05-246 KARLS, JOHN S. V. TEXACO, INC.

05-269 DOE, JOHN V. MENELEE, WARDEN, ET AL.

05-301 PHAM, JOHN T. V. TEXAS

05-302 LaPLANTE, ROGER J. V. CROSBY, SEC., FL DOC, ET AL.

05-335 PHINNEY, DON R. V. COOPER, JUDGE, USDC CD CA

05-339 BALL, KEVIN E. V. UNITED STATES

05-345 FRIEDRICH, ADAM V. UNITED STATES

05-349 MORALES, LUIS V. UNITED STATES

05-351 TROUTMAN, ADRIAN D. V. CIR

05-360 GREEN, DARRYL, ET AL. V. UNITED STATES

05-369 CORTEZ, JUAN D. V. UNITED STATES  
05-5190 SCHUTTE, MICHAEL V. UNITED STATES  
05-5301 DOSS, EVAN V. McALPIN, RONALD, ET AL.  
05-5356 BENITEZ-MACEDO, PEDRO V. UNITED STATES  
05-5403 JACOBS, DANIEL V. BEARD, SEC., PA DOC, ET AL.  
05-5502 LAWRENCE, LIONEL S. V. F.C. KERBECK & SONS  
05-5625 RODRIGUEZ, CARLOS V. McELROY, TERRENCE, ET AL.  
05-5758 MURRAY, VINCENT P. V. HARDIMAN, PAULA L.  
05-5767 COLLINS, ARNOLD J. V. WOODFORD, DIR., CA DOC  
05-5773 PRIBLE, RONALD J. V. TEXAS  
05-5780 WILLIAMS, GREGORY A. V. YATES, WARDEN, ET AL.  
05-5782 ANAYA, RICHARD E. V. KNOWLES, WARDEN, ET AL.  
05-5791 RESENDEZ, RUDOLPH V. DRETKE, DIR., TX DCJ  
05-5793 COTA, COLIN E. V. JOHNSON, DIR., VA DOC, ET AL.  
05-5795 KING, JACQUELINE M., ET AL. V. CHILDS, WALTER S. B., ET AL.  
05-5799 JACKSON, MATTHEW V. GIURBINO, WARDEN  
05-5800 DOUGLAS, ELLIS R. V. MARYLAND  
05-5803 DOUGLAS, ERIC T. V. CRAWFORD, DIR., NV DOC, ET AL.  
05-5806 MONTGOMERY, MATTHEW R. V. PENNSYLVANIA  
05-5812 SPECK, RICHARD V. RENICO, WARDEN  
05-5813 STILLMAN, DOUGLAS P. V. OHIO  
05-5814 RANSOM, BRYAN V. HARRISON, WARDEN  
05-5816 LAMBERT, DONALD E. V. BLODGETT, JAMES  
05-5820 MONTGOMERY, SIMON V. CAIN, WARDEN  
05-5822 MORGAN, TYRONE L. V. SCRIBNER, WARDEN  
05-5823 JACKSON, TONY D. V. DINGLE, WARDEN  
05-5824 KESSEL, BRYAN V. TEXAS  
05-5829 CURLAND, CAROL M. V. LADNER, GEORGE O.

05-5830 BRAMBLES, MICHAEL V. DUNCAN, WARDEN, ET AL.  
05-5831 BROWN, PRINCE V. TEXAS  
05-5832 CUESTA, TOMAS D. V. BERTRAND, DANIEL, ET AL.  
05-5837 WIDEMAN, EUGENE V. GARCIA, AMELIA  
05-5839 JAMES, FRANCES A. V. CP&L PROGRESS ENERGY  
05-5842 SEABERRY, RICKY V. STALDER, RICHARD, ET AL.  
05-5845 LOCKHART, MICHAEL A. V. HARRIS, G.  
05-5849 EFFINGER, DATRELL L. V. CURTIS, WARDEN  
05-5853 WELLS, JOHN E. V. BRUZZESE, JUDGE, ETC.  
05-5854 BOND, PAMELA V. BOND, MICHAEL  
05-5855 BUTLER, DARRYL P. V. HOWERTON, WARDEN, ET AL.  
05-5865 BRIGGS, JOEL V. HAMILTON CTY. PROSECUTOR  
05-5867 POWELL, MATTHEW V. RENICO, WARDEN  
05-5871 DESMOND, CARL V. WAGGONER, AIMEE  
05-5872 CAPUTI, STEPHEN V. SIRKIS, JOCELYN  
05-5881 ALKIRE, ALAN V. WACHOVIA NATIONAL BANK, N.A.  
05-5882 BRAY, AMBER M. V. MITCHELL, WARDEN  
05-5884 KLEINWACHTER, EUGENE F. V. MINNESOTA  
05-5924 LAURENTIU, RADU P. V. TEXAS  
05-5929 MURPHY, JOSEPH D. V. OHIO  
05-5942 SEPULVEDA, J. Y. V. MORGAN, WARDEN  
05-6072 GREER, CLAUDE S. V. FAULKNER, JUDGE, ETC.  
05-6073 HENDRICKS, LARRY E. V. SOUTH CAROLINA  
05-6104 FEAGINS, CALVIN E. V. TEXAS  
05-6123 JOHNSON, GEORGE V. MD DOC  
05-6136 GARNER, FRANK J. V. LAPPIN, HARLEY G., ET AL.  
05-6154 CORNISH, JONATHAN M. V. PENNSYLVANIA  
05-6157 SOLIS, ROLANDO V. CALIFORNIA

