

(ORDER LIST: 546 U.S.)

MONDAY, OCTOBER 31, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

05-6655 AL-DABBI, ADIL G. 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).

ORDERS IN PENDING CASES

05M22 Z. G. V. S. J. H., ET AL.

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

05M23 BEN-SCHOTER, RALPH V. UNITED STATES

The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is denied.

04-597 UNITHERM FOOD SYS., INC. V. SWIFT-ECKRICH, INC., ETC.

The motion of petitioner to strike respondent's supplemental brief is denied.

04-928 OREGON V. GUZEK, RANDY L.

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. The motion of respondent for appointment of counsel is granted. Richard L. Wolf, Esquire, of Portland, Oregon, is appointed to serve as counsel for the respondent in this case.

04-1131 WHITMAN, TERRY L. V. DEPT. OF TRANSPORTATION, ET AL.

The motion of National Treasury Employees Union for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

04-1264 BUCKEYE CHECK CASHING, INC. V. CARDEGNA, JOHN, ET AL.

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

04-5308 KEENAN, TIMOTHY P. V. LeCUREUX, WARDEN

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

05-273 FTC V. SCHERING-PLOUGH CORP.

The Solicitor General is invited to file a brief in this case expressing the views of the United States. Justice Breyer took no part in the consideration or decision of this petition.

05-6005 GULLY, FRANCES T. V. NY COMM'R OF LABOR

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 21, 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**

04-607 LABORATORY CORP. OF AMERICA V. METABOLITE LABORATORIES, ET AL.

The petition for a writ of certiorari is granted limited to Question 3 presented by the petition.

04-1376 FERNANDEZ-VARGAS, HUMBERTO V. GONZALES, ATT'Y GEN.

The petition for a writ of certiorari is granted.

05-5224 DAVIS, ADRIAN M. V. WASHINGTON

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. This case is to be argued in tandem with No. 05-5705, *Hammon v. Indiana*.

05-5705 HAMMON, HERSHEL V. INDIANA

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. This case is to be argued in tandem with No. 05-5224, *Davis v. Washington*.

**CERTIORARI DENIED**

04-1541 THORPE, JOHN K., ET AL. V. COLORADO, ET AL.

04-1543 PEREZ, JAVIER V. TX DCJ

04-1699 HENDRICKS, DIANE M., ET VIR V. MUTUAL INDEMNITY (BERMUDA)

04-1734 HUCKABY, THOMAS J. V. NY ST. DIV. OF TAX APPEALS

04-10472 SMYLIE, ADOLPHE V. INDIANA

04-10640 PIZZUTO, GERALD R. V. FISHER, WARDEN

04-10706 GAVIRIA, LILIANA V. UNITED STATES

05-86 PIPER JAFFRAY & CO., ET AL. V. SHEA, JOHN D., ET UX.

05-89 VERMONT, ET AL. V. GREEN MOUNTAIN RAILROAD CORP.

05-122 STIDHAM, DEBORAH V. MINNESOTA MINING

05-126 YOON, MIN V. UNITED STATES

05-136 DEMPERS, JACKIE V. TUKWILA, WA

05-162 DAVIS, J. DOUGLAS, ET AL. V. DAVIS, DOROTHY L.

05-230 CISSE, SERENTE V. LOUISIANA

05-234 WAGNER, ROBERT V. HOLYOKE, MA, ET AL.

05-235 SCHLAFLIN, PAUL J. V. BOROWSKY, RICHARD, ET AL.

