

ORDERS FROM FEBRUARY 12 THROUGH
MARCH 23, 1976

FEBRUARY 12, 1976

Dismissal Under Rule 60

No. 75-561. AMERICAN ELECTRIC POWER SYSTEM ET AL. *v.* SIERRA CLUB ET AL. C. A. D. C. Cir. [Certiorari granted, 423 U. S. 1047.] Certiorari dismissed as to petitioner Wisconsin Power & Light Co. under this Court's Rule 60.

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Affirmed on Appeal

No. 75-757. OLD DOMINION FREIGHT LINE, INC., ET AL. *v.* UNITED STATES ET AL. Affirmed on appeal from D. C. M. D. N. C.

No. 75-758. LEFKOVITS ET AL. *v.* STATE BOARD OF ELECTIONS ET AL. Affirmed on appeal from D. C. N. D. Ill. Reported below: 400 F. Supp. 1005.

Appeals Dismissed

No. 75-86. WALSH ET AL. *v.* MONTGOMERY COUNTY, MARYLAND, ET AL. Appeal from Ct. App. Md. dismissed for want of substantial federal question. MR. JUSTICE STEVENS took no part in the consideration or decision of this appeal. Reported below: 274 Md. 489, 336 A. 2d 97.

No. 75-834. HAMILTON *v.* VAN NATTA, COMMISSIONER, BUREAU OF MOTOR VEHICLES. Appeal from Ct. App. Ind. dismissed for want of substantial federal question. Reported below: — Ind. App. —, 323 N. E. 2d 659.

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No. 75-881. *HOOBAN v. BOARD OF GOVERNORS, WASHINGTON STATE BAR ASSN.* Appeal from Sup. Ct. Wash. dismissed for want of substantial federal question. Reported below: 85 Wash. 2d 774, 539 P. 2d 686.

No. 75-5945. *HICKOX v. CALIFORNIA.* Appeal from Ct. App. Cal., 4th App. Dist., dismissed for want of substantial federal question.

No. 75-5980. *JOHNSON v. ILLINOIS.* Appeal from App. Ct. Ill., 1st Dist., dismissed for want of substantial federal question. Reported below: 27 Ill. App. 3d 1047, 327 N. E. 2d 219.

No. 75-921. *WILD v. RARIG ET AL.* Appeal from Sup. Ct. Minn. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. MR. JUSTICE BLACKMUN took no part in the consideration or decision of this case. Reported below: — Minn. —, 234 N. W. 2d 775.

No. 75-5915. *JONES v. SOUTHERN HOME INSURANCE Co.* Appeal from Ct. App. Ga. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 135 Ga. App. 385, 217 S. E. 2d 620.

No. 75-6015. *SANCHEZ v. VALDEZ.* Appeal from Sup. Ct. N. M. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

Certiorari Granted—Vacated and Remanded

No. 75-606. *CONLISK, SUPERINTENDENT OF POLICE, ET AL. v. CALVIN ET AL.* C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for fur-

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ther consideration in light of *Rizzo v. Goode*, 423 U. S. 362 (1976). Reported below: 520 F. 2d 1.

No. 75-5684. *GRAHAM v. UNITED STATES*. C. A. 5th Cir. Motion for leave to proceed *in forma pauperis* and certiorari granted. Upon representation of the Solicitor General set forth in his brief for the United States filed January 9, 1976, judgment vacated and case remanded for further consideration in light of position presently asserted by the Government. MR. JUSTICE REHNQUIST would deny certiorari. Reported below: 521 F. 2d 812.

Miscellaneous Orders

No. 64, Orig. *NEW HAMPSHIRE v. MAINE*. Exceptions to Report of Special Master set for oral argument in due course. [For earlier orders herein, see, *e. g.*, 423 U. S. 1084.]

No. 73-7031. *FOWLER v. NORTH CAROLINA*. Sup. Ct. N. C. [Certiorari granted, 419 U. S. 963.] Order of this Court dated June 23, 1975 [422 U. S. 1039], insofar as it sets this case for reargument, is revoked.

No. 74-799. *UNITED STATES v. FOSTER LUMBER Co., INC.* C. A. 8th Cir. [Certiorari granted, 420 U. S. 1003.] Case restored to calendar for reargument.

No. 74-1318. *DREW MUNICIPAL SEPARATE SCHOOL DISTRICT ET AL. v. ANDREWS ET AL.* C. A. 5th Cir. [Certiorari granted, 423 U. S. 820.] Motion of petitioners for divided argument granted.

No. 74-1560. *UNITED STATES v. MARTINEZ-FUERTE ET AL.* C. A. 9th Cir. [Certiorari granted, 423 U. S. 822.] Motion of Los Angeles County Bar Assn. for leave to file a brief as *amicus curiae* denied. Motion of respondents to strike portion of petitioner's brief denied.

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No. 74-1520. ELROD, SHERIFF, ET AL. *v.* BURNS ET AL. C. A. 7th Cir. [Certiorari granted, 423 U. S. 821.] Motion of Public Citizen for leave to file a brief as *amicus curiae* granted.

No. 74-6257. GREGG *v.* GEORGIA. Sup. Ct. Ga.;

No. 75-5394. JUREK *v.* TEXAS. Ct. Crim. App. Tex.;

No. 75-5491. WOODSON ET AL. *v.* NORTH CAROLINA. Sup. Ct. N. C.;

No. 75-5706. PROFFITT *v.* FLORIDA. Sup. Ct. Fla.;

and

No. 75-5844. ROBERTS *v.* LOUISIANA. Sup. Ct. La. [Certiorari granted, 423 U. S. 1082.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* granted and 45 additional minutes allotted for that purpose.

No. 75-62. RUNYON ET UX., DBA BOBBE'S SCHOOL *v.* McCRARY ET AL.;

No. 75-66. FAIRFAX-BREWSTER SCHOOL, INC. *v.* GONZALES ET AL.; and

No. 75-278. SOUTHERN INDEPENDENT SCHOOL ASSN. *v.* McCRARY ET AL. C. A. 4th Cir. [Certiorari granted, 423 U. S. 945.] Motion of Anti-Defamation League of B'nai B'rith et al. for leave to file a brief as *amici curiae* in No. 75-62 granted. Motions of Council for American Private Education et al. and National Education Assn. for leave to file briefs as *amici curiae* granted.

No. 75-104. UNITED JEWISH ORGANIZATIONS OF WILLIAMSBURGH, INC., ET AL. *v.* CAREY, GOVERNOR OF NEW YORK, ET AL. C. A. 2d Cir. [Certiorari granted, 423 U. S. 945.] Motion of respondents NAACP et al. for additional time and divided argument granted and 15 additional minutes allotted for that purpose. Petitioners also allotted 15 additional minutes for oral argument.

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No. 75-130. QUINN, COMMISSIONER, CHICAGO FIRE DEPARTMENT *v.* MUSCARE. C. A. 7th Cir. [Certiorari granted, 423 U. S. 891.] Motions of Illinois Division of American Civil Liberties Union and coalition of American Public Employees for leave to file briefs as *amici curiae* granted.

No. 75-246. UNITED STATES *v.* HOPKINS. Ct. Cl. [Certiorari granted, 423 U. S. 821.] Motion of the Solicitor General to permit Robert B. Reich, Esquire, to present oral argument *pro hac vice* granted.

No. 75-251. FITZPATRICK ET AL. *v.* BITZER, CHAIRMAN, EMPLOYEES' RETIREMENT COMMISSION, ET AL.; and

No. 75-283. BITZER, CHAIRMAN, EMPLOYEES' RETIREMENT COMMISSION, ET AL. *v.* MATTHEWS ET AL. C. A. 2d Cir. [Certiorari granted, 423 U. S. 1031.] Motion of petitioners in No. 75-251 and of respondents in No. 75-283 for additional time for oral argument denied.

No. 75-252. MEACHUM, CORRECTIONAL SUPERINTENDENT, ET AL. *v.* FANO ET AL. C. A. 1st Cir. [Certiorari granted, 423 U. S. 1013.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* granted and 15 additional minutes allotted for that purpose.

No. 75-260. McDONALD ET AL. *v.* SANTA FE TRAIL TRANSPORTATION Co. ET AL. C. A. 5th Cir. [Certiorari granted, 423 U. S. 923.] Motion of NAACP Legal Defense & Educational Fund, Inc., for leave to file a brief as *amicus curiae* granted.

No. 75-6019. NELSON *v.* GAGNON, WARDEN; and

No. 75-6133. BOWERSKI *v.* UNITED STATES. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 75-339. *BUFFALO FORGE Co. v. UNITED STEELWORKERS OF AMERICA, AFL-CIO, ET AL.* C. A. 2d Cir. [Certiorari granted, 423 U. S. 911.] Motion of respondent United Steelworkers of America, AFL-CIO, to file a joint brief with American Federation of Labor & Congress of Industrial Organizations as *amicus curiae* denied.

No. 75-491. *UNITED STATES v. AGURS.* C. A. D. C. Cir. [Certiorari granted, 423 U. S. 983.] Motion of respondent to preclude filing of brief of petitioner denied.

No. 75-817. *NEBRASKA PRESS ASSN. ET AL. v. STUART, JUDGE, ET AL.* Sup. Ct. Neb. [Certiorari granted, 423 U. S. 1027.] Motion of petitioners for additional time for oral argument granted and 15 additional minutes allotted for that purpose. Respondents also allotted 15 additional minutes for oral argument. Motion of respondent Erwin Charles Simants for leave to proceed *in forma pauperis* granted.

No. 75-855. *BROWN v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS ET AL.;*

No. 75-5421. *GREEN v. HUNTER, U. S. DISTRICT JUDGE;* and

No. 75-5956. *BONNER v. UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT.* Motions for leave to file petitions for writs of mandamus denied.

No. 75-5962. *NEAL v. CASWELL, JUDGE, ET AL.* Motion for leave to file petition for writ of mandamus and other relief denied.

Probable Jurisdiction Noted

No. 75-699. *MATHEWS, SECRETARY OF HEALTH, EDUCATION, AND WELFARE v. GOLDFARB.* Appeal from D. C. E. D. N. Y. Probable jurisdiction noted. Reported below: 396 F. Supp. 308.

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No. 75-831. TULLY ET AL. *v.* GRIFFIN, INC. Appeal from D. C. Vt. Probable jurisdiction noted. Reported below: 404 F. Supp. 738.

No. 75-839. WHALEN, COMMISSIONER OF HEALTH OF NEW YORK *v.* ROE ET AL. Appeal from D. C. S. D. N. Y. Probable jurisdiction noted. Reported below: 403 F. Supp. 931.

Certiorari Granted

No. 75-212. UNITED STATES *v.* DONOVAN ET AL. C. A. 6th Cir. Certiorari granted. Reported below: 513 F. 2d 337.

No. 75-657. LOCAL 3489, UNITED STEELWORKERS OF AMERICA, AFL-CIO, ET AL. *v.* USERY, SECRETARY OF LABOR. C. A. 7th Cir. Certiorari granted. Reported below: 520 F. 2d 516.

No. 75-661. UNITED STATES *v.* ANTELOPE ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 523 F. 2d 400.

No. 75-853. UNITED STATES STEEL CORP. ET AL. *v.* FORTNER ENTERPRISES, INC. C. A. 6th Cir. Certiorari granted. Reported below: 523 F. 2d 961.

No. 75-929. ESTELLE, CORRECTIONS DIRECTOR, ET AL. *v.* GAMBLE. C. A. 5th Cir. Certiorari granted. Reported below: 516 F. 2d 937.

No. 75-811. SUPERIOR COURT OF THE DISTRICT OF COLUMBIA ET AL. *v.* PALMORE ET AL.; and SWAIN, REFORMATORY SUPERINTENDENT *v.* PRESSLEY. C. A. D. C. Cir. Motions of respondents for leave to proceed *in forma pauperis* and certiorari granted. Reported below: 169 U. S. App. D. C. 323, 515 F. 2d 1294 (first case); 169 U. S. App. D. C. 319, 515 F. 2d 1290 (second case).

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No. 75-777. NATIONAL LABOR RELATIONS BOARD *v.* ENTERPRISE ASSOCIATION OF STEAM, HOT WATER, HYDRAULIC SPRINKLER, PNEUMATIC TUBE, ICE MACHINE & GENERAL PIPEFITTERS OF NEW YORK AND VICINITY, LOCAL UNION No. 638. C. A. D. C. Cir. Motions of Chamber of Commerce of the United States, Public Service Electric & Gas Co. et al., and Air-Conditioning & Refrigeration Institute et al. for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 172 U. S. App. D. C. 225, 521 F. 2d 885.

No. 75-904. BRUNSWICK CORP. *v.* PUEBLO BOWL-O-MAT, INC., ET AL. C. A. 3d Cir. Certiorari granted limited to Questions 1 and 2 presented by the petition which read as follows:

"1. Does the mere continued presence in certain local markets of retail establishments allegedly 'acquired' by a 'deep pocket' manufacturer in violation of Section 7 of the Clayton Act afford a basis for competing retailers to recover damages under Section 4 of the Clayton Act when there is no proof that the 'acquisitions' resulted in any lessening of competition or monopoly in those markets?

"2. Does not the 'failing company' principle require dismissal of a treble-damage action based on alleged violations of Section 7 of the Clayton Act where the plaintiffs' entire damage theory is based on the premise that the 'acquired' businesses would have failed and disappeared from the market had the defendant not kept them alive by making the challenged 'acquisitions'?" Reported below: 523 F. 2d 262.

Certiorari Denied. (See also Nos. 75-921, 75-5915, and 75-6015, *supra*.)

No. 75-277. ZEEHANDELAAR *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 516 F. 2d 897.

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No. 75-477. *COMBS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 517 F. 2d 1405.

No. 75-515. *ZEEHANDELAAR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 526 F. 2d 585.

No. 75-541. *PENNSYLVANIA v. McDADE*. Sup. Ct. Pa. Certiorari denied. Reported below: 462 Pa. 414, 341 A. 2d 450.

No. 75-570. *DODSON ET AL. v. SCHEVE ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 339 A. 2d 39.

No. 75-600. *JOSEPH ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 2d 1068.

No. 75-632. *POSTELWAITE ET AL. v. BECHTOLD, SHERIFF, ET AL.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: — W. Va. —, 212 S. E. 2d 69.

No. 75-634. *JASINSKI ET AL. v. INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS*. C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 2d 478.

No. 75-641. *BULLOCK v. UNITED STATES*; and

No. 75-642. *KEHOE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 2d 78.

No. 75-650. *KRAMER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 521 F. 2d 1073.

No. 75-652. *CATERINE v. UNITED STATES*; and

No. 75-5678. *MIKELBERG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 2d 246.

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No. 75-658. *DIGGS ET AL. v. CIVIL AERONAUTICS BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 170 U. S. App. D. C. 320, 516 F. 2d 1248.

No. 75-662. *GILMORE ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 75-670. *ACCURACY IN MEDIA, INC. v. NATIONAL BROADCASTING Co., INC., ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 170 U. S. App. D. C. 173, 516 F. 2d 1101.

No. 75-671. *GANIE v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1052.

No. 75-689. *BURRAFATO ET UX. v. UNITED STATES DEPARTMENT OF STATE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 523 F. 2d 554.

No. 75-703. *BOWMAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 75-719. *UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII ET AL. (BOYER ET AL., REAL PARTIES IN INTEREST) v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 75-726. *AETNA FREIGHT LINES, INC. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 6th Cir. Certiorari denied. Reported below: 520 F. 2d 928.

No. 75-731. *SUN OIL Co. ET AL. v. PUBLIC SERVICE COMMISSION OF NEW YORK ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 177 U. S. App. D. C. 272, 543 F. 2d 757.

No. 75-744. *MIDLAND INDEPENDENT SCHOOL DISTRICT ET AL. v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 2d 60.

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No. 75-750. CALVERT *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 523 F. 2d 895.

No. 75-751. PACELLI *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 521 F. 2d 135.

No. 75-753. BOYD *v.* UNITED STATES. Ct. Cl. Certiorari denied. Reported below: 207 Ct. Cl. 1, — F. 2d —.

No. 75-754. BROWN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 75-760. AKRON, CANTON & YOUNGSTOWN RAILROAD CO. ET AL. *v.* PACIFIC FRUIT EXPRESS CO. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 524 F. 2d 1025.

No. 75-762. STANLEY ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 2d 813.

No. 75-763. ALVARADO ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 2d 1133.

No. 75-764. LAFOUNTAIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 520 F. 2d 942.

No. 75-775. SHAPP, GOVERNOR OF PENNSYLVANIA, ET AL. *v.* ZARB, ADMINISTRATOR, FEDERAL ENERGY OFFICE, ET AL. Temp. Emerg. Ct. App. Certiorari denied.

No. 75-778. SCHERER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 523 F. 2d 371.

No. 75-796. HAMLING ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 525 F. 2d 758.

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No. 75-798. AMERICAN INSTITUTE OF MERCHANT SHIPPING, LINER COUNCIL *v.* AMERICAN MARITIME ASSN. ET AL.; and

No. 75-800. AMERICAN MARITIME ASSN. *v.* RICHARDSON, SECRETARY OF COMMERCE, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 171 U. S. App. D. C. 132, 518 F. 2d 1070.

No. 75-806. MADDEN ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 514 F. 2d 1149.

No. 75-809. AFRO-AMERICAN PATROLMEN'S LEAGUE, INC. *v.* CONLISK ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 520 F. 2d 1.

No. 75-814. WALLACE ET AL. *v.* KERN ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 520 F. 2d 400.

No. 75-815. ROGERS *v.* COUNTY OF LOS ANGELES ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 75-816. LUCA *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1406.

No. 75-824. FELDMAN *v.* AUNSTRUP. C. C. P. A. Certiorari denied. Reported below: 517 F. 2d 1351.

No. 75-825. CAMPBELL *v.* SHAPP, GOVERNOR OF PENNSYLVANIA, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 521 F. 2d 1398.

No. 75-826. MARTIN *v.* DAYTON SCHOOL DISTRICT NO. 2 ET AL. Sup. Ct. Wash. Certiorari denied. Reported below: 85 Wash. 2d 411, 536 P. 2d 169.

No. 75-829. MORGAN *v.* WOOTAN. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 313 So. 2d 621.

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No. 75-832. *LE CONTÉ COSMETICS, INC., ET AL. v. J. B. WILLIAMS Co., INC.* C. A. 9th Cir. Certiorari denied. Reported below: 523 F. 2d 187.

No. 75-837. *ELMORE v. NORTH BECKLEY PUBLIC SERVICE DISTRICT.* Sup. Ct. App. W. Va. Certiorari denied.

No. 75-838. *JAMES TALCOTT, INC. v. WHARTON, TRUSTEE.* C. A. 2d Cir. Certiorari denied. Reported below: 517 F. 2d 997.

No. 75-840. *SHIRLEY v. BURNS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 521 F. 2d 1329.

No. 75-841. *INTERNATIONAL TELEPHONE & TELEGRAPH CORP. v. FULTON.* Ct. App. Mo., St. Louis District. Certiorari denied. Reported below: 528 S. W. 2d 466.

No. 75-842. *ARRINGTON ET AL. v. TAYLOR ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 526 F. 2d 587.

No. 75-847. *BEFICK OF PHILADELPHIA, INC. v. MASSACHUSETTS MUTUAL LIFE INSURANCE Co., T/A PUBLIC LEDGER BUILDING.* Sup. Ct. Pa. Certiorari denied. Reported below: 463 Pa. 141, 344 A. 2d 465.

No. 75-849. *AAFCO HEATING & AIR CONDITIONING Co. v. NORTHWEST PUBLICATIONS, INC.* Ct. App. Ind. Certiorari denied. Reported below: — Ind. App. —, 321 N. E. 2d 580.

No. 75-857. *BORING v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 75-872. *ADMIRAL CORP. v. GILLHAM.* C. A. 6th Cir. Certiorari denied. Reported below: 523 F. 2d 102.

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No. 75-858. *SHANKLIN CORP. v. SPRINGFIELD PHOTO MOUNT Co.* C. A. 1st Cir. Certiorari denied. Reported below: 521 F. 2d 609.

No. 75-861. *BANCROFT MANUFACTURING Co., INC., ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 2d 436.

No. 75-862. *INGRAM v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 134 Ga. App. 935, 216 S. E. 2d 608.

No. 75-868. *BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA v. DAWES.* C. A. 8th Cir. Certiorari denied. Reported below: 522 F. 2d 380.

No. 75-880. *ABELES v. ELROD, SHERIFF.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 27 Ill. App. 3d 155, 326 N. E. 2d 443.

No. 75-882. *SPLAWN v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 75-883. *WEINTRAUB v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 75-885. *DIAMOND INTERNATIONAL CORP. v. MARYLAND FRESH EGGS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 523 F. 2d 113.

No. 75-886. *FORMAN v. MASSACHUSETTS CASUALTY INSURANCE Co.* C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 2d 425.

No. 75-888. *CAMP ET AL. v. RUMSFELD, SECRETARY OF DEFENSE, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 523 F. 2d 935.

No. 75-889. *CARBONA v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 27 Ill. App. 3d 988, 327 N. E. 2d 546.

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No. 75-892. *WINSLOW ET AL. v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 26 Ill. App. 3d 1035, 325 N. E. 2d 426.

No. 75-895. *CONTROLLED SANITATION CORP. v. DISTRICT 128, INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS, AFL-CIO, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 524 F. 2d 1324.

No. 75-900. *MINNESOTA GAS CO. v. PUBLIC SERVICE COMMISSION, DEPARTMENT OF PUBLIC SERVICE OF MINNESOTA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 523 F. 2d 581.

No. 75-907. *BRAMBLETT v. LEE*. Ct. App. Ind. Certiorari denied. Reported below: — Ind. App. —, 320 N. E. 2d 778.

No. 75-918. *ATCHLEY v. GREENHILL, CHIEF JUSTICE, SUPREME COURT OF TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 2d 692.

No. 75-931. *BROOKSHIRE BROS., INC., ET AL. v. SMITH ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 2d 93.

No. 75-935. *MANHATTAN CONSTRUCTION Co. v. McDOWELL-PURCELL, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 515 F. 2d 1181.

No. 75-936. *FRANKOVIGLIA v. CAMP ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 2d 690.

No. 75-937. *WILLMAR POULTRY Co. ET AL. v. MORTON-NORWICH PRODUCTS, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 520 F. 2d 289.

No. 75-938. *HIGHTOWER v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied.

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No. 75-945. *GARZA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 527 S. W. 2d 316.

No. 75-953. *HOWELL v. JONES, SHERIFF*. C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 2d 53.

No. 74-954. *HARRON v. UNITED HOSPITAL CENTER, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 522 F. 2d 1133.

No. 75-955. *UNARCO INDUSTRIES, INC., ET AL. v. SOUTHERN PACIFIC TRANSPORTATION Co.* C. A. 9th Cir. Certiorari denied.

No. 75-992. *MARTINEZ v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied.

No. 75-5129. *STEWART v. GRIFFIN*. C. A. 5th Cir. Certiorari denied.

No. 75-5437. *AMEZQUITA ET AL. v. COLON, GOVERNOR OF PUERTO RICO, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 518 F. 2d 8.

No. 75-5464. *ALEXANDER v. BUCKLEY ET AL.* C. A. 9th Cir. Certiorari denied.

No. 75-5508. *VALENZUELA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 521 F. 2d 414.

No. 75-5514. *MALINOWSKI v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 75-5585. *JEFFERSON v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied.

No. 75-5679. *DELLAMURA v. UNITED STATES*; and

No. 75-5690. *MILLER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1052.

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- No. 75-5609. *HUSTON v. CALIFORNIA*; and
No. 75-6029. *GARVAS v. CALIFORNIA*. Ct. App. Cal.,
4th App. Dist. Certiorari denied.
- No. 75-5640. *YOUNG ET AL. v. WAINWRIGHT, SECRETARY, DEPARTMENT OF OFFENDER REHABILITATION OF FLORIDA, ET AL.* C. A. 5th Cir. Certiorari denied.
- No. 75-5656. *ANDRADE ET AL. v. HAUCK, SHERIFF, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 515 F. 2d 322.
- No. 75-5663. *BERTRAND v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.
- No. 75-5674. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 515 F. 2d 1028.
- No. 75-5682. *GEREAU ET AL. v. GOVERNMENT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 140.
- No. 75-5686. *BAXTER v. TEXAS*. Ct. Civ. App. Tex., 7th Sup. Jud. Dist. Certiorari denied. Reported below: 525 S. W. 2d 543.
- No. 75-5689. *RAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.
- No. 75-5699. *OSBORNE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 2d 1402.
- No. 75-5710. *PHILLIPS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.
- No. 75-5711. *WARREN v. LEVI, ATTORNEY GENERAL, ET AL.* C. A. 7th Cir. Certiorari denied.
- No. 75-5712. *BEDFORD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 519 F. 2d 650.

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No. 75-5713. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5714. *LLEWELLYN v. NEW YORK TELEPHONE Co. ET AL.* Ct. App. N. Y. Certiorari denied.

No. 75-5716. *ARCHER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 2d 812.

No. 75-5717. *SWINTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 521 F. 2d 1255.

No. 75-5720. *BRONSTEIN ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 521 F. 2d 459.

No. 75-5722. *BELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 521 F. 2d 713.

No. 75-5731. *BEALS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1406.

No. 75-5735. *HARRELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5739. *SPICER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5740. *ROLLINS, AKA EVANS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 522 F. 2d 160.

No. 75-5743. *MOORE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1406.

No. 75-5747. *ZIMMERMAN v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 517 F. 2d 1400.

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No. 75-5746. *VICARI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1052.

No. 75-5748. *MARKOWITZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 520 F. 2d 1327.

No. 75-5749. *CARPENTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5752. *LIPSCOMB v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 75-5756. *KIPERTS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5757. *ZAPATA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 2d 695.

No. 75-5758. *SHIVER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 2d 813.

No. 75-5759. *NICHOLSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5763. *DILLARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5764. *WILLIAMS v. PUTNAM, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 75-5767. *ALTENDORF ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 521 F. 2d 1403.

No. 75-5769. *ADAMS v. WORKERS' COMPENSATION APPEALS BOARD ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-5771. *McCANTS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 517 F. 2d 1405.

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No. 75-5772. *KIENLEN v. WARDEN, LEAVENWORTH PENITENTIARY, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 75-5774. *LITTLE v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 524 F. 2d 335.

No. 75-5776. *KNIGHT v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1052.

No. 75-5779. *CONLEY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 523 F. 2d 650.

No. 75-5780. *MOORE v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 318 So. 2d 577.

No. 75-5781. *FREEMAN v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 524 F. 2d 337.

No. 75-5782. *WALLACE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1407.

No. 75-5785. *CANNON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 75-5786. *BIG CROW v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 523 F. 2d 955.

No. 75-5787. *SHAFFNER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 524 F. 2d 1021.

No. 75-5788. *JOHNSON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 2d 999.

No. 75-5790. *LANG ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

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No. 75-5794. *TAYLOR v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 112 Ariz. 68, 537 P. 2d 938.

No. 75-5795. *HORVATH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5796. *HAWTHORNE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 75-5801. *LUCAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 75-5803. *SULLIVAN v. DAGGETT, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 75-5810. *STOKES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5813. *BARONE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 2d 696.

No. 75-5815. *POTERE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 2d 27.

No. 75-5818. *ROSEMAN v. INDIANA UNIVERSITY OF PENNSYLVANIA AT INDIANA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 520 F. 2d 1364.

No. 75-5825. *DAVIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 513 F. 2d 319.

No. 75-5826. *DAVIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1052.

No. 75-5830. *HEBNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5832. *GORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5833. *BROWNE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 75-5835. *MUNIZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1406.

No. 75-5836. *JOHNSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 75-5837. *BORUSKI v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 75-5838. *LOFTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1406.

No. 75-5839. *WATSON v. UNITED STATES*; and

No. 75-5869. *CHATMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5841. *RANNEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 524 F. 2d 830.

No. 75-5845. *WIDENER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5847. *HARRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 527 F. 2d 647.

No. 75-5848. *ROBINSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1054.

No. 75-5850. *PETROFSKY v. RITTER, CHIEF JUDGE, U. S. DISTRICT COURT, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 75-5851. *VANDERPOOL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: — F. 2d —.

No. 75-5854. *BOGGS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 238.

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No. 75-5855. *WEATHERSPOON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 75-5866. *PITTMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 527 F. 2d 444.

No. 75-5871. *HENDERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5880. *JONAS v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 169 Conn. 566, 363 A. 2d 1378.

No. 75-5886. *BOYLAND v. SMITH, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 75-5890. *ABRAMS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 75-5893. *TAFT v. HOPPER, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 75-5894. *ROUNDTREE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 527 F. 2d 16.

No. 75-5896. *BUFORD v. HENDERSON, CORRECTIONAL SUPERINTENDENT*. C. A. 2d Cir. Certiorari denied. Reported below: 524 F. 2d 147.

No. 75-5900. *HENDRY v. INDUSTRIAL COMMISSION OF ARIZONA ET AL.* Sup. Ct. Ariz. Certiorari denied. Reported below: 112 Ariz. 108, 538 P. 2d 382.

No. 75-5905. *FRAZIER ET AL. v. DONELON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 520 F. 2d 941.

No. 75-5906. *SHERRILL v. WYRICK, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 524 F. 2d 186.

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No. 75-5903. *HILLIARD v. ESTELLE*, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied.

No. 75-5910. *MALONE v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 75-5911. *HOHENSEE ET AL. v. FENNELL*. C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 2d 898.

No. 75-5913. *GIBBS v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 235 Ga. 480, 220 S. E. 2d 254.

No. 75-5914. *MINTZER v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 526 F. 2d 585.

No. 75-5918. *WEHRINGER v. ALLEN-STEVENSON SCHOOL ET AL.* Ct. App. N. Y. Certiorari denied.

No. 75-5919. *SCOTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5920. *BLACK v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 75-5921. *CHAMBRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1406.

No. 75-5923. *THOMAS v. SAVAGE, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 513 F. 2d 536.

No. 75-5933. *LARA v. ESTELLE*, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 2d 1087.

No. 75-5953. *WAGNER v. JUVENILE DEPARTMENT OF MULTNOMAH COUNTY*. Ct. App. Ore. Certiorari denied. Reported below: 21 Ore. App. 396, 535 P. 2d 102.

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No. 75-5925. *BOAG v. GUNN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 75-5939. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 524 F. 2d 167.

No. 75-5941. *FLYNN v. O'MARA, CORRECTIONAL SUPERINTENDENT*. C. A. 2d Cir. Certiorari denied.

No. 75-5961. *MILLER ET AL. v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: See 27 Ill. App. 3d 788, 327 N. E. 2d 253.

No. 75-5964. *MITCHELL v. ALBERTSON'S FOOD CENTER, INC.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 75-5965. *SMITH v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 29 Ill. App. 3d 519, 331 N. E. 2d 99.

No. 75-5968. *DELGADO v. ROBINSON, WARDEN*. C. A. 2d Cir. Certiorari denied. Reported below: 526 F. 2d 586.

No. 75-5971. *MASON v. AUTOMOTIVE HOBBY SHOPS*. C. A. 7th Cir. Certiorari denied. Reported below: 521 F. 2d 1403.

No. 75-5973. *FOREHAND v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 235 Ga. 295, 219 S. E. 2d 378.

No. 75-5975. *COZZETTI v. CENTRAL TELEPHONE CO. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 75-5981. *NICKENS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 75-5988. *ALVAREZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 75-5974. *KRAMER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 15 Cal. 3d 419, 541 P. 2d 296.

No. 75-5989. *NACHBAUR v. ARGO INSTRUMENTS, INC., ET AL.* C. A. 2d Cir. Certiorari denied.

No. 75-5991. *MOORE v. SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. C. A. 4th Cir. Certiorari denied.

No. 75-5996. *ANDERSON v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: See — Mass. App. —, 334 N. E. 2d 61.

No. 75-5998. *WORTON v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 1231.

No. 75-6005. *CAMPBELL v. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 463 Pa. 472, 345 A. 2d 616.

No. 75-6008. *DAWN, DBA GAME CO. v. STERLING DRUG, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 75-6011. *ROMAN v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 75-6012. *SMITH v. CALIFORNIA*. App. Dept., Super. Ct. Cal., County of Alameda. Certiorari denied.

No. 75-6022. *CARVAJAL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 529 S. W. 2d 517.

No. 75-6023. *BOWIE v. GARRISON, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 75-6025. *WEST v. LAVALLEE, CORRECTIONAL SUPERINTENDENT*. C. A. 2d Cir. Certiorari denied.

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No. 75-6027. *JONES v. MISSOURI*. C. A. 8th Cir. Certiorari denied.

No. 75-6028. *BECKER v. OHIO*. Ct. App. Ohio, Summit County. Certiorari denied.

No. 75-6053. *JEFFERSON v. LOUISIANA*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1053.

No. 75-6100. *CHAPMAN v. WESTERN LIFE INSURANCE Co.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 31 Ill. App. 3d 368, 334 N. E. 2d 806.

No. 75-6107. *JOHNSON v. DEPARTMENT OF WATER & POWER ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 75-243. *INTERNATIONAL HARVESTER Co v. ANDERSON ET AL.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 510 F. 2d 976.

No. 75-593. *POLISH AMERICAN CONGRESS ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 520 F. 2d 1248.

No. 75-610. *CITY OF HIGHLAND PARK, ILLINOIS, ET AL. v. TRAIN, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY, ET AL.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 519 F. 2d 681.

No. 75-659. *LAWSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 521 F. 2d 1403.

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No. 75-780. CONTINENTAL ILLINOIS NATIONAL BANK & TRUST COMPANY OF CHICAGO *v.* NUSSBACHER. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 518 F. 2d 873.

No. 75-866. M. J. D. M. TRUCK RENTALS, INC., ET AL. *v.* O'BRIEN; and

No. 75-887. ANASTOS ET AL. *v.* M. J. D. M. TRUCK RENTALS, INC., ET AL. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of these petitions. Reported below: 521 F. 2d 1301.

No. 75-890. GULF & WESTERN INDUSTRIES, INC. *v.* ALLIS-CHALMERS MANUFACTURING CO. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 527 F. 2d 335.

No. 75-891. ANASTASIA ET AL. *v.* COSMOPOLITAN NATIONAL BANK OF CHICAGO ET AL. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 527 F. 2d 150.

No. 75-5616. STOCK *v.* SIELAFF, CORRECTIONS DIRECTOR. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 521 F. 2d 1403.

No. 75-5709. SCHARF *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 521 F. 2d 1403.

No. 75-638. TRAINOR, DIRECTOR, DEPARTMENT OF PUBLIC AID OF ILLINOIS *v.* WILSON. C. A. 7th Cir. Motion of respondent for leave to proceed *in forma*

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pauperis granted. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion and petition. Reported below: 519 F. 2d 1406.

No. 75-566. DANLEY, AKA CARDWELL, ET AL. v. UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 523 F. 2d 369.

MR. JUSTICE BRENNAN, with whom MR. JUSTICE STEWART and MR. JUSTICE MARSHALL join, dissenting.

Petitioners were convicted in the United States District Court for the District of Oregon of use of the mails to ship obscene materials in violation of 18 U. S. C. § 1461, of interstate transportation of obscene materials in violation of 18 U. S. C. § 1462, and of interstate transportation of obscene materials for purposes of distribution and sale in violation of 18 U. S. C. § 1465. The Court of Appeals for the Ninth Circuit affirmed. 523 F. 2d 369 (1975).

Title 18 U. S. C. § 1461 provides in pertinent part:

“Every obscene, lewd, lascivious, indecent, filthy or vile article, matter, thing, device, or substance; . . .

“Is declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier.

“Whoever knowingly uses the mails for the mailing . . . of anything declared by this section . . . to be nonmailable . . . shall be fined not more than \$5,000 or imprisoned not more than five years . . .”

Title 18 U. S. C. § 1462 provides in pertinent part:

“Whoever brings into the United States, or any place subject to the jurisdiction thereof, or knowingly uses any express company or other com-

mon carrier, for carriage in interstate or foreign commerce—

“(a) any obscene, lewd, lascivious, or filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print, or other matter of indecent character; . . .

“Shall be fined not more than \$5,000 or imprisoned not more than five years, or both, for the first such offense and shall be fined not more than \$10,000 or imprisoned not more than ten years, or both, for each such offense thereafter.”

Title 18 U. S. C. § 1465 provides in pertinent part:

“Whoever knowingly transports in interstate or foreign commerce for the purpose of sale or distribution any obscene, lewd, lascivious, or filthy book, pamphlet, picture, film, paper, letter, writing, print, silhouette, drawing, figure, image, cast, phonograph recording, electrical transcription or other article capable of producing sound or any other matter of indecent or immoral character, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.”

I adhere to my dissent in *United States v. Orito*, 413 U. S. 139, 147 (1973), in which, speaking of 18 U. S. C. § 1462, which is similar in scope to §§ 1461 and 1465, I expressed the view that “[w]hatever the extent of the Federal Government’s power to bar the distribution of allegedly obscene material to juveniles or the offensive exposure of such material to unconsenting adults, the statute before us is clearly overbroad and unconstitutional on its face.” 413 U. S., at 147–148. For the reasons stated in my dissent in *Miller v. California*, 413 U. S. 15, 47 (1973), I would therefore grant certiorari, and,

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since the judgment of the Court of Appeals for the Ninth Circuit was rendered after *Orito*, reverse.

I also note that in *Hamling v. United States*, 418 U. S. 87 (1974), this Court held that federal obscenity prosecutions did not require proof of a uniform national standard of obscenity and that a juror sitting on a federal obscenity case was permitted to draw on the knowledge of the community from which he came "in deciding what conclusion 'the average person, applying contemporary community standards' would reach in a given case." *Id.*, at 105. Here, however, the State of Oregon, at the time of petitioners' trial, had no policy prohibiting the distribution of obscene materials, unless minors were involved. This case, therefore, raises the important question whether a uniform national standard should be applied in this circumstance. Decision of that question certainly merits plenary consideration and oral argument.