05-6174 SCOTT, JAMES P. V. PRICE, JOHN, ET AL.  
05-6192 ZIED-CAMPBELL, MINDY J. V. PA DEPT. OF PUBLIC WELFARE  
05-6194 WOODS, NIRA S. V. UNITED STATES  
05-6200 CLEMENTE, STEVEN W. V. UNITED STATES  
05-6232 STOVER, ERIC V. ECKENRODE, JACK, ET AL.  
05-6329 BASHIR, IBN B. V. HARVEY, ATT'Y GEN. OF NJ, ET AL.  
05-6352 MILLS, PAUL V. UNITED STATES  
05-6362 CAMPBELL, ALTEDIAS M. V. UNITED STATES  
05-6369 PARKER, CARL V. UNITED STATES  
05-6372 RIVERA, LISSETT V. UNITED STATES  
05-6375 BERAS, ROBERTO V. UNITED STATES  
05-6381 EDWARDS, DAVID O. V. UNITED STATES  
05-6383 NICHOLSON, KENYA L. V. UNITED STATES  
05-6385 VALLEJO, JOSE V. UNITED STATES  
05-6387 CONTRERAS, RUBEN O. V. JETER, WARDEN  
05-6394 JONES, WILLIAM V. UNITED STATES  
05-6395 MASON, FRED E. V. UNITED STATES  
05-6397 BELTRAN-HERNANDEZ, FRANCISCO V. UNITED STATES  
05-6398 ALBA-GUERRERO, MIGUEL V. UNITED STATES  
05-6400 CASTRO, HERNAN O. V. UNITED STATES  
05-6402 GUZMAN, JOSE V. UNITED STATES  
05-6403 GARZA, ROBERTO V. UNITED STATES  
05-6404 GAINES, VINCENT V. UNITED STATES  
05-6407 GONZALEZ-HUERTA, SERGIO V. UNITED STATES  
05-6408 IRURETAGOYENA, EDUARDO V. UNITED STATES  
05-6409 GRAHAM, JEREMY V. UNITED STATES  
05-6412 GOMEZ-SORIANO, MARIO A. V. UNITED STATES  
05-6415 GALVAN, GUILLERMO V. UNITED STATES

05-6416 GALVAN, LOUIS D. V. UNITED STATES  
05-6418 RAMIREZ-GARCIA, JOSE V. UNITED STATES  
05-6419 RODRIGUEZ-GARCIA, DAGOBERTO V. UNITED STATES  
05-6420 ROLLINS, CULLEN L. V. UNITED STATES  
05-6421 SANTILLANA, SANTIAGO V. UNITED STATES  
05-6423 JOHNSON, GREGORY C. V. UNITED STATES  
05-6428 ELIZARRARAZ, JOSE E. V. UNITED STATES  
05-6431 HIGGINBOTHAM, DAVID V. UNITED STATES  
05-6434 CARRATALA, ALFREDO V. UNITED STATES  
05-6437 GOVEA-SOLORIO, SERGIO M. V. UNITED STATES  
05-6440 HOFF, GORDON O. V. UNITED STATES  
05-6442 PHILLIPS, CARLUS L. V. UNITED STATES  
05-6444 THELEN, PATRICK V. UNITED STATES  
05-6451 HINES, WILLIAM E. V. UNITED STATES  
05-6452 INGRAM, VINCENT E. V. UNITED STATES  
05-6454 GILCHRIST, DERRELL L. V. UNITED STATES  
05-6457 MURCIA-PERLAZA, ORLANDO V. UNITED STATES  
05-6458 BRAVO-MUZQUIZ, DANIEL V. UNITED STATES  
05-6459 ANGEL, ANTONIO O. V. UNITED STATES  
05-6462 LOCKETT, RODDEEKA V. UNITED STATES  
05-6463 MANNING, MARCUS N. V. UNITED STATES  
05-6467 MARTINEZ, ABEL V. UNITED STATES  
05-6469 CARSON, GEORGE M. V. UNITED STATES  
05-6471 BRACKS, FRANK J. V. UNITED STATES  
05-6472 BOLEN, STEPHEN E. V. UNITED STATES  
05-6473 CRUZ-GONZALEZ, ELIUD V. UNITED STATES  
05-6474 COWARD, CALVIN V. STANSBERRY, WARDEN  
05-6478 PEREZ-OCHOA, MANUEL V. UNITED STATES