05-237 TAISACAN, NEIL S. V. NORTHERN MARIANA ISLANDS

05-247 PILLI, DOMINIC A. V. VIRGINIA STATE BAR  
05-250 ROWDEN, JAMES G. V. UNITED STATES, ET AL.  
05-251 SAWANGKAO, CHAGGRIT V. BANKERS TRUST CO.  
05-252 INT'L BHD. OF ELEC. WKRS. V. NLRB  
05-253 RUSCITO, RAYMOND, ET AL. V. SWAINE, INC., ET AL.  
05-256 RONWIN, EDWARD V. ALLSTATE INSURANCE CO., ET AL.  
05-258 AREIZAGA, EFRAIN V. SPICER, JODY  
05-265 RAINER, ALPHONSE, ET AL. V. UNION CARBIDE CORP., ET AL.  
05-267 CAIN, KEVIN J. V. CAIN, ANN M. C.  
05-268 BELAIRE, DWAYNE, ET AL. V. BURLINGTON RESOURCES, INC.  
05-270 GRIFFIN, ROBERT L. V. MICHIGAN  
05-271 DEBRA F. V. WISCONSIN  
05-272 GARAMENDI, JOHN V. GERLING GLOBAL CORP., ET AL.  
05-281 BUDGET RENT-A-CAR SYS., INC. V. CHAPPELL, NICOLE  
05-305 RESOURCE BANKSHARES CORP. V. ST. PAUL MERCURY INS. CO.  
05-306 SUNNEN, GERARD V. V. NY STATE DEPT. OF HEALTH  
05-318 CATLETT, IRVIN H. V. MARYLAND  
05-343 HARRIS, PERCY S. V. MARYLAND  
05-363 SAINTAUDE, JACQUES V. UNITED STATES  
05-370 BALDWIN, BRENDA J. V. ENGLAND, SEC. OF NAVY  
05-373 MARINE FORESTS SOCIETY, ET AL. V. CALIFORNIA COASTAL COMMISSION  
05-392 RIGGLE, TIMMY C., ET UX. V. UNITED STATES  
05-424 MITRA, RAJIB K. V. UNITED STATES  
05-425 GOUDIE, JOHN V. UNITED STATES  
05-435 THOMPSON, JOHN F. V. UNITED STATES  
05-5009 IGHEKPE, FRANKLIN V. GONZALES, ATT'Y GEN.  
05-5019 DUNLAP, TIMOTHY A. V. IDAHO  
05-5050 McNEIL, LEARTIS V. UNITED STATES

05-5078 MARTINEZ-BENITEZ, JESUS V. UNITED STATES  
05-5417 DAVIS, MONICA V. UNITED STATES  
05-5429 WILLIAMS, VINCENT L. V. UNITED STATES  
05-5430 BROWN, DWAYNE L. V. UNITED STATES  
05-5442 RODRIGUEZ, CHRISTIAN V. UNITED STATES  
05-5466 MORGAN, GORDON V. UNITED STATES  
05-5475 STERRITT, RICHARD D. V. UNITED STATES  
05-5481 BUEHLER-MAY, ROBERT V. KANSAS  
05-5513 CREASY, CHARLOTTE V. UNITED STATES  
05-5530 POWERS, JASON D. V. UNITED STATES  
05-5540 SMITH, GREGORY S. V. CALIFORNIA  
05-5541 STEWART, PATRICK J. V. UNITED STATES  
05-5542 MARTINEZ, RAYMOND D. V. DRETKE, DIR., TX DCJ  
05-5568 CHEATHAM, WILLIAM C. V. UNITED STATES  
05-5571 PORTER, JEFFERY V. UNITED STATES  
05-5586 TORRES, WUESLYN S. V. UNITED STATES  
05-5587 TAYLOR, ROYAL V. UNITED STATES  
05-5601 BURGE, JOSHUA J. V. UNITED STATES  
05-5609 WEESE, DAN V. EDMONDS, SUE, ET AL.  
05-5886 GENWRIGHT, JASON W., ET UX. V. HARNETT CTY. SOCIAL SERVICES  
05-5893 MENDEZ, DAVID V. TEXAS  
05-5894 COSTA, ANALIDIO V. MUSSELL, DENNIS, ET AL.  
05-5905 COOKSON, DONALD V. ILLINOIS  
05-5908 BIANCHI, KENNETH A. V. HICKMAN, SEC., CA DOC  
05-5915 ALTHOUSE, KEVIN R. V. TEXAS  
05-5916 ARZATE, ARTHUR C. V. TEXAS  
05-5919 BAILEY, WALTER L. V. LOUISIANA  
05-5934 NEAL, JAMES H. V. DRETKE, DIR., TX DCJ

05-5935 MILLS, JOHN D. V. FLORIDA  
05-5941 REEVES, LINDA J. V. CANNIZZARO, LEON A.  
05-5946 MCGOWAN, WILLIE V. HARRISON, WARDEN  
05-5955 RIVERA, LEONDR0 V. TEXAS  
05-5957 KANDEKORE, LIJYASU V. USDC SD FL  
05-5961 JAMES, SCHENVISKY V. HAVENS, S., ET AL.  
05-5962 HAMRICK, DANIEL A. V. FARMERS ALLIANCE INSURANCE  
05-5965 MINNIFIELD, WENDELL V. GOMEZ, WARDEN  
05-5972 BRAKEALL, WINSTON G. V. WEBER, WARDEN  
05-5975 GOODSON, BOBBY G. V. DUNCAN, MARY L.  
05-5980 HESS, CHRISTOPHER V. KUNKLE, JEAN, ET AL.  
05-5985 HARPER, ROBERT V. FLORIDA  
05-5987 VINCENT, DAMON V. NEW YORK  
05-5989 WILLIAMS, JAMES V. TX DCJ, ET AL.  
05-5990 WILSON, JEROME P. V. CALIFORNIA  
05-5991 TURCUS, VASILE V. AUTO CLUB GROUP INS. CO., ET AL.  
05-5995 CARLSON, STEPHEN W. V. AMERICAN EXPRESS FINANCIAL  
05-5997 DRUMMOND, GROVER V. EHRLICH, GOV. OF MD  
05-6000 ROBINSON, HARVEY M. V. PENNSYLVANIA  
05-6004 PITTS, GERALD C. V. GEORGIA, ET AL.  
05-6006 GLEASON, MARK A. V. HICKMAN, SEC., CA DOC  
05-6008 GRAYSON, FREDERICK L. V. DRETKE, DIR., TX DCJ  
05-6010 GONZALEZ, DANIEL V. MCGINNIS, SUPT., SOUTHPORT  
05-6012 HILLIARD, BRUCE V. KING, SUPT., SOUTH MS  
05-6013 GOLDEN, FREDRICK V. MISSISSIPPI  
05-6014 KOKAL, GREGORY A. V. FLORIDA  
05-6018 FETZER, DANIEL V. REEVES, RANDALL, ET AL.  
05-6019 HARRISON, DARREN V. FLORIDA

05-6021 DUBOIS, PASCAL V. ABODE, WARDEN, ET AL.

05-6024 EVANS, MICHAEL R. V. WASHINGTON

05-6030 ROBEY, WILLIAM K. V. BULLARD, WARDEN, ET AL.

05-6032 BERRY, DARRELL V. CALIFORNIA

05-6034 SHELTON, LINDA L. V. BROWN, DOROTHY

05-6038 KRONCKE, ROBERT E. V. ARIZONA

05-6039 JAMES, MICHAEL T. V. CALIFORNIA

05-6043 VOITS, IVAR V. OREGON

05-6045 EVERETT, THEODORE L. V. VIRGINIA

05-6048 HAWKINS, CECIL V. McKEE, WARDEN

05-6056 GOODMAN, STEVEN W. V. SMITH, VERNON, ET AL.

05-6065 LEE, WILLIAM V. GRANHOLM, GOV. OF MI, ET AL.

05-6069 HAMMOND, DARRYL V. CAIN, WARDEN

05-6071 FORD, ROBERT V. TEXAS

05-6075 VIEIRA, RICHARD J. V. CALIFORNIA

05-6077 WELLS, KELVIN P. V. TRAYNOR, TIMOTHY, ET AL.

05-6081 RIVERA, WILLIAM V. NEW YORK

05-6083 DAVIS, JAROY L. V. CURTIN, WARDEN

05-6084 DANCE, JEROME V. TENNESSEE

05-6089 SPOTZ, MARK N. V. PENNSYLVANIA

05-6094 MILLER, DONALD A. V. MARSHALL, WARDEN

05-6096 CLARK, ERIC V. WALSH, SUPT., SULLIVAN

05-6098 D'AMARIO, ARTHUR V. MOTLEY, WARDEN

05-6099 CLEVELAND, QUENTIN L. V. FLORIDA

05-6105 GENTES, DONALD V. FLORIDA

05-6109 ARIAS, MANUEL V. OHIO

05-6112 ADI, JOHN V. PRUDENTIAL PROPERTY, ET AL.

05-6113 AHMED, NAWAZ V. OHIO

05-6116 MIDDLETON, DOUGLAS V. RUSSELL, KIMBERLY, ET AL.  
05-6117 TARVIN, FLOYD P. V. TEXAS  
05-6118 JETTER, DION M. V. BEARD, SEC., PA DOC, ET AL.  
05-6125 WILLIAMS, BILLY G. V. NORMAN, SHELIA, ET AL.  
05-6126 WEST, RUFUS V. BELGADO, PAULINO, ET AL.  
05-6128 THOMPSON, ARTHUR E. V. BULLARD, WARDEN, ET AL.  
05-6129 NOLEN, ARLANDUS V. ROBITSCHUN, JOHN, ET AL.  
05-6130 PARKS, ROBERT D. V. DRETKE, DIR., TX DCJ  
05-6137 MINIX, PAUL V. DRETKE, DIR., TX DCJ  
05-6140 REED, ARNOLD R. V. TEXAS  
05-6142 MINNFEE, BARRY D. V. DRETKE, DIR., TX DCJ  
05-6143 NALI, FRANK V. MI ATTORNEY GRIEVANCE COMM'N  
05-6144 NEWMAN, CLIFFORD T. V. PATRICK, SUPT., HOUTZDALE  
05-6147 VELARDE, ARTURO V. DRUNTY, ACTING WARDEN  
05-6153 LANGSTON, THOMAS E. V. BRAXTON, WARDEN, ET AL.  
05-6156 JAMES, SAM H. V. 279 4TH AVENUE LLC, ET AL.  
05-6159 BRAHAM, MICHAEL V. RODRIGUEZ, HECTOR  
05-6161 WIGGINS, MILTON V. FISCHER, SUPT., SING SING  
05-6165 ROLDAN, RICARDO V. CALIFORNIA  
05-6167 BANKS, JOHN J. V. ARIZONA  
05-6175 RAY, FRED V. GAMMON, SUPT., MOBERLY  
05-6188 SAUNDERS, ANTOINE V. DiGUGLIELMO, SUPT., GRATERFORD  
05-6216 RODGERS, CHARLES V. FLORIDA  
05-6218 BAKER, DONALD L. V. DEPT. OF AGRICULTURE  
05-6227 BROOKS-BEY, GEORGE R. V. JAMES, THOMAS, ET AL.  
05-6228 BROWN, JAMES V. WILLIAMS, WARDEN  
05-6251 BRADLEY, LEON V. DiGUGLIELMO, SUPT., GRATERFORD  
05-6254 LEWIS, MICHAEL V. GEORGIA



05-6257 RICCA, RICHARD J. V. McCAUGHTRY, WARDEN  
05-6258 RODGERS, KERRY L. V. PLILER, WARDEN  
05-6263 SANTIAGO, JOSE F. V. FLORIDA  
05-6265 FLYNN, DONALD E. V. FRIEDMAN, BERNARD A., ET AL.  
05-6269 LOCKLEAR, JOSEPHINE V. CROSBY, SEC., FL DOC  
05-6270 WEST, OLIVER G. V. NEW YORK  
05-6284 BROWN, GEORGE V. TAFOYA, WARDEN, ET AL.  
05-6292 MOHAMMAD, REDA H. V. PRUETT, WARDEN  
05-6310 DANIELS, CHARLES V. NEW YORK  
05-6313 McVAY, DEANGELO V. HARRISON, WARDEN  
05-6323 LINDELL, NATHANIEL V. BERGE, WARDEN  
05-6324 DANIELS, KEITH V. PENNSYLVANIA  
05-6335 PEREZ, JAMES V. FLORIDA  
05-6358 AIKEN, CARL S. V. RUSHTON, WARDEN  
05-6373 MERRILL, MARCUS V. DORMIRE, SUPT., JEFFERSON CITY  
05-6384 WALSHAW, STEVEN F. V. VIRGINIA  
05-6389 JACKSON, ROGERS L. V. UNITED STATES  
05-6392 MUTH, ALLEN A. V. FRANK, SEC., WI DOC  
05-6393 PERRONE, ROBERT W. V. HARRISON, WARDEN  
05-6396 BANDA, JOHN M. V. NEW JERSEY, ET AL.  
05-6425 LEYVA-GARCIA, ROSALINDA V. UNITED STATES  
05-6426 JIMENEZ-GANDARA, MARIO V. UNITED STATES  
05-6443 ANAZCO, ALEXANDER V. UNITED STATES  
05-6445 WOODEN, JOHN V. BOND, JUDGE, ETC.  
05-6450 FORD, EDWARD J. X. V. GONZALES, ATT'Y GEN.  
05-6453 GRIFFIN, CHARLIE V. ORTIZ, EXEC. DIR., CO DOC  
05-6461 MARQUEZ-GOMEZ, OSCAR L. V. UNITED STATES  
05-6464 MALDONADO, OSCAR V. UNITED STATES

05-6495 CAIN, RODERIC V. UNITED STATES  
05-6500 TAI-OURANE, KEOTHAVY V. UNITED STATES  
05-6516 BERARD, MICHAEL N. V. UNITED STATES  
05-6519 JAKOUBEK, KEVIN R. V. UNITED STATES  
05-6526 HERNANDEZ-OLEA, JOSE T. V. UNITED STATES  
05-6527 HaLEIVI, YERACHMIEL P. V. UNITED STATES CONGRESS, ET AL.  
05-6529 GONZALEZ-CORREA, ANDERSON V. UNITED STATES  
05-6533 BANKS, ISADORE B. V. UNITED STATES  
05-6536 GEORGACARAKOS, PETER N. V. UNITED STATES  
05-6537 FOSTER, TODD A. V. UNITED STATES  
05-6539 McCAULEY, JOHN V. UNITED STATES  
05-6541 ZIESMAN, TRAVIS V. UNITED STATES  
05-6542 MADRAZO-CONSTANTE, JUAN L. V. UNITED STATES  
05-6543 LEWIS, WALTER V. UNITED STATES  
05-6544 MARINO, VINCENT M. V. USDC MA  
05-6546 BICKETT, JOSEPH K. V. UNITED STATES  
05-6562 PRATHER, VERNON V. V. UNITED STATES  
05-6564 SANCHEZ-GARDEA, ALVARO V. UNITED STATES  
05-6565 RAMIREZ-SANCHEZ, ROBERTO F. V. UNITED STATES  
05-6566 SILVA-ONTIVEROS, JOSE S. V. UNITED STATES  
05-6567 SANTANA, ENRIQUE G. V. UNITED STATES  
05-6568 SCROGGINS, SHEMIKA N. V. UNITED STATES  
05-6569 LYONS, HARLEY R. V. RED ROOF INNS, INC.  
05-6570 JONES, SYBRIENA D. V. UNITED STATES  
05-6574 FEIDEN, SCOTT R. V. UNITED STATES  
05-6576 DIETZ, FREDERICK J. V. UNITED STATES  
05-6577 EDWARDS, JERALD P. V. UNITED STATES  
05-6578 EDMONDSON, JUSTIN L. V. UNITED STATES

05-6580 COOK, MICHAEL C. V. UNITED STATES  
05-6581 CHAVEZ, JOSE S. V. UNITED STATES  
05-6582 PHILLIPS, WILLIE E. V. UNITED STATES  
05-6586 WILLIAMS, DEWAYNE V. UNITED STATES  
05-6588 ARRIYAGA-PEREZ, ROLANDO V. UNITED STATES  
05-6589 FOBBS, DEMOND J. V. UNITED STATES  
05-6590 HACKWORTH, LAWAYLON V. UNITED STATES  
05-6591 CASTILLO-CUEVAS, MARIO N. V. UNITED STATES  
05-6595 MONTANA, DARWIN V. UNITED STATES  
05-6596 CASTRO-VARGAS, GERONIMO V. UNITED STATES  
05-6598 SALAZAR-ARCHULETA, CESAR V. UNITED STATES  
05-6599 STINE, MIKEAL G. V. UNITED STATES  
05-6600 MEJIA-SOLANO, OLIVO V. UNITED STATES  
05-6601 WIMBERLY, CHRISTOPHER V. UNITED STATES  
05-6605 LATTIMORE, DAVID V. UNITED STATES  
05-6609 HERRERA-SANCHEZ, JUAN C. V. UNITED STATES  
05-6610 BRADSHAW, BRODERICK V. UNITED STATES  
05-6612 BRAYE, CHARLES V. UNITED STATES  
05-6613 BARNAL-NAVA, RODOLFO V. UNITED STATES  
05-6614 NORRIS, CURTIS D. V. UNITED STATES  
05-6615 NEWSOME, JAMES D. V. UNITED STATES  
05-6619 STEVENS, JERMAINE A. V. UNITED STATES  
05-6620 ROCKENBACK, JAMES R. V. UNITED STATES  
05-6621 LOZANO-MORALES, DANIEL V. UNITED STATES  
05-6628 AYON-CONTRERAS, JOSE V. UNITED STATES  
05-6629 BIVENS, RHONDA V. UNITED STATES  
05-6631 AFANASJEV, VALERIJ, ET UX. V. HURLBURT, THOMAS D., ET AL.  
05-6635 TURNER, LORENZO E. V. UNITED STATES

05-6636 WILLIAMS, RAJAH R. V. UNITED STATES  
05-6637 CORTEZ-ESPINOZA, ARTURO V. UNITED STATES  
05-6638 DOUGLAS, MICHAEL A. V. UNITED STATES  
05-6641 McCARTHAN, DAN C. V. UNITED STATES  
05-6642 MARTINEZ-RAMIREZ, ESTEBAN V. UNITED STATES  
05-6643 JOHNSON, COLEMAN L. V. UNITED STATES  
05-6644 MARINES, BERTHA V. UNITED STATES  
05-6649 WILLIAMS, RODERICK V. UNITED STATES  
05-6651 VILLALOBOS-LOPEZ, CRUZ V. UNITED STATES  
05-6653 BUTLER, TROY T. V. UNITED STATES  
05-6654 ADKINS, TIMOTHY V. UNITED STATES  
05-6658 AQUINO, ROBERT V. UNITED STATES  
05-6660 SCATES, RALPH E. V. UNITED STATES  
05-6661 SOBODE, JOSEPH V. UNITED STATES  
05-6662 SEGURA, IVAN V. UNITED STATES  
05-6663 RIVERA-BENITO, ALFREDO V. UNITED STATES  
05-6664 STRINGHAM, TROY V. UNITED STATES  
05-6665 MARTINEZ, STEVEN A. V. UNITED STATES  
05-6666 PIPKINS, CHARLES F., ET AL. V. UNITED STATES  
05-6668 PATTERSON, MAURICE E. V. UNITED STATES  
05-6669 TAVERAS, JUAN V. UNITED STATES  
05-6672 BELL, RALPH D. V. UNITED STATES  
05-6675 STINNETT, BOBBY V. UNITED STATES  
05-6678 SMITH, CARL V. NASH, WARDEN, ET AL.  
05-6679 SKINNER, JESSE M. V. UNITED STATES  
05-6681 PETERSON, LARRY D. V. UNITED STATES  
05-6682 PAYNE, CHARLES V. UNITED STATES

05-6687 ) WILEY, DUMONDE V. UNITED STATES  
)  
05-6742 ) FLETCHER, SIDNEY V. UNITED STATES  
05-6689 CARRIE, MARK V. UNITED STATES  
05-6690 CRAFT, ERIC V. UNITED STATES  
05-6699 BROWN, JERRY T. V. UNITED STATES  
05-6701 WALKER, TOMMY V. UNITED STATES  
05-6704 McDONALD, ANTONIO V. UNITED STATES  
05-6711 RIVERO, GILBERTO V. UNITED STATES  
05-6713 NAKAI, GREGORY V. UNITED STATES  
05-6715 PARIS, MARTIN L. V. UNITED STATES  
05-6718 JACKSON, ANDRE V. UNITED STATES  
05-6719 JONES, DONOVAN H. V. UNITED STATES  
05-6721 CERVANTES-SOSA, HUMBERTO A. V. UNITED STATES  
05-6728 WOODARD, CALVIN V. UNITED STATES  
05-6730 PEREZ-RODRIGUEZ, NOE V. UNITED STATES  
05-6731 NUNEZ-RETAMA, JOSE DE JESUS V. UNITED STATES  
05-6736 BLOUNT, CORY L. V. UNITED STATES  
05-6737 ZIEBART, TIMOTHY V. KINGSTON, WARDEN  
05-6738 MARIN, DAVID M. V. UNITED STATES  
05-6739 NUNEZ, MARCOS L. V. UNITED STATES  
05-6745 SANCHEZ, ALFREDO L. V. UNITED STATES  
05-6746 RUBIO-RUBIO, EVENCIO V. UNITED STATES  
05-6751 GONZALEZ-AMARO, JACOBO M. V. UNITED STATES  
05-6752 IRELAND, RAYMOND MALVIN H. V. UNITED STATES  
05-6753 FLASCHBERGER, THOMAS V. UNITED STATES  
05-6754 GOMEZ, SANTIAGO V. UNITED STATES  
05-6755 FAKIH, JAMAL V. UNITED STATES  
05-6756 HOLLER, PETER J. V. UNITED STATES