In these circumstances, I have no occasion to consider whether the other question presented by petitioners merits plenary review. See *Heller v. New York*, 413 U. S. 483, 494 (1973) (BRENNAN, J., dissenting).

No. 75-707. SANDERS *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: 234 Ga. 586, 216 S. E. 2d 838.

MR. JUSTICE BRENNAN, with whom MR. JUSTICE STEWART and MR. JUSTICE MARSHALL join, dissenting.

Petitioner was convicted in the Criminal Court of Fulton County, Ga., on two counts of exhibiting obscene materials in violation of Ga. Code Ann. § 26-2101 (1972) (now superseded by Ga. Acts 1975, p. 498). The convictions were based upon two exhibitions of a motion picture film entitled "Deep Throat." Section 26-2101 (a) provides in pertinent part:

"A person commits the offense of distributing obscene materials when he . . . exhibits or other-

wise disseminates to any person any obscene material of any description, knowing the obscene nature thereof”

Under § 26-2101 (b):

“Material is obscene if considered as a whole, applying community standards, its predominant appeal is to prurient interest, that is, a shameful or morbid interest in nudity, sex or excretion, and utterly without redeeming social value and if, in addition, it goes substantially beyond customary limits of candor in describing or representing such matters”

The judgment of conviction was ultimately affirmed by the Georgia Supreme Court, 234 Ga. 586, 216 S. E. 2d 838 (1975).

It is my view that “at least in the absence of distribution to juveniles or obtrusive exposure to unconsenting adults, the First and Fourteenth Amendments prohibit the State and Federal Governments from attempting wholly to suppress sexually oriented materials on the basis of their allegedly ‘obscene’ contents.” *Paris Adult Theatre I v. Slaton*, 413 U. S. 49, 113 (1973) (BRENNAN, J., dissenting). It is clear that, tested by that constitutional standard, § 26-2101 (a), as it incorporates the definition of obscene material in § 26-2101 (b), is constitutionally overbroad and therefore invalid on its face. For the reasons stated in my dissent in *Miller v. California*, 413 U. S. 15, 47 (1973), I would therefore grant certiorari and, since the judgment of the Georgia Supreme Court was rendered after *Miller*, reverse. In that circumstance, I have no occasion to consider whether the other question presented by petitioner merits plenary review. See *Heller v. New York*, 413 U. S. 483, 494 (1973) (BRENNAN, J., dissenting).

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Finally, it does not appear from the petition and response that the obscenity of the disputed materials was adjudged by applying local community standards. Based on my dissent in *Hamling v. United States*, 418 U. S. 87, 141 (1974), I believe that, consistent with the Due Process Clause, petitioner must be given an opportunity to have his case decided on, and to introduce evidence relevant to, the legal standard upon which his convictions have ultimately come to depend. Thus, even on its own terms, the Court should vacate the judgment below and remand for a determination whether petitioner should be afforded a new trial under local community standards.

No. 75-735. *PANDILIDIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE WHITE would grant certiorari. Reported below: 524 F. 2d 644.

No. 75-737. *ARKANSAS LOUISIANA GAS CO. v. FEDERAL POWER COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. MR. JUSTICE POWELL took no part in the consideration or decision of this petition. Reported below: 170 U. S. App. D. C. 393, 517 F. 2d 1223.

No. 75-769. *BUREAU OF REVENUE OF NEW MEXICO v. Fox*. Sup. Ct. N. M. Certiorari denied for failure to file petition within the time provided by 28 U. S. C. § 2101 (c). Reported below: See 87 N. M. 261, 531 P. 2d 1234.

No. 75-884. *RIPON SOCIETY, INC., ET AL. v. NATIONAL REPUBLICAN PARTY ET AL.*; and

No. 75-991. *NATIONAL REPUBLICAN PARTY ET AL. v. RIPON SOCIETY, INC., ET AL.* C. A. D. C. Cir. Motion of Senator Edward W. Brooke et al. for leave to file a brief as *amici curiae* in No. 75-884 granted. Certiorari denied. Reported below: 173 U. S. App. D. C. 350, 525 F. 2d 567.

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No. 75-845. PENNSYLVANIA *v.* McCUTCHEN. Sup. Ct. Pa. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied, it appearing that the judgment below rests on adequate state grounds. Reported below: 463 Pa. 90, 343 A. 2d 669.

No. 75-851. BOMBARD, CORRECTIONAL SUPERINTENDENT *v.* WASHINGTON. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 525 F. 2d 262.

No. 75-854. TRANS WORLD AIRLINES, INC. *v.* HUGHES TOOL CO. ET AL. C. A. 2d Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. Reported below: 515 F. 2d 173.

No. 75-893. SULMEYER ET AL., TRUSTEES IN BANKRUPTCY *v.* COCA COLA CO. C. A. 5th Cir. Certiorari denied. MR. JUSTICE POWELL and MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 515 F. 2d 835.

No. 75-899. UNIVERSITY OF DELAWARE *v.* KEEGAN ET AL. Sup. Ct. Del. Certiorari denied. MR. JUSTICE BRENNAN and MR. JUSTICE BLACKMUN would grant certiorari. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 349 A. 2d 14.

No. 75-923. CONSTRUCTION INDUSTRY ASSOCIATION OF SONOMA COUNTY ET AL. *v.* CITY OF PETALUMA ET AL. C. A. 9th Cir. Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 522 F. 2d 897.

No. 75-5626. LIPSCOMB *v.* UNITED STATES. C. A. 6th Cir. Certiorari and other relief denied. Reported below: 524 F. 2d 1406.

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No. 75-930. INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA ET AL. *v.* EAZOR EXPRESS, INC., ET AL. C. A. 3d Cir. Certiorari denied. MR. JUSTICE BRENNAN and MR. JUSTICE WHITE would grant certiorari. Reported below: 520 F. 2d 951.

Rehearing Denied

No. 75-646. A/S ARCADIA *v.* GULF INSURANCE CO., 423 U. S. 1053;

No. 75-5380. LADD *v.* CALIFORNIA ET AL., 423 U. S. 1057;

No. 75-5529. TYLER *v.* WANGELIN, U. S. DISTRICT JUDGE, 423 U. S. 1086;

No. 75-5932. HARPER *v.* MCCARTHY, MEN'S COLONY SUPERINTENDENT, 423 U. S. 1072; and

No. 75-5990. LIPSMAN *v.* GIARDINO, 423 U. S. 1092. Petitions for rehearing denied.

No. 74-1396. MICHELIN TIRE CORP. *v.* WAGES, TAX COMMISSIONER, 423 U. S. 276;

No. 75-392. BURCH *v.* UNITED STATES, 423 U. S. 1032;

No. 75-5578. SMITH *v.* CALIFORNIA, 423 U. S. 1023;

No. 75-5602. TAYLOR *v.* UNITED STATES ET AL., 423 U. S. 1035; and

No. 75-5636. SMITH *v.* CALIFORNIA, 423 U. S. 1024. Petitions for rehearing denied. MR. JUSTICE STEVENS took no part in the consideration or decision of these petitions.

No. 75-5110. CLARK *v.* CAMPBELL, JUDGE, 423 U. S. 948;

No. 75-5221. STURGEON *v.* DOUGLAS, 423 U. S. 934; and

No. 75-5411. JOHNSON *v.* UNITED STATES, 423 U. S. 1020. Motions for leave to file petitions for rehearing

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denied. MR. JUSTICE STEVENS took no part in the consideration or decision of these motions.

No. 72-1448. *HOWELL v. JONES, SHERIFF*, 414 U. S. 803 and 1052. Motion for leave to file second petition for rehearing denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion.

FEBRUARY 26, 1976

Dismissal Under Rule 60

No. 75-1085. *INFORMATION DYNAMICS, LTD. v. GREENWAY ET UX.* C. A. 9th Cir. Certiorari dismissed under this Court's Rule 60. Reported below: 524 F. 2d 1145.

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Miscellaneous Order

No. 75-436. *BUCKLEY ET AL. v. VALEO, SECRETARY OF THE UNITED STATES SENATE, ET AL.*; and

No. 75-437. *BUCKLEY ET AL. v. VALEO, SECRETARY OF THE UNITED STATES SENATE, ET AL.*, *ante*, p. 1. Motion of appellees Center for Public Financing of Elections et al. to extend stay heretofore entered by this Court on January 30, 1976 [*ante*, at 144], is hereby granted, but for a period of 20 days, to and including the close of business day of March 22, 1976. MR. JUSTICE BLACKMUN would deny the motion. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion.

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Appeal Dismissed

No. 75-966. *FLANNERY v. CITY OF NORFOLK.* Appeal from Sup. Ct. Va. dismissed for want of substantial federal question. Reported below: 216 Va. 362, 218 S. E. 2d 730.

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Certiorari Granted—Reversed. (See No. 75-5366, *ante*, p. 382.)

Miscellaneous Orders

No A-623. *ROBERGE v. HOQUIAM SCHOOL DISTRICT No. 28 ET AL.* C. A. 9th Cir. Application for extension of time within which to file petition for writ of certiorari, presented to MR. JUSTICE BLACKMUN, and by him referred to the Court, denied.

No. A-722. *JONES v. HALL, CORRECTION COMMISSIONER, ET AL.* Application for writ of habeas corpus, presented to MR. JUSTICE BRENNAN, and by him referred to the Court, denied.

No. A-729. *ESCALANTE ET AL. v. BRISCOE, GOVERNOR OF TEXAS, ET AL.* Application for stay of judgment of the United States District Court for the Western District of Texas and for an order to extend filing deadline for candidacy for state representative to the Texas State Legislature, presented to MR. JUSTICE POWELL, and by him referred to the Court, denied. Reported below: 408 F. Supp. 1050.

No. D-51. *IN RE DISBARMENT OF WHITAKER.* It having been reported to the Court that Halbert E. Whitaker, of Cleveland, Ohio, has been suspended indefinitely from the practice of law by the Supreme Court of Ohio, and this Court by order of October 6, 1975 [423 U. S. 811], having suspended the said Halbert E. Whitaker from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a response has expired;

It is ordered that the said Halbert E. Whitaker be

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disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. D-50. *IN RE DISBARMENT OF RUBIN.* It having been reported to the Court that Franklin D. Rubin, of Philadelphia, Pa., has been disbarred from the practice of law by the Supreme Court of Pennsylvania, Eastern District, and this Court by order of October 6, 1975 [423 U. S. 811], having suspended the said Franklin D. Rubin from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a response has expired;

It is ordered that the said Franklin D. Rubin be disbarred from the practice of law in this Court and that his name be stricken from the role of attorneys admitted to practice before the Bar of this Court.

No. D-52. *IN RE DISBARMENT OF SHAFFER.* It having been reported to the Court that Gerald L. Shaffer, of Fort Dodge, Iowa, has had his license to practice law revoked by the Supreme Court of Iowa, and this Court by order of October 6, 1975 [423 U. S. 812], having suspended the said Gerald L. Shaffer from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a response has expired;

It is ordered that the said Gerald L. Shaffer be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

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No. D-53. IN RE DISBARMENT OF GOLDEN. It having been reported to the Court that Roy Aaron Golden, of Des Moines, Iowa, has had his license to practice law revoked by the Supreme Court of Iowa, and this Court by order of October 6, 1975 [423 U. S. 812], having suspended the said Roy Aaron Golden from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a response has expired;

It is ordered that the said Roy Aaron Golden be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. D-56. IN RE DISBARMENT OF DEMOPOULOS. It having been reported to the Court that James George Demopoulos, of Chicago, Ill., has resigned from the practice of law in the Supreme Court of Illinois, and this Court by order of October 6, 1975 [423 U. S. 812], having suspended the said James George Demopoulos from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a response has expired;

It is ordered that the said James George Demopoulos be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. D-57. IN RE DISBARMENT OF PARSONS. It having been reported to the Court that Russell Edward Parsons, of Santa Ana, Cal., has resigned from the prac-

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tice of law in the Supreme Court of California, and this Court by order of October 14, 1975 [423 U. S. 888], having suspended the said Russell Edward Parsons from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a response has expired;

It is ordered that the said Russell Edward Parsons be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. 74-175. MIDDENDORF, SECRETARY OF THE NAVY, ET AL. *v.* HENRY ET AL.; and

No. 74-5176. HENRY ET AL. *v.* MIDDENDORF, SECRETARY OF THE NAVY, ET AL. C. A. 9th Cir. [Restored to calendar, 421 U. S. 906.] Motion for leave to file memorandum after argument granted. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion.

No. 74-1492. WASHINGTON, MAYOR OF WASHINGTON, D. C., ET AL. *v.* DAVIS ET AL. C. A. D. C. Cir. [Certiorari granted, 423 U. S. 820.] Motion of the Solicitor General for additional time for oral argument granted and 15 additional minutes allotted for that purpose. Both petitioners and private respondents allotted seven and one-half additional minutes for oral argument.

No. 74-1542. UNION ELECTRIC CO. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. 8th Cir. [Certiorari granted, 423 U. S. 821.] Motion of respondents John C. Danforth, Attorney General of Missouri, et al., for leave to file a brief after argument granted.

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No. 74-1263. BREWER, WARDEN *v.* WILLIAMS. C. A. 8th Cir. [Certiorari granted, 423 U. S. 1031.] Motion of petitioner for additional time for oral argument denied, but alternative request for divided argument granted.

No. 74-6257. GREGG *v.* GEORGIA. Sup. Ct. Ga. [Certiorari granted, 423 U. S. 1082.] Motion of petitioner for appointment of counsel granted, and it is ordered that G. Hughel Harrison, Esquire, of Lawrenceville, Ga., is appointed to serve as counsel for petitioner in this case.

No. 75-62. RUNYON ET UX., DBA BOBBE'S SCHOOL *v.* McCRARY ET AL.;

No. 75-66. FAIRFAX-BREWSTER SCHOOL, INC. *v.* GONZALES ET AL.;

No. 75-278. SOUTHERN INDEPENDENT SCHOOL ASSN. *v.* McCRARY ET AL.; and

No. 75-306. McCRARY ET AL. *v.* RUNYON ET UX., DBA BOBBE'S SCHOOL, ET AL. C. A. 4th Cir. [Certiorari granted, 423 U. S. 945.] Motion of Dade Christian Schools, Inc., for leave to present oral argument as *amicus curiae* denied.

No. 75-6058. WILLIAMS *v.* PHILLIPS ET AL., U. S. CIRCUIT JUDGES. Motion for leave to file petition for writ of mandamus denied.

Probable Jurisdiction Noted

No. 75-946. CITY OF MADISON JOINT SCHOOL DISTRICT No. 8 ET AL. *v.* WISCONSIN EMPLOYMENT RELATIONS COMMISSION ET AL. Appeal from Sup. Ct. Wis. Probable jurisdiction noted. Reported below: 69 Wis. 2d 200, 231 N. W. 2d 206.

Certiorari Granted

No. 75-503. COOK ET AL. *v.* HUDSON ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 511 F. 2d 744.

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No. 75-708. MARKS ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari granted. Reported below: 520 F. 2d 913.

No. 75-906. WALSH, DBA TOM WALSH & Co. *v.* SCHLECHT ET AL., TRUSTEES. Sup. Ct. Ore. Certiorari granted. Reported below: 273 Ore. 221, 540 P. 2d 1011.

No. 74-6632. MOODY *v.* DAGGETT, WARDEN. C. A. 10th Cir. Motion for leave to proceed *in forma pauperis* and certiorari granted.

No. 75-478. PARKER SEAL Co. *v.* CUMMINS. C. A. 6th Cir. Motion of Trans World Airlines, Inc., for leave to file a brief as *amicus curiae* and certiorari granted. Reported below: 516 F. 2d 544.

Certiorari Denied

No. 75-684. PACIFIC MARITIME ASSN. ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 169 U. S. App. D. C. 301, 515 F. 2d 1018.

No. 75-693. GENERAL FOODS CORP. *v.* GREENE, DBA WILLIAM E. GREENE FOOD DISTRIBUTORS. C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 2d 635.

No. 75-725. LAGANA *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 48 App. Div. 2d 870, 372 N. Y. S. 2d 566.

No. 75-797. ASHTON *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 521 F. 2d 1399.

No. 75-819. SCHWARTZBAUM *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 527 F. 2d 249.

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No. 75-820. CAMIL, CITY ATTORNEY OF DUARTE *v.* SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES (BUENA VISTA CINEMA ET AL., REAL PARTIES IN INTEREST). Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 75-830. BROOKSIDE CORP., INC. *v.* INTERNATIONAL HARVESTER CO., INC. C. A. 5th Cir. Certiorari denied. Reported below: 513 F. 2d 762.

No. 75-860. WARNER PRESS, INC. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 2d 190.

No. 75-916. MEIER *v.* KELLER ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 521 F. 2d 548.

No. 75-932. CITY OF GLENDALE *v.* GLENDALE CITY EMPLOYEES ASSN., INC., ET AL. Sup. Ct. Cal. Certiorari denied. Reported below: 15 Cal. 3d 328, 540 P. 2d 609.

No. 75-943. INTERNATIONAL AIR INDUSTRIES, INC., ET AL. *v.* AMERICAN EXCELSIOR CO. C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 2d 714.

No. 75-944. WILLIAMS *v.* ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 29 Ill. App. 3d 644, 331 N. E. 2d 4.

No. 75-971. SIMPSON *v.* OHIO. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 75-979. ADKINS, ADMINISTRATRIX *v.* CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. ET AL. Sup. Ct. Ill. Certiorari denied. Reported below: 54 Ill. 2d 511, 301 N. E. 2d 729.

No. 75-987. KESTENBAUM *v.* FALSTAFF BREWING CORP. C. A. 5th Cir. Certiorari denied. Reported below: 514 F. 2d 690.

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No. 75-1010. *SCHOONOVER v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 218 Kan. 377, 543 P. 2d 881.

No. 75-5649. *BRADLEY v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 2d 812.

No. 75-5652. *RANSOM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 515 F. 2d 885.

No. 75-5693. *GRAYSON v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

No. 75-5733. *HARSTEN ET UX. v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 75-5744. *MUMIT, AKA ROLLE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 49 App. Div. 2d 523, 370 N. Y. S. 2d 104.

No. 75-5762. *GRIFFIN v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 75-5809. *HORSLEY ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 2d 1264.

No. 75-5843. *RHINEHART v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 75-5853. *GRICE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5858. *GHIZ v. BORDENKIRCHER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 519 F. 2d 759.

No. 75-5875. *BUTTS v. CITY OF CINCINNATI*. Ct. App. Ohio, Hamilton County. Certiorari denied.

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No. 75-5868. *HERNANDEZ-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1054.

No. 75-5879. *GRIFFIN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 525 F. 2d 710.

No. 75-5882. *HOWERY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 524 F. 2d 1404.

No. 75-5883. *ROSS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 527 F. 2d 984.

No. 75-5884. *WILSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 524 F. 2d 595.

No. 75-5888. *STRATTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1052.

No. 75-5889. *QUALLS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 75-5891. *DIXON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1052.

No. 75-5892. *DAVIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 524 F. 2d 1404.

No. 75-5917. *OSBORNE, AKA PAYNE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5938. *NICHOLSON ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1406.

No. 75-6038. *QUATSLING v. ARIZONA*. Ct. App. Ariz. Certiorari denied. Reported below: 24 Ariz. App. 105, 536 P. 2d 226.

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No. 75-5944. *ALLISON v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied.

No. 75-6030. *MORGAN v. REES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 75-6040. *GORDY v. WAINWRIGHT, SECRETARY, DEPARTMENT OF OFFENDER REHABILITATION OF FLORIDA*. C. A. 5th Cir. Certiorari denied. Reported below: 525 F. 2d 691.

No. 75-6041. *BRUCE v. COWAN, PENITENTIARY SUPERINTENDENT*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1405.

No. 75-6043. *STEBBINS v. NATIONWIDE MUTUAL INSURANCE CO. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 528 F. 2d 934.

No. 75-6048. *HICKS v. UNITED STATES*; and

No. 75-6050. *BARNETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 1001.

No. 75-6051. *GIESE v. HOLT, RINEHART & WINSTON, INC., ET AL.* C. A. 6th Cir. Certiorari denied.

No. 75-6052. *CROUCH v. ROSE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 2d 1405.

No. 75-6054. *NUCCIO v. MEYER, CORRECTIONAL SUPERINTENDENT*. C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 2d 695.

No. 75-6056. *BONNER v. CIRCUIT COURT OF THE CITY OF ST. LOUIS, MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 526 F. 2d 1331.

No. 75-6060. *SIMPSON v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

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No. 75-6061. *MERLINO v. HALL, CORRECTION COMMISSIONER, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 75-6063. *WALLACE v. LUCEY, GOVERNOR OF WISCONSIN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 526 F. 2d 592.

No. 75-6064. *CHASE v. CRISP, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 523 F. 2d 595.

No. 75-6066. *COBBS v. ROBINSON, WARDEN.* C. A. 2d Cir. Certiorari denied.

No. 76-6127. *FULTON v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 234 Pa. Super. 745, 342 A. 2d 420.

No. 75-608. *COUGHLIN ET AL. v. STACHULAK.* C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion and petition. Reported below: 520 F. 2d 931.

MR. JUSTICE WHITE, with whom MR. JUSTICE POWELL joins, dissenting.

On appeal from an order granting respondent a writ of habeas corpus, 369 F. Supp. 628 (ND Ill. 1973), the Court of Appeals held, *United States ex rel. Stachulak v. Coughlin*, 520 F. 2d 931 (CA7 1975), that the Due Process Clause of the Fourteenth Amendment requires that the reasonable-doubt standard of proof be applied in judicial proceedings under the Illinois Sexually Dangerous Persons Act, Ill. Rev. Stat., c. 38, § 105-1.01 *et seq.* (1973), which authorizes the State to seek involuntary indeterminate commitment to a correctional institution in lieu of criminal prosecution of a person charged

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with a criminal offense and believed to be sexually dangerous within the meaning of the Act.

The question whether due process requires proof beyond a reasonable doubt in such proceedings has produced divergent conclusions in the Courts of Appeals. Compare *Tippett v. Maryland*, 436 F. 2d 1153 (CA4 1971), cert. dismissed *sub nom. Murel v. Baltimore City Criminal Court*, 407 U. S. 355 (1972) (proof by a preponderance of the evidence), with *In re Ballay*, 157 U. S. App. D. C. 59, 482 F. 2d 648 (1973), and *United States ex rel. Stachulak v. Coughlin, supra* (proof beyond a reasonable doubt).* The question is important to the administration of justice in this country, and the Court should shoulder its responsibility to resolve the conflicting judgments.

I would grant the petition for a writ of certiorari and afford the case plenary consideration.

No. 75-682. COLORADO CIVIL RIGHTS COMMISSION ET AL. *v.* COLORADO SPRINGS COACH CO. ET AL. Ct. App. Colo. Motion of International Association of Official Human Rights Agencies for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 35 Colo. App. 378, 536 P. 2d 837.

No. 75-759. TAYLOR ET UX. *v.* ST. VINCENT'S HOSPITAL. C. A. 9th Cir. Certiorari denied. Reported below: 523 F. 2d 75.

MR. JUSTICE WHITE, with whom THE CHIEF JUSTICE joins, dissenting.

Once again, see *Greco v. Orange County Memorial Hospital*, 423 U. S. 1000 (1975) (WHITE, J., dissent-

*Several state courts are also at odds with the Court of Appeals for the Fourth Circuit. See, e. g., *People v. Pembrock*, 62 Ill. 2d 317, 342 N. E. 2d 28 (1976); *People v. Burnick*, 14 Cal. 3d 306, 535 P. 2d 352 (1975); *In re Andrews*, — Mass. —, 334 N. E. 2d 15 (1975); *In re Levias*, 83 Wash. 2d 253, 517 P. 2d 588 (1973).

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ing), this Court leaves standing a square conflict on an important point of federal law. The Court of Appeals for the Ninth Circuit held in the instant case that the receipt by the respondent hospital of federal funds under the Hill-Burton Act, 78 Stat. 447, 42 U. S. C. § 291 *et seq.*, does not render the hospital an instrumentality of the Government so that its actions are governed by constitutional requirements applicable to the States or the Federal Government. The court's holding is consistent with the law in three other Circuits, *Doe v. Bellin Memorial Hospital*, 479 F. 2d 756 (CA7 1973); *Ward v. St. Anthony Hospital*, 476 F. 2d 671 (CA10 1973); *Jackson v. Norton-Children's Hospitals, Inc.*, 487 F. 2d 502 (CA6 1973), but squarely in conflict with the rule in the Fourth Circuit. *Doe v. Charleston Area Medical Center*, 529 F. 2d 638 (1975); *Christhilf v. Annapolis Emergency Hospital Assn., Inc.*, 496 F. 2d 174 (1974); *Sams v. Ohio Valley General Hospital Assn.*, 413 F. 2d 826 (1969); *Simkins v. Moses H. Cone Memorial Hospital*, 323 F. 2d 959 (1963).

The consequence is that hospitals receiving Hill-Burton funds in the Fourth Circuit are subject to very different rules as a matter of federal law than are similar hospitals in at least four other Circuits. This Court should not, consistent with a responsible exercise of its certiorari jurisdiction, permit such conflicts on important points of federal law to remain unresolved.

No. 75-807. *WIGODA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 521 F. 2d 1221.

No. 75-986. *COLLINS ET UX. v. RIDGE TOOL CO.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 520 F. 2d 591.

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No. 75-958. GARRISON, WARDEN, ET AL. *v.* EDWARDS. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 529 F. 2d 1374.

No. 75-975. GOVERNMENT OF INDIA *v.* PFIZER, INC., ET AL.; and

No. 75-976. IMPERIAL GOVERNMENT OF IRAN *v.* PFIZER, INC., ET AL. C. A. 8th Cir. Certiorari denied. MR. JUSTICE BLACKMUN took no part in the consideration or decision of these petitions. Reported below: 522 F. 2d 612.

Rehearing Denied

No. 75-538. GRANCICH ET AL. *v.* UNITED STATES, 423 U. S. 1050;

No. 75-666. COFFEE-RICH, INC., ET AL. *v.* FIELDER, DIRECTOR OF AGRICULTURE OF CALIFORNIA, ET AL., 423 U. S. 1042;

No. 75-714. HEILIG *v.* CHRISTENSEN, JUDGE, ET AL., 423 U. S. 1055;

No. 75-5581. WARREN *v.* UNITED STATES, 423 U. S. 1074;

No. 75-5685. TOLBERT ET AL. *v.* CALIFORNIA, 423 U. S. 1060;

No. 75-5732. CARTER *v.* UNITED STATES, 423 U. S. 1076; and

No. 75-5753. HOLDING *v.* HOLDING, 423 U. S. 1062. Petitions for rehearing denied.

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Affirmed on Appeal

No. 75-1004. JIMENEZ ET AL. *v.* HIDALGO COUNTY WATER IMPROVEMENT DISTRICT No. 2 ET AL. Affirmed on appeal from D. C. S. D. Tex. MR. JUSTICE BRENNAN and MR. JUSTICE STEVENS would note probable jurisdiction and set case for oral argument.

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Certiorari Granted—Vacated and Remanded

No. 74-205. MATHEWS, SECRETARY OF HEALTH, EDUCATION, AND WELFARE *v.* WILLIAMS. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* and certiorari granted. Judgment vacated and case remanded for further consideration in light of *Mathews v. Eldridge, ante*, p. 319. MR. JUSTICE STEVENS took no part in the consideration or decision of this case. Reported below: 494 F. 2d 1191.

Miscellaneous Orders

No. A-719.* ENOMOTO, CORRECTIONS DIRECTOR, ET AL. *v.* SPAIN ET AL. It is ordered that the application for stay of judgment of the United States District Court for the Northern District of California, dated January 14, 1976, as amended by its order of February 9, 1976, is granted but limited to Items 1, 2, and 4 of said judgment, pending [final disposition of applicants' appeal from said judgment to the Court of Appeals for the Ninth Circuit]. Reported below: 408 F. Supp. 534.

MR. JUSTICE STEVENS, with whom MR. JUSTICE BRENNAN and MR. JUSTICE MARSHALL join, dissenting.

Since I am not persuaded that the applicants have demonstrated a sufficient threat of irreparable injury to justify the exercise of this Court's power to issue a stay, I would deny the application.

No. D-54. IN RE DISBARMENT OF WOLFF. It having been reported to the Court that Jerome B. Wolff, of Stevenson, Md., has been disbarred by the Court of Appeals of Maryland, and this Court by order of October 6, 1975 [423 U. S. 812], having suspended the said Jerome

*[The Court issued this order in amended form on March 11, 1976, having substituted the bracketed phrase for "further order of the Court." See *post*, p. 959.]

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B. Wolff from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon respondent and that the time within which to file a response has expired;

It is ordered that the said Jerome B. Wolff be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. 75-6257. GREGG *v.* GEORGIA. Sup. Ct. Ga.;

No. 75-5394. JUREK *v.* TEXAS. Ct. Crim. App. Tex.;

No. 75-5491. WOODSON ET AL. *v.* NORTH CAROLINA. Sup. Ct. N. C.;

No. 75-5706. PROFFITT *v.* FLORIDA. Sup. Ct. Fla.;

and

No. 75-5844. ROBERTS *v.* LOUISIANA. Sup. Ct. Ala. [Certiorari granted, 423 U. S. 1082.] Motion of Amnesty International for leave to file a brief as *amicus curiae* granted.

No. 75-73. BELLOTTI, ATTORNEY GENERAL OF MASSACHUSETTS, ET AL. *v.* BAIRD ET AL.; and

No. 75-109. HUNERWADEL *v.* BAIRD ET AL. Appeals from D. C. Mass. [Probable jurisdiction noted, 423 U. S. 982.] Motion of Thomas P. McMahan, Esquire, to permit Brian A. Riley, Esquire, to argue *pro hac vice* on behalf of appellant in No. 75-109 granted.

No. 75-260. McDONALD ET AL. *v.* SANTA FE TRAIL TRANSPORTATION CO. ET AL. C. A. 5th Cir. [Certiorari granted, 423 U. S. 923.] Motion of petitioners for additional time for oral argument denied. Alternative request to cede 10 minutes of allotted time for oral argument to the Solicitor General as *amicus curiae* granted.

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No. 75-251. FITZPATRICK ET AL. *v.* BITZER, CHAIRMAN, STATE EMPLOYEES' RETIREMENT COMMISSION, ET AL.; and

No. 75-283. BITZER, CHAIRMAN, STATE EMPLOYEES' RETIREMENT COMMISSION, ET AL. *v.* MATTHEWS ET AL. C. A. 2d Cir. [Certiorari granted, 423 U. S. 1031.] Motion of the Solicitor General to participate in oral argument as *amicus curiae* granted and 15 additional minutes allotted for that purpose.

No. 75-491. UNITED STATES *v.* AGURS. C. A. D. C. Cir. [Certiorari granted, 423 U. S. 983.] Motion of respondent to dismiss writ as improvidently granted denied.

No. 75-552. KLEPPE, SECRETARY OF THE INTERIOR, ET AL. *v.* SIERRA CLUB ET AL.; and

No. 75-561. AMERICAN ELECTRIC POWER SYSTEM ET AL. *v.* SIERRA CLUB ET AL. C. A. D. C. Cir. [Certiorari granted, 423 U. S. 1047.] Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted.

No. 75-628. CRAIG ET AL. *v.* BOREN, GOVERNOR OF OKLAHOMA, ET AL. Appeal from D. C. W. D. Okla. [Probable jurisdiction noted, 423 U. S. 1047.] Motion of American Civil Liberties Union for leave to file a brief as *amicus curiae* granted.

No. 75-6205. CARUTH *v.* MOORE, WARDEN, ET AL. Motion for leave to file petition for writ of habeas corpus denied.

Certiorari Denied

No. 75-621. HAND *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 2d 472.

No. 75-771. COLLECTOR OF REVENUE OF LOUISIANA *v.* CHICAGO BRIDGE & IRON Co. Sup. Ct. La. Certiorari denied. Reported below: 317 So. 2d 605.

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No. 75-833. *GALAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-835. *FISHER v. USERY, SECRETARY OF LABOR, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 517 F. 2d 1404.

No. 75-843. *BENISH ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1051.

No. 75-859. *ROWBOTHAM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 2d 1279.

No. 75-874. *WHITE ET AL. v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 294 Ala. 502, 319 So. 2d 247.

No. 75-879. *J. H. RUTTER REX MANUFACTURING Co., INC. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 515 F. 2d 97.

No. 75-924. *DICKSON v. FORD, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 2d 234.

No. 75-947. *ATLANTIC MARINE, INC. v. JIG III CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 2d 171.

No. 75-956. *PACK ET AL. v. TENNESSEE EX REL. SWANN, DISTRICT ATTORNEY GENERAL*. Sup. Ct. Tenn. Certiorari denied. Reported below: 527 S. W. 2d 99.

No. 75-980. *DIFCO LABORATORIES, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 6th Cir. Certiorari denied. Reported below: 522 F. 2d 1275.

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No. 75-988. *EPOCH PRODUCING CORP. v. KILLIAM SHOWS, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 522 F. 2d 737.

No. 75-993. *WHITT v. VAUTHIER.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 316 So. 2d 202.

No. 75-998. *CHURCH v. NEW HAMPSHIRE.* Sup. Ct. N. H. Certiorari denied. Reported below: 115 N. H. 537, 345 A. 2d 392.

No. 75-1012. *CORNELIUS ET AL. v. CITY OF PARMA, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 521 F. 2d 1401.

No. 75-1022. *CALHOUN v. RIVERSIDE RESEARCH INSTITUTE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 75-5680. *QUINN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 514 F. 2d 1250.

No. 75-5778. *RUDMAN v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 75-5799. *SCOTT v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 521 F. 2d 1188.

No. 75-5822. *SOTO v. OREGON.* Ct. App. Ore. Certiorari denied. Reported below: 21 Ore. App. 794, 537 P. 2d 142.

No. 75-5870. *DRAUGHON v. REES, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 75-5877. *TURNER v. ESTELLE, CORRECTIONS DIRECTOR.* C. A. 5th Cir. Certiorari denied. Reported below: 515 F. 2d 853.

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No. 75-5902. REED *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 526 F. 2d 740.

No. 75-5904. POWELL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 75-5907. YOUNG *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 512 F. 2d 321.

No. 75-5908. ROBINSON *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Reported below: 169 U. S. App. D. C. 129, 515 F. 2d 360.

No. 75-5924. ROSE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 2d 1026.

No. 75-5926. HARVEY *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 526 F. 2d 529.

No. 75-5927. SNOW *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 2d 317.

No. 75-5928. BALLARO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 75-6009. HASKINS ET AL. *v.* FREEDMAN ET AL. C. A. 1st Cir. Certiorari denied.

No. 75-6044. RODRIGUEZ *v.* STONE, INSTITUTION SUPERINTENDENT. C. A. 9th Cir. Certiorari denied.

No. 75-6073. COLEMAN *v.* WAINWRIGHT, SECRETARY, DEPARTMENT OF OFFENDER REHABILITATION OF FLORIDA. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 2d 1278.

No. 75-6075. WALKER *v.* COMMITTEE ON EXAMINATIONS AND ADMISSIONS. Sup. Ct. Ariz. Certiorari denied. Reported below: 112 Ariz. 134, 539 P. 2d 891.

No. 75-6083. SMITH *v.* GITCHELL, SHERIFF. C. A. 6th Cir. Certiorari denied.

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No. 75-6076. *HENDRIX v. ESTELLE*, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1053.

No. 75-6084. *PICCIONI v. SEGRE ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-6086. *GRANDHAM v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 528 S. W. 2d 220.

No. 75-6094. *PAINÉ v. MCCARTHY*, MEN'S COLONY SUPERINTENDENT. C. A. 9th Cir. Certiorari denied. Reported below: 527 F. 2d 173.

No. 75-6095. *TYRRELL v. CUPP*, PENITENTIARY SUPERINTENDENT. C. A. 9th Cir. Certiorari denied.

No. 75-6097. *ANDERSON v. LAYKIN*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 75-6098. *JACKSON v. COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT*. Sup. Ct. Cal. Certiorari denied.

No. 75-6140. *THRASHER v. CALIFORNIA ADULT AUTHORITY ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 74-1032. *HUDGENS v. LOCAL 315, RETAIL & WHOLESALE DEPARTMENT STORE UNION, AFL-CIO*. Ct. App. Ga. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 133 Ga. App. 329, 210 S. E. 2d 821.

No. 75-1007. *HOWMET CORP. ET AL. v. MERCANTILE NATIONAL BANK OF CHICAGO ET AL.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 524 F. 2d 1031.

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No. 75-1009. DUNLOP HOLDINGS, LTD. *v.* RAM GOLF CORP. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 524 F. 2d 33.

No. 75-5220. FROST *v.* MATHEWS, SECRETARY OF HEALTH, EDUCATION, AND WELFARE. C. A. 2d Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 515 F. 2d 57.

No. 75-655. WILSON ET AL. *v.* MEANS ET AL. C. A. 8th Cir. Motion of respondents for leave to proceed *in forma pauperis* granted. Certiorari denied. MR. JUSTICE BLACKMUN would grant certiorari. Reported below: 522 F. 2d 833.

No. 75-669. SIELAFF, CORRECTIONS DIRECTOR, ET AL. *v.* HICKMAN. C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 521 F. 2d 378.

No. 75-711. WESTERN AIRLINES, INC. *v.* CONTINENTAL AIR LINES, INC. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE WHITE and MR. JUSTICE BLACKMUN would grant certiorari. Reported below: 171 U. S. App D. C. 295, 519 F. 2d 944.

No. 75-864. LAVALLEE, CORRECTIONAL SUPERINTENDENT *v.* LLUVERAS. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE BLACKMUN would grant certiorari. Reported below: 526 F. 2d 585.

No. 75-994. LIVINGSTON *v.* SHELTON. Sup. Ct. Wash. Certiorari denied. Motion of respondent for award of damages for delay denied. Reported below: 85 Wash. 2d 615, 537 P. 2d 774.

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Rehearing Denied

No. 75-755. 28 EAST JACKSON ENTERPRISES, INC. *v.* CULLERTON, COOK COUNTY ASSESSOR, ET AL., 423 U. S. 1073; and

No. 75-5601. SMITH *v.* STYNCHCOMBE, SHERIFF, 423 U. S. 1089. Petitions for rehearing denied.

No. 75-519. JAMIESON *v.* COMMISSIONER OF INTERNAL REVENUE, 423 U. S. 1009. Petition for rehearing denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition.

Assignment Order

An order of THE CHIEF JUSTICE designating and assigning Mr. Justice Clark (retired) to perform judicial duties in the United States Court of Appeals for the Third Circuit for the purpose of hearing the following cases: *Adams v. Berger*, No. 75-2389; and *Hartman v. A. B. A.*, No. 76-1050, and for such additional time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

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Miscellaneous Order

No. A-719. ENOMOTO, CORRECTIONS DIRECTOR, ET AL. *v.* SPAIN ET AL. [The Court issued in amended form its order of March 8, 1976. See *ante*, p. 951.]

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Affirmed on Appeal

No. 75-595. TUCKER, SECRETARY OF PENNSYLVANIA, ET AL. *v.* SALERA ET AL. Affirmed on appeal from D. C. E. D. Pa. Reported below: 399 F. Supp. 1258.

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No. 75-6021. *WOODS v. HARDEN, COMMISSIONER, DEPARTMENT OF HUMAN RESOURCES, ET AL.* Affirmed on appeal from D. C. N. D. Ga.

Appeals Dismissed

No. 75-656. *HAAS v. HAAS.* Appeal from Sup. Ct. Miss. dismissed for want of a properly presented federal question. Reported below: 315 So. 2d 447.

No. 75-967. *BEARDEN ET AL. v. HARDWARE MUTUAL CASUALTY CO. ET AL.* Appeal from Sup. Ct. Mo. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 528 S. W. 2d 754.

No. 75-5994. *FINKEN v. ROOP, ADMINISTRATOR, ALLENTOWN STATE HOSPITAL.* Appeal from Super. Ct. Pa. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 234 Pa. Super. 155, 339 A. 2d 764.

No. 75-1061. *WESTERN GRAIN CO. v. ALABAMA.* Appeal from Ct. Civ. App. Ala. dismissed for want of substantial federal question. Reported below: 55 Ala. App. 690, 318 So. 2d 719.

No. 75-6108. *HARDY v. OHIO.* Appeal from Sup. Ct. Ohio dismissed for want of substantial federal question. MR. JUSTICE WHITE would note probable jurisdiction and set case for oral argument.

Certiorari Granted—Vacated and Remanded

No. 74-1420. *JAMES v. UNITED STATES.* C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Commis-*

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sioner of Internal Revenue v. Shapiro, ante, p. 614. MR. JUSTICE STEVENS took no part in the consideration or decision of this case. Reported below: 510 F. 2d 860.

No. 74-1476. UNITED STATES *v.* SELLERS; and

No. 74-6503. SELLERS *v.* UNITED STATES. C. A. 4th Cir. Motion of petitioner in No. 74-6503 for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and cases remanded for further consideration in light of *United States v. Gaddis*, ante, p. 544. MR. JUSTICE STEVENS took no part in the consideration or decision of these cases. Reported below: 520 F. 2d 1281.

No. 75-167. UNITED STATES *v.* PHILLIPS. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pauperis* and certiorari granted. Judgment vacated and case remanded for further consideration in light of *United States v. Gaddis*, ante, p. 544. MR. JUSTICE STEVENS took no part in the consideration or decision of this case. Reported below: 518 F. 2d 108.

No. 75-272. WILLIAMS, DISTRICT ATTORNEY GENERAL *v.* HILLIARD. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* and certiorari granted. Judgment vacated and case remanded for further consideration in light of *Imbler v. Pachtman*, ante, p. 409. Reported below: 516 F. 2d 1344.

Miscellaneous Orders

No. A-760. CALIFORNIA STATE BOARD OF OPTOMETRY *v.* CALIFORNIA CITIZENS ACTION GROUP ET AL. Application to stay preliminary injunction entered by the United States District Court for the Central District of California, entered February 5, 1976, presented to MR. JUSTICE REHNQUIST, and by him referred to the Court, granted pending further order of the Court. MR. JUS-

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TICE STEVENS would deny the application. Motion of Terminal-Hudson Electronics of California, Inc., dba Opti-Cal, for leave to intervene as an appellee denied.

No. 74-1487. UNITED STATES *v.* MACCOLLOM. C. A. 9th Cir. [Certiorari granted, 423 U. S. 821.] Motion of the Solicitor General to permit Frank H. Easterbrook, Esquire, to argue *pro hac vice* on behalf of the United States granted.

No. 74-6257. GREGG *v.* GEORGIA. Sup. Ct. Ga.;

No. 75-5394. JUREK *v.* TEXAS. Ct. Crim. App. Tex.;

No. 75-5491. WOODSON ET AL. *v.* NORTH CAROLINA. Sup. Ct. N. C.;

No. 75-5706. PROFFITT *v.* FLORIDA. Sup. Ct. Fla.;
and

No. 75-5844. ROBERTS *v.* LOUISIANA. Sup. Ct. La. [Certiorari granted, 423 U. S. 1082.] Motion of the Attorney General of California for leave to participate in oral argument as *amicus curiae* granted.

No. 75-130. QUINN, COMMISSIONER, CHICAGO FIRE DEPARTMENT *v.* MUSCARE. C. A. 7th Cir. [Certiorari granted, 423 U. S. 891.] Motion of American Federation of Labor & Congress of Industrial Organizations for leave to file a brief as *amicus curiae* granted. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion.

No. 75-552. KLEPPE, SECRETARY OF THE INTERIOR, ET AL. *v.* SIERRA CLUB ET AL.; and

No. 75-561. AMERICAN ELECTRIC POWER SYSTEM ET AL. *v.* SIERRA CLUB ET AL. C. A. D. C. Cir. [Certiorari granted, 423 U. S. 1047.] Joint motion of petitioners for additional time for oral argument granted and 15 additional minutes allotted for that purpose. Respondents also allotted 15 additional minutes for oral argument.

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No. 75-567. OREGON EX REL. STATE LAND BOARD *v.* CORVALLIS SAND & GRAVEL Co.; and

No. 75-577. CORVALLIS SAND & GRAVEL Co. *v.* OREGON EX REL. STATE LAND BOARD. Sup. Ct. Ore. [Certiorari granted, 423 U. S. 1048.] Motion of Corvallis Sand & Gravel Co. et al. for additional time for oral argument denied. Motion of Attorney General of California for leave to participate in oral argument as *amicus curiae* denied.

No. 75-616. VILLAGE OF ARLINGTON HEIGHTS ET AL. *v.* METROPOLITAN HOUSING DEVELOPMENT CORP. ET AL. C. A. 7th Cir. [Certiorari granted, 423 U. S. 1030.] Motions of League of Women Voters of the United States et al. and American Society of Planning Officials for leave to file briefs as *amici curiae* granted. MR. JUSTICE STEVENS took no part in the consideration or decision of these motions.

No. 75-929. ESTELLE, CORRECTIONS DIRECTOR, ET AL. *v.* GAMBLE. C. A. 5th Cir. [Certiorari granted, *ante*, p. 907.] Motion of Attorney General of Texas to permit Bert W. Pluymen, Esquire, to argue *pro hac vice* on behalf of petitioners granted.

No. 75-6211. SANDERS *v.* GAGNON, WARDEN;

No. 75-6218. ASHINSKY *v.* UNITED STATES; and

No. 75-6262. MILLETICH *v.* REES, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 75-6057. PROFFITT *v.* UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT;

No. 75-6103. WHIPPLE *v.* UNITED STATES; and

No. 75-6183. SPEED *v.* JOHNSON, U. S. ATTORNEY. Motions for leave to file petitions for writs of mandamus denied.

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No. 75-6031. *DINSIO v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

Probable Jurisdiction Noted

No. 75-1019. *BOSTON STOCK EXCHANGE ET AL. v. STATE TAX COMMISSION ET AL.* Appeal from Ct. App. N. Y. Probable jurisdiction noted. Reported below: 37 N. Y. 2d 535, 337 N. E. 2d 758.

No. 75-1064. *KREMENS, HOSPITAL DIRECTOR, ET AL. v. BARTLEY ET AL.* Appeal from D. C. E. D. Pa. Probable jurisdiction noted. Reported below: 402 F. Supp. 1039.

No. 75-5952. *TRIMBLE ET AL. v. GORDON ET AL.* Appeal from Sup. Ct. Ill. Motion for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted.

Certiorari Granted

No. 75-746. *ATLAS ROOFING Co., INC. v. OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION ET AL.* C. A. 5th Cir.; and

No. 75-748. *FRANK IREY, JR., INC. v. OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION ET AL.* C. A. 3d Cir. Certiorari granted limited to Question 2 presented by the petitions which reads as follows: "Assuming *arguendo* that such civil penalties and enforcement procedures are civil in nature and effect, whether such procedures deny the defendant employer his right to jury trial guaranteed by the Seventh Amendment to the Constitution." Cases consolidated and a total of one hour allotted for oral argument. Reported below: No. 75-746, 518 F. 2d 990; No. 75-748, 519 F. 2d 1200.

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Certiorari Denied. (See also Nos. 75-967 and 75-5994, *supra.*)

No. 75-528. NONNEWAUG REGIONAL SCHOOL DISTRICT No. 14 ET AL. *v.* SCOTT. C. A. 2d Cir. *Certiorari denied.* Reported below: 520 F. 2d 799.

No. 75-571. SHANNON *v.* UNITED STATES. C. A. 9th Cir. *Certiorari denied.* Reported below: 521 F. 2d 56.

No. 75-724. PUBLIC INTEREST RESEARCH GROUP ET AL. *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. C. A. 1st Cir. *Certiorari denied.* Reported below: 522 F. 2d 1060.

No. 75-747. DAN J. SHEEHAN Co. *v.* OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION ET AL. C. A. 5th Cir. *Certiorari denied.* Reported below: 520 F. 2d 1036.

No. 75-776. DU PUY ET AL. *v.* DIRECTOR, OFFICE OF WORKMEN'S COMPENSATION PROGRAMS, U. S. DEPARTMENT OF LABOR. C. A. 7th Cir. *Certiorari denied.* Reported below: 519 F. 2d 536.

No. 75-794. JANSEN *v.* VIRGINIA. Cir. Ct. Fauquier County, Va. *Certiorari denied.*

No. 75-802. ACUNA ET AL. *v.* CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD. Ct. App. Cal., 2d App. Dist. *Certiorari denied.*

No. 75-818. LUNA ET AL. *v.* UNITED STATES. C. A. 6th Cir. *Certiorari denied.* Reported below: 525 F. 2d 4.

No. 75-852. GRASAVAGE ET AL. *v.* UNITED STATES. C. A. 3d Cir. *Certiorari denied.* Reported below: 523 F. 2d 1052.

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No. 75-869. *ROBERTS v. CIVIL AERONAUTICS BOARD*. C. A. D. C. Cir. Certiorari denied. Reported below: 172 U. S. App. D. C. 198, 521 F. 2d 298.

No. 75-901. *ESBER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1054.

No. 75-910. *RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1054.

No. 75-911. *WARD v. UNITED STATES*; and

No. 75-912. *SLINGERLAND v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 75-913. *HENRITZE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 2d 1279.

No. 75-922. *BANKERS TRUST CO. ET AL. v. UNITED STATES*. Ct. Cl. Certiorari denied. Reported below: 207 Ct. Cl. 422, 518 F. 2d 1210.

No. 75-925. *WOOD ET AL. v. EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 75-940. *CONSUMER FEDERATION OF AMERICA ET AL. v. BUTZ, SECRETARY OF AGRICULTURE, ET AL.*;

No. 75-995. *INDEPENDENT MEAT PACKERS ASSN. v. BUTZ, SECRETARY OF AGRICULTURE, ET AL.*; and

No. 75-996. *NATIONAL ASSOCIATION OF MEAT PURVEYORS ET AL. v. BUTZ, SECRETARY OF AGRICULTURE, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 526 F. 2d 228.

No. 75-942. *TUCKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 77.

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No. 75-948. CALAWAY ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 524 F. 2d 609.

No. 75-949. DRAGANESCU ET AL. *v.* FIRST NATIONAL BANK OF HOLLYWOOD. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 2d 1278.

No. 75-951. NUCLEUS OF CHICAGO HOMEOWNERS ASSN. ET AL. *v.* HILLS, SECRETARY OF HOUSING AND URBAN DEVELOPMENT ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 524 F. 2d 225.

No. 75-952. FLINN ET AL. *v.* FMC CORP. ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 528 F. 2d 1169.

No. 75-959. SAN FRANCISCO-OAKLAND MAILERS UNION No. 18 ET AL. *v.* JOHNSON. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-970. MATHEWS ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. Reported below: 520 F. 2d 323.

No. 75-981. MCGEE *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 2d 1121.

No. 75-990. DAVIES ET AL. *v.* CINCINNATI GAS & ELECTRIC CO. ET AL. Ct. App. Ohio, Butler County. Certiorari denied.

No. 75-1003. STARK ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 2d 422.

No. 75-1017. LUCAS ET AL. *v.* HOPE ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 515 F. 2d 234.

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No. 75-1025. *LARocca v. LANE*, JUDGE. Ct. App. N. Y. Certiorari denied. Reported below: 37 N. Y. 2d 575, 338 N. E. 2d 606.

No. 75-1031. *SIFTON ET AL. v. COUNTY OF VENTURA*; and *FRIES v. COMBS*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 75-1036. *BANKS v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 308 So. 2d 203.

No. 75-1037. *MOOG, INC. v. PEGASUS LABORATORIES, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 521 F. 2d 501.

No. 75-1039. *BALDASARRO v. OHIO*. Ct. App. Ohio, Franklin County. Certiorari denied.

No. 75-1042. *SILVER ET AL. v. QUEEN'S HOSPITAL, AKA QUEEN'S MEDICAL CENTER, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 518 F. 2d 555.

No. 75-1044. *THOMS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 30 Ill. App. 3d 229, 332 N. E. 2d 538.

No. 75-1045. *CORNING GLASS WORKS v. FISCHER & PORTER Co.* C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 2d 1050.

No. 75-1047. *GRANT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-1057. *BELANGER v. MATTESON ET AL.* Sup. Ct. R. I. Certiorari denied. Reported below: 115 R. I. 332, 346 A. 2d 124.

No. 75-1083. *M. C. MANUFACTURING Co., INC., ET AL. v. TEXAS FOUNDRIES, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 2d 1059.

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No. 75-1080. *FRANKLIN v. EDGAR R. LEVY CO. ET AL.* C. A. 2d Cir. Certiorari denied.

No. 75-1096. *LOCAL UNION No. 81, AMALGAMATED MEAT CUTTERS & BUTCHER WORKMEN OF NORTH AMERICA, AFL-CIO v. ALLIED EMPLOYERS, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 75-1107. *HOLZMAN, TRUSTEE IN BANKRUPTCY v. ALFRED M. LEWIS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 524 F. 2d 761.

No. 75-1112. *GULF OIL Co., U. S., AKA GULF OIL CORP. ET AL. v. PALMER COAL & ROCK Co.* C. A. 10th Cir. Certiorari denied. Reported below: 524 F. 2d 884.

No. 75-1159. *ANDERSON Co. ET AL. v. JOHN P. CHASE, INC.* C. A. 2d Cir. Certiorari denied.

No. 75-1166. *COLUMBIA STEAMSHIP Co., INC. v. AMERICAN MAIL LINE, LTD., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 510 F. 2d 29.

No. 75-5741. *CLARK v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-5811. *McDANIEL v. UNITED STATES;* and

No. 75-5860. *MORRISON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 75-5840. *RIGGAN v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 462 Pa. 185, 339 A. 2d 761.

No. 75-5842. *SMITH v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 2d 696.

No. 75-5878. *McFALL v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 235 Ga. 105, 218 S. E. 2d 839.

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No. 75-5857. RUBIO-CASTRO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 75-5861. HAWKINS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 527 F. 2d 647.

No. 75-5887. PRYOR *v.* CALIFORNIA. App. Dept., Super. Ct. Cal., County of Orange. Certiorari denied.

No. 75-5899. MEADOWS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 365.

No. 75-5901. WHITE *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. Reported below: 61 Ill. 2d 288, 335 N. E. 2d 457.

No. 75-5909. LEE *v.* WAINWRIGHT, SECRETARY, DEPARTMENT OF OFFENDER REHABILITATION OF FLORIDA. C. A. 5th Cir. Certiorari denied.

No. 75-5912. BROOKS *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 51 Cal. App. 3d 602, 124 Cal. Rptr. 492.

No. 75-5930. ADGERSON *v.* UNITED STATES. Ct. App. D. C. Certiorari denied.

No. 75-5931. STALEY *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 75-5934. ACUNA-PALOMINO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 75-5936. HERNANDEZ-MARTINEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 75-5937. PEREZ-VEGA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 75-5940. KLATKE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

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No. 75-5942. *GIBLIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 523 F. 2d 42.

No. 75-5946. *HARPER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 75-5947. *PRICE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5948. *WILSON v. UNITED STATES*; and
No. 75-5972. *KELLEY ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 526 F. 2d 615.

No. 75-5951. *LONG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5954. *WHEELER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5955. *PRICE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1054.

No. 75-5957. *HALL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 75-5966. *JOHNSON v. AMERICAN CREDIT COMPANY OF GEORGIA ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 2d 478.

No. 75-5967. *BROOKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5969. *PUTIC v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-5976. *VENSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 524 F. 2d 1404.

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No. 75-5970. *BAILEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 526 F. 2d 139.

No. 75-5977. *OLIPHANT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 525 F. 2d 505.

No. 75-5978. *BARRON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5979. *MITZKOFF v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 488.

No. 75-5982. *TRANQUILLO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 75-5984. *BAKER v. RUMSFELD, SECRETARY OF DEFENSE*. C. A. 6th Cir. Certiorari denied. Reported below: 523 F. 2d 1031.

No. 75-5985. *HILL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 529 F. 2d 517.

No. 75-5987. *TREVINO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 1231.

No. 75-5992. *PACK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 1231.

No. 75-5993. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 485.

No. 75-5995. *GOINS v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 75-6001. *TREVITHICK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 526 F. 2d 838.

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No. 75-5997. SMITH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 517 F. 2d 506.

No. 75-5999. WOOD *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 75-6000. CEJA-MARTINEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 75-6003. BENDER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1054.

No. 75-6007. SMITH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 788.

No. 75-6014. PRYOR *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied.

No. 75-6016. CLAY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 75-6017. RAY *v.* TENNESSEE VALLEY AUTHORITY ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 2d 812.

No. 75-6018. FONTAINE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 526 F. 2d 514.

No. 75-6026. MORGAN *v.* MONTANYE, WARDEN, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 516 F. 2d 1367.

No. 75-6033. OLIVER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 2d 731.

No. 75-6047. ATKINSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 75-6088. GROSE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 2d 1115.

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No. 75-6089. *CAVITT v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1053.

No. 75-6114. *WINN v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 1231.

No. 75-6115. *DONNELLY v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 233 Pa. Super. 396, 336 A. 2d 632.

No. 75-6119. *SMITH v. SUPREME COURT OF WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 85 Wash. 2d 738, 539 P. 2d 83.

No. 75-6120. *DAVENPORT v. HOUSING AND DEVELOPMENT ADMINISTRATION OF THE CITY OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 75-6122. *GALLOWAY v. BREWER, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 2d 369.

No. 75-6128. *NELSON v. HENDERSON, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 75-6131. *REPOSA v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-6138. *MAWHINNEY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 75-6139. *JAMISON v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 75-6157. *JII v. COLUMBUS COATED FABRICS*. C. A. 6th Cir. Certiorari denied.

No. 75-6161. *BROWN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 75-6160. *DAVIS v. POLICE DEPARTMENT, CITY OF YOUNGSTOWN, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 75-6165. *RAUSER v. LANCASTER COUNTY OF PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 6167. *STOUT v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 75-6186. *HARRISON v. OKLAHOMA ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 75-6188. *LENNON v. CLARK ET UX.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-6224. *WITHERS v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 44 Ohio St. 2d 53, 337 N. E. 2d 780.

No. 74-418. *DUBA v. McINTYRE ET AL.* C. A. 8th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 501 F. 2d 590.

No. 74-987. *WEATHERS v. EBERT, COMMONWEALTH ATTORNEY OF PRINCE WILLIAM COUNTY.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 505 F. 2d 514.

No. 74-5439. *GUERRERO v. BARLOW, DISTRICT ATTORNEY OF BEXAR COUNTY.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 494 F. 2d 1190.

No. 74-6226. *HULSTINE v. MOSS, JUDGE, ET AL.* C. A. 8th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition.

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No. 74-5869. *DIXON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 507 F. 2d 683.

No. 74-6408. *CARTER v. ROBERTSON*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition.

No. 75-867. *KEANE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 522 F. 2d 534.

No. 75-876. *UNITED STATES STEEL CORP. v. METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO*. App. Ct. Ill., 1st Dist. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 30 Ill. App. 3d 360, 332 N. E. 2d 426.

No. 75-1099. *SCOTT, ATTORNEY GENERAL OF ILLINOIS, ET AL. v. ILLINOIS CENTRAL RAILROAD CO. ET AL.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 525 F. 2d 178.

No. 75-5054. *GRIFFIN v. VICTOR ET AL.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 510 F. 2d 972.

No. 75-5329. *BELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition.

No. 75-5457. *PHILLIPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 518 F. 2d 108.

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No. 75-5849. *WARREN v. AARON, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 525 F. 2d 696.

No. 75-5876. *DORSZYNSKI v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 524 F. 2d 190.

No. 75-5963. *EDGE v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 521 F. 2d 1403.

No. 75-792. *NORTHSIDE REALTY ASSOCIATES, INC., ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE WHITE and MR. JUSTICE BLACKMUN would grant certiorari. Reported below: 518 F. 2d 884.

No. 75-821. *BUSH v. UNITED STATES.* C. A. 7th Cir. Motion for oral argument on whether certiorari should be granted denied. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion and petition. Reported below: 522 F. 2d 641.

No. 75-846. *HUNTER, MAYOR OF YOUNGSTOWN, ET AL. v. FRATERNAL ORDER OF POLICE, YOUNGSTOWN LODGE No. 28, ET AL.* Ct. App. Ohio, Mahoning County. Certiorari denied. MR. JUSTICE BRENNAN and MR. JUSTICE BLACKMUN would deny certiorari, it appearing that the judgment below rests upon adequate state grounds. Reported below: 49 Ohio App. 2d 185, 360 N. E. 2d 708.

No. 75-865. *TERRIBERRY ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE WHITE and MR. JUSTICE POWELL would grant certiorari. Reported below: 517 F. 2d 286.

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No. 75-1034. TRAINOR, DIRECTOR, DEPARTMENT OF PUBLIC AID OF ILLINOIS, ET AL. *v.* BANKS ET AL. C. A. 7th Cir. Motion of respondents for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 525 F. 2d 837.

No. 75-1082. KNIGHT ET AL. *v.* SOUTH CENTRAL BELL TELEPHONE CO. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 518 F. 2d 1405.

No. 75-6156. MOLINAR *v.* WESTERN ELECTRIC CO. ET AL. C. A. 1st Cir. Certiorari denied. MR. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 525 F. 2d 521.

No. 75-1092. PIHER INTERNATIONAL CORP. ET AL. *v.* CTS CORP. C. A. 7th Cir. Motion to strike petitioners' supplemental brief, or, in the alternative, additional time to file a responsive brief denied. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion and petition. Reported below: 527 F. 2d 95.

No. 75-5897. LEMING ET AL. *v.* UNITED STATES. C. A. 9th Cir. Motion of John R. Jones and Walter Mark Conway to join in the petition for writ of certiorari granted. Certiorari denied. Reported below: 532 F. 2d 647.

No. 75-6264. ADAMS ET AL. *v.* CENTRAL OF GEORGIA RAILWAY CO. ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE POWELL took no part in the consideration or decision of this petition. Reported below: 524 F. 2d 1230.

Rehearing Denied

No. 75-588. WASHINGTON ET AL. *v.* UNITED STATES ET AL., 423 U. S. 1086. Petition for rehearing denied.

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No. 75-782. PELTZMAN *v.* CENTRAL GULF LINES, INC., 423 U. S. 1074;

No. 75-827. SNOW ET AL. *v.* CITY OF MEMPHIS ET AL., 423 U. S. 1083;

No. 75-5626. LIPSCOMB *v.* UNITED STATES, *ante*, p. 934; and

No. 75-5862. HOFFMAN *v.* GEORGETOWN UNIVERSITY HOSPITAL CORP., 423 U. S. 1090. Petitions for rehearing denied.

No. 74-538. UNITED STATES *v.* WATSON, 423 U. S. 411; and

No. 74-966. AMERICAN FOREIGN STEAMSHIP Co. *v.* MATISE, 423 U. S. 150. Petitions for rehearing denied. MR. JUSTICE STEVENS took no part in the consideration or decision of these petitions.

MARCH 23, 1976

Dismissal Under Rule 60

No. 75-6280. NORWOOD ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari dismissed as to petitioner Norwood under this Court's Rule 60.

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