05-6481 SANCHEZ-CARRASCO, JORGE V. UNITED STATES  
05-6483 SCOTT, GINO V. V. UNITED STATES  
05-6484 SOWEMIMO, KAMORUDEEN V. UNITED STATES  
05-6485 RODRIGUEZ-SAUCEDO, ROBERTO V. UNITED STATES  
05-6486 MELENDEZ, VICTOR A. V. UNITED STATES  
05-6487 DICKERSON, CHARLES T. V. UNITED STATES  
05-6489 ANTWI, JOSEPH V. UNITED STATES  
05-6490 McCALL, GREGORY L. V. UNITED STATES  
05-6492 ARNOLD, EDDIE V. UNITED STATES  
05-6494 SMITH, WILLIAM C. V. STANSBERRY, WARDEN  
05-6496 DAVIS, CURTIS D. V. UNITED STATES  
05-6502 VELAZQUEZ, ANGEL V. UNITED STATES  
05-6504 PORTER, EUGENE D. V. UNITED STATES  
05-6505 JONES, DENSIL V. UNITED STATES  
05-6506 JOHNSON, RASHEEN V. UNITED STATES  
05-6507 VASQUEZ-MONCADA, WALTER V. UNITED STATES  
05-6509 LUNA-CANO, JOSE L. V. UNITED STATES  
05-6512 RUSSELL, DAVID L. V. UNITED STATES  
05-6513 WEISSER, JOHN V. UNITED STATES  
05-6514 REYES-CARMONA, VICTOR V. UNITED STATES  
05-6515 BLACK, MICHAEL A. V. UNITED STATES  
05-6520 MCGONAGLE, PATRICK J. V. UNITED STATES  
05-6523 BANKS, DONALD T. V. UNITED STATES  
05-6524 GOLLHOFER, DOUGLAS M. V. UNITED STATES  
05-6525 GARCIA-RODRIGUEZ, LOURDES V. UNITED STATES  
05-6547 CARTER, RICHARD C. V. UNITED STATES  
05-6550 COLUNGA-CORREA, ABRAHAM V. UNITED STATES  
05-6552 CHAMPAGNE, ROBERT V. UNITED STATES

05-6553 DANIELS, KEITH V. UNITED STATES

05-6554 SHIELDS, THOMAS J. V. UNITED STATES

05-6556 SAYADI-TAKHTEHKAR, HAMID R. V. UNITED STATES, ET AL.

05-6557 INOCENCIO, JORGE A. V. UNITED STATES

The petitions for writs of certiorari are denied.

05-6 CATTELL, WARDEN V. WHITE, DELVIN

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

05-236 MERCK & CO., INC. V. TEVA PHARMACEUTICALS USA, 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.

05-280 AM. FAMILY MUT. INS. CO. V. MESSINA, JUDGE, ETC.

The motion of Property Casualty Insurers Association of America for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

05-284 SMALL, PRESTON W. V. FCC, ET AL.

05-6186 ALBERT, CORNELIUS A. V. DEPT. OF JUSTICE, ET AL.

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

05-6558 BECKLEY, ROBERT D. V. UNITED STATES

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

#### **HABEAS CORPUS DENIED**

05-6528 IN RE EMMANUEL GAISIE



05-6530 IN RE JEFFERY W. WANSLEY

The petitions for writs of habeas corpus are denied.

**MANDAMUS DENIED**

04-10395 IN RE ROBERT J. MARSHALL

05-5798 IN RE ANDRE JOHNSON

05-6190 IN RE STANLEY E. KORNAFEL

The petitions for writs of mandamus are denied.