05-6757 HOWELL, JOEL A. V. UNITED STATES  
05-6758 BLACK HOOP, LEE M. V. UNITED STATES  
05-6759 GUARDADO, DOUGLAS A. V. UNITED STATES  
05-6760 GUTIERREZ-CASILLAS, JUAN V. UNITED STATES  
05-6766 ARIAS-HERNANDEZ, JOSE V. UNITED STATES  
05-6768 MELQUIADES, GEORGE V. UNITED STATES  
05-6769 DIAZ, HUMBERTO V. UNITED STATES  
05-6772 ESTEP, GERALD L. V. UNITED STATES  
05-6778 SMITH, JAMIE V. UNITED STATES  
05-6780 STONEROOK, WILLIAM V. UNITED STATES  
05-6781 SERRANO-PINERO, RAFAEL V. UNITED STATES  
05-6782 RESTREPO, JOSE V. UNITED STATES  
05-6784 MEDINA-MORILLO, LUIS E. V. UNITED STATES  
05-6787 SANCHEZ, ORLANDO V. UNITED STATES  
05-6791 BYRD, JIMMIE L. V. UNITED STATES  
05-6792 BATISTA, RAFAEL A. S. V. DEPT. OF JUSTICE, ET AL.  
05-6802 SPRAGUE, JASON S. V. UNITED STATES  
05-6804 VILLARINO-PACHECO, LUIS V. UNITED STATES  
05-6807 VALENCIA-QUINTANA, JULIO C. V. UNITED STATES  
05-6808 WASIELAK, BRYCE J. V. UNITED STATES

The petitions for writs of certiorari are denied.

04-1631 HAMILTON CTY. DEPT. OF PROBATION V. CASH, GERALD, ET AL.

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

04-1668 FLORIDA V. MATHESON, GARY A.

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

denied.

05-121 CELEBRITY CRUISES, INC., ET AL. V. DOE, JANE

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

05-182 WISCONSIN V. MOECK, RICHARD A.

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

05-198 ) NOKIA, INC., ET AL. V. NAQUIN, GARRETT, ET AL.

05-207 ) CELLCO PARTNERSHIP, ET AL. V. PINNEY, J. DOUGLAS, ET AL.

The petitions for writs of certiorari are denied. The Chief Justice, Justice O'Connor, and Justice Breyer took no part in the consideration or decision of these petitions.

05-274 MARSH & McLENNAN CO., INC. V. PALMER & CAY, INC., ET AL.

The motion of Chamber of Commerce of the United States for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

05-288 MICROSOFT CORP. V. EOLAS TECHNOLOGIES INC., ET AL.

05-290 ROCKEFELLER, TOD N. V. LEAVITT, ADM'R., EPA

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

05-5979 HILLBERRY, BRUCE V. WAL-MART

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

05-6091 LOREN, DEAN V. LEVY, HAROLD D., 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.

05-6166 BREEST, ROBERT V. CATTELL, WARDEN

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

#### **HABEAS CORPUS DENIED**

05-6560 IN RE DOUGLAS E. CARTER

05-6646 IN RE WILLIE TAMAKLOE

05-6688 IN RE TIMOTHY WEDLOW

05-6821 IN RE ROBERT L. McCRAY

05-6868 IN RE MANUEL HERNANDEZ

The petitions for writs of habeas corpus are denied.

#### **MANDAMUS DENIED**

05-299 IN RE RICHARD F. OLIVER

05-6101 IN RE ROBBIN IRENE OLIVER, ET AL.

05-6114 IN RE VICTOR J. BRAVO

05-6710 IN RE TONY RAVELO

The petitions for writs of mandamus are denied.

05-6035 IN RE GASTON SHUMATE

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

#### **REHEARING DENIED**

04-9068 WOODARD, BOOKER T. V. SUNDSTRAND CORP.

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