

ORDERS FROM JUNE 1 THROUGH JUNE 23, 1976

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Appeals Dismissed

No. 74-1335. RINGGOLD ET AL. *v.* BOROUGH OF COLINGSWOOD. Appeal from Sup. Ct. N. J. dismissed for want of substantial federal question. MR. JUSTICE BRENNAN, MR. JUSTICE MARSHALL, and MR. JUSTICE BLACKMUN would vacate judgment and remand case for further consideration in light of *Hynes v. Mayor of Borough of Oradell*, 425 U. S. 610 (1976). MR. JUSTICE STEVENS took no part in the consideration or decision of this case. Reported below: 66 N. J. 350, 331 A. 2d 262.

No. 75-1410. POINDEXTER *v.* TEXAS. Appeal from Ct. Crim. App. Tex. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 531 S. W. 2d 350.

No. 75-1449. WILLIAMS *v.* WILLIAMS. Appeal from Sup. Ct. Okla. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 543 P. 2d 1401.

No. 75-6574. ABREVAYA *v.* BEHAR. Appeal from App. Div., Sup. Ct. N. Y., 2d Jud. Dept., dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 50 App. Div. 2d 572, 375 N. Y. S. 2d 844.

No. 75-1498. GOLZ ET UX. *v.* CHILDREN'S BUREAU OF NEW ORLEANS, INC. Appeal from Sup. Ct. La. dis-

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missed for want of substantial federal question. Reported below: 326 So. 2d 865.

Certiorari Granted—Vacated and Remanded

No. 75-6202. *HURST v. UNITED STATES*. C. A. 6th Cir. Motion for leave to proceed *in forma pauperis* and certiorari granted. Upon representation of the Solicitor General set forth in his memorandum for the United States filed May 7, 1976, judgment vacated and case remanded for further consideration in light of position presently asserted by the Government. Reported below: 530 F. 2d 977.

No. 75-6265. *HARRIS v. ROSE, WARDEN*. C. A. 6th Cir. Motion for leave to proceed *in forma pauperis* and certiorari granted. Judgment vacated and case remanded for further consideration in light of *Estelle v. Williams*, 425 U. S. 501 (1976).

Certiorari Dismissed

No. 75-6578. *McGRATH v. VINZANT, CORRECTIONAL SUPERINTENDENT, ET AL.* C. A. 1st Cir. Certiorari dismissed. *Molinaro v. New Jersey*, 396 U. S. 365 (1970). Reported below: 528 F. 2d 681.

Miscellaneous Orders

No. A-1021. *GOURLEY, DIRECTOR, DIVISION OF FAMILY SERVICES OF MISSOURI, ET AL. v. LEWIS*. Application for stay of mandate of the United States Court of Appeals for the Eighth Circuit, presented to Mr. JUSTICE BLACKMUN, and by him referred to the Court, granted pending timely filing and disposition of petition for writ of certiorari. Reported below: 534 F. 2d 794.

No. 75-478. *PARKER SEAL Co. v. CUMMINS*. C. A. 6th Cir. [Certiorari granted, 424 U. S. 942.] Motion of International Association of Machinists & Aerospace Workers for leave to file a brief as *amicus curiae* granted.

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No. A-979. YAVITZ *v.* UNITED STATES. Application for stay of order of confinement or for bail pending appeal in the United States Court of Appeals for the Fifth Circuit, presented to MR. JUSTICE STEWART, and by him referred to the Court, denied.

No. 75-628. CRAIG ET AL. *v.* BOREN, GOVERNOR OF OKLAHOMA, ET AL. D. C. W. D. Okla. [Probable jurisdiction noted, 423 U. S. 1047.] Motion to add Donald Basil Bardwell as a party appellant denied.

No. 75-804. FARMER, SPECIAL ADMINISTRATOR *v.* UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA, LOCAL 25, ET AL. Ct. App. Cal., 2d App. Dist. [Certiorari granted, 423 U. S. 1086.] Motion to substitute Joy A. Farmer, Special Administrator, as the party petitioner, in place of Richard T. Hill, deceased, granted.

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, 424 U. S. 941.] Motion of National Right to Work Legal Defense Foundation for leave to file a brief as *amicus curiae* granted.

No. 75-1180. DIVISION OF VOCATIONAL REHABILITATION, DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES OF FLORIDA, ET AL. *v.* THOMAS ET AL., 425 U. S. 937. Motion of counsel for respondent Wilbur Kenyard Thomas for award of attorney's fees denied.

No. 75-1452. KIMBELL, INC., DBA FOODWAY, ET AL. *v.* EMPLOYMENT SECURITY COMMISSION OF NEW MEXICO ET AL. Appeal from Sup. Ct. N. M. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

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No. 75-1447. BERGER, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES OF NEW YORK *v.* AITCHISON. C. A. 2d Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

Probable Jurisdiction Noted

No. 75-1261. BUTZ, SECRETARY OF AGRICULTURE *v.* HEIN; and

No. 75-1355. BURNS, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES OF IOWA, ET AL. *v.* HEIN. Appeals from D. C. S. D. Iowa. Motion of appellee Hein for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 402 F. Supp. 398.

Certiorari Granted

No. 75-909. ENVIRONMENTAL PROTECTION AGENCY *v.* BROWN, GOVERNOR OF CALIFORNIA, ET AL.; AND ENVIRONMENTAL PROTECTION AGENCY *v.* ARIZONA ET AL. C. A. 9th Cir. Reported below: 521 F. 2d 827 (first case); 521 F. 2d 825 (second case);

No. 75-960. ENVIRONMENTAL PROTECTION AGENCY *v.* MARYLAND ET AL. C. A. 4th Cir. Reported below: 530 F. 2d 215;

No. 75-1050. VIRGINIA EX REL. AIR POLLUTION CONTROL BOARD *v.* TRAIN, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY. C. A. D. C. Cir. Reported below: 172 U. S. App. D. C. 311, 521 F. 2d 971; and

No. 75-1055. TRAIN, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY *v.* DISTRICT OF COLUMBIA ET AL. C. A. D. C. Cir. Reported below: 172 U. S. App. D. C. 311, 521 F. 2d 971. Certiorari granted, cases consolidated, and a total of two hours allotted for oral argument.

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No. 74-635. UNITED STATES *v.* WONG. C. A. 9th Cir. Certiorari granted. Reported below: 553 F. 2d 576.

No. 74-1106. UNITED STATES *v.* WASHINGTON. Ct. App. D. C. Certiorari granted. Reported below: 328 A. 2d 98.

No. 75-1413. STANTON, ADMINISTRATOR, INDIANA DEPARTMENT OF PUBLIC WELFARE, ET AL. *v.* BOND ET AL. C. A. 7th Cir. Motion of respondents for leave to proceed *in forma pauperis* and certiorari granted. MR. JUSTICE STEVENS took no part in the consideration or decision of this motion and petition. Reported below: 528 F. 2d 688.

No. 75-1443. MATHEWS, SECRETARY OF HEALTH, EDUCATION, AND WELFARE *v.* SANDERS. C. A. 7th Cir. Certiorari granted. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 522 F. 2d 1167.

Certiorari Denied. (See also Nos. 75-1410, 75-1449, and 75-6574, *supra*.)

No. 74-6579. WASHINGTON *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 328 A. 2d 98.

No. 75-968. ROEDER *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 526 F. 2d 736.

No. 75-1043. LEBRON *v.* SECRETARY OF THE AIR FORCE. C. A. 2d Cir. Certiorari denied. Reported below: 535 F. 2d 1242.

No. 75-1175. MAHER, ADMINISTRATRIX *v.* CITY OF NEW ORLEANS ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 2d 1051.

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No. 75-1188. *KEILEY v. HINKSON, DIRECTOR, PARKING VIOLATIONS BUREAU OF NEW YORK CITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 535 F. 2d 1242.

No. 75-1190. *WYOMING ET AL. v. KLEPPE, SECRETARY OF THE INTERIOR, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 525 F. 2d 66.

No. 75-1193. *COTRONI ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 527 F. 2d 708.

No. 75-1213. *PIKE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 734.

No. 75-1218. *RUSO v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 527 F. 2d 1051.

No. 75-1233. *REA EXPRESS, INC. v. CIVIL AERONAUTICS BOARD ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 524 F. 2d 54.

No. 75-1273. *COWSEN v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 530 F. 2d 734.

No. 75-1298. *AMERICAN ALUMINUM CORP. ET AL. v. FEDERAL TRADE COMMISSION.* C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 2d 1278.

No. 75-1320. *COOPER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 75-1323. *McCRANE v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 527 F. 2d 906.

No. 75-1324. *CONLEY v. ECK ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 530 F. 2d 967.

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No. 75-1339. *WILSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 491 F. 2d 724.

No. 75-1390. *HARRIS v. ULANICH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 530 F. 2d 968.

No. 75-1391. *BISPING v. VIRGINIA*. Cir. Ct., City of Norfolk, Va. Certiorari denied.

No. 75-1411. *CHAFFIN v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 324 So. 2d 369.

No. 75-1412. *DUNN v. KAPILOFF ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 27 Md. App. 514, 343 A. 2d 251.

No. 75-1421. *GULF STATES UTILITIES Co. v. FEDERAL POWER COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 169 U. S. App. D. C. 281, 515 F. 2d 998.

No. 75-1426. *BOGATIN v. SUFFOLK COUNTY BAR ASSN.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 49 App. Div. 2d 108, 373 N. Y. S. 2d 179.

No. 75-1428. *FORD MOTOR Co. v. POLK*. C. A. 8th Cir. Certiorari denied. Reported below: 529 F. 2d 259.

No. 75-1433. *ALBRIGHT, ADMINISTRATOR v. R. J. REYNOLDS TOBACCO Co.* C. A. 3d Cir. Certiorari denied. Reported below: 531 F. 2d 132.

No. 75-1442. *JIMMY-RICHARD Co., INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. D. C. Cir. Certiorari denied. Reported below: 174 U. S. App. D. C. 20, 527 F. 2d 803.

No. 75-1457. *McCLOUD v. HAYES*. C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 2d 525.

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No. 75-1515. LOCAL 17, INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION *v.* PARAMOUNT TRANSPORT SYSTEMS. C. A. 9th Cir. Certiorari denied. Reported below: 529 F. 2d 1284.

No. 75-6185. ARNOLD ET AL. *v.* WAINWRIGHT, SECRETARY, DEPARTMENT OF OFFENDER REHABILITATION OF FLORIDA. C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 2d 964.

No. 75-6204. HARBOR *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 814.

No. 75-6231. AKINS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 814.

No. 75-6258. TENNON *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: 235 Ga. 594, 220 S. E. 2d 914.

No. 75-6270. RAJEWSKI *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 526 F. 2d 149.

No. 75-6303. MASTERSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 529 F. 2d 30.

No. 75-6306. MONTGOMERY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 529 F. 2d 1404.

No. 75-6311. CEPULONIS *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 530 F. 2d 238.

No. 75-6340. WILLIAMS *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 529 F. 2d 557.

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No. 75-6320. *GUERRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 1230.

No. 75-6362. *DELOACH v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 174 U. S. App. D. C. 138, 530 F. 2d 990.

No. 75-6376. *HOLLEY ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 965.

No. 75-6377. *ECKENROD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 964.

No. 75-6382. *MUSE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 965.

No. 75-6391. *MONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 529 F. 2d 1031.

No. 75-6392. *CASEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 2d 206.

No. 75-6404. *VALDEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 529 F. 2d 996.

No. 75-6413. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 529 F. 2d 581.

No. 75-6415. *SILVA-GOMEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-6419. *LANGINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 2d 926.

No. 75-6433. *COOK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 530 F. 2d 145.

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No. 75-6437. *BARTOS v. UNITED STATES*. Ct. Cl. Certiorari denied. Reported below: 208 Ct. Cl. 966, 529 F. 2d 532.

No. 75-6540. *MUDGETT v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 531 S. W. 2d 275.

No. 75-6549. *WHITESIDE v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 75-6558. *MILLER v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 75-6562. *WESSNER v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 236 Ga. 162, 223 S. E. 2d 141.

No. 75-6563. *SHANNON v. EDWARDS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 75-6577. *CORTO v. CALIFORNIA*. App. Dept., Super. Ct. Cal., County of Los Angeles. Certiorari denied.

No. 75-6580. *NABERS v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 75-6582. *NEGRON v. MOTLEY*, U. S. DISTRICT JUDGE. C. A. 2d Cir. Certiorari denied.

No. 75-6584. *ALLEN v. LYON ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 963.

No. 75-6589. *LEE, AKA BROWN v. WAINWRIGHT*, SECRETARY, DEPARTMENT OF OFFENDER REHABILITATION OF FLORIDA. C. A. 5th Cir. Certiorari denied.

No. 75-6591. *BURTON v. ESTELLE*, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. Reported below: 488 F. 2d 1406.

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No. 75-6593. FELDER *v.* SMITH, CORRECTIONAL SUPERINTENDENT. C. A. 2d Cir. Certiorari denied.

No. 75-6595. STILLER *v.* KETNER'S CAFETERIA ET AL. Ct. App. N. C. Certiorari denied.

No. 75-6597. HARVEY *v.* SOUTH DAKOTA. C. A. 8th Cir. Certiorari denied. Reported below: 526 F. 2d 840.

No. 75-6685. CHAVEZ ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 533 F. 2d 491.

No. 74-735. NICKELS *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: 502 F. 2d 1173.

No. 75-1429. YEE *v.* YEE ET AL. Sup. Ct. Hawaii. Certiorari and other relief denied.

No. 75-1290. BROWN & WILLIAMSON TOBACCO CORP. ET AL. *v.* DIXON, ACTING CHAIRMAN, FEDERAL TRADE COMMISSION, ET AL. C. A. 2d Cir. Certiorari denied. MR. JUSTICE POWELL took no part in the consideration or decision of this petition. Reported below: 527 F. 2d 1115.

No. 75-1297. CALIFORNIA *v.* GARCIA. Ct. App. Cal., 1st App. Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 54 Cal. App. 3d 61, 126 Cal. Rptr. 275.

No. 75-1448. COMMISSIONER, DEPARTMENT OF CORRECTIONAL SERVICES OF NEW YORK, ET AL. *v.* MUKMUK, AKA CHOLMONDELEY. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 529 F. 2d 272.

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No. 75-1295. *BRYZA 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 414.

Rehearing Denied

No. 75-1072. *BLANTON v. UNITED STATES*, 425 U. S. 935;

No. 75-1110. *BUFFA v. UNITED STATES*, 425 U. S. 936;

No. 75-1292. *KOEHLER, WARDEN v. CHISM*, 425 U. S. 944;

No. 75-5922. *FERRIS v. ILLINOIS*, 425 U. S. 938;

No. 75-6234. *MCCOLLIN v. BRITT, PENITENTIARY SUPERINTENDENT*, 425 U. S. 940;

No. 75-6294. *REED v. DEL CHEMICAL CORP. ET AL.*, 425 U. S. 941; and

No. 75-6343. *GRAVINA v. SWITZERLAND ET AL.*, 425 U. S. 961. Petitions for rehearing denied.

No. 74-940. *COLORADO RIVER WATER CONSERVATION DISTRICT ET AL. v. UNITED STATES*; and

No. 74-949. *AKIN ET AL. v. UNITED STATES*, 424 U. S. 800. Motion of Southern Ute Indian Tribe et al. for leave to file a petition for rehearing as *amici curiae* denied.

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 First Circuit from September 8 to September 15, 1976, 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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Affirmed on Appeal

No. 73-1915. *PERKINS v. SMITH ET AL.* Affirmed on appeal from D. C. Md. MR. JUSTICE BRENNAN and MR. JUSTICE MARSHALL would note probable jurisdiction and set case for oral argument. Reported below: 370 F. Supp. 134.

No. 75-336. *CALIFORNIA STATE BOARD OF PHARMACY ET AL. v. TERRY ET AL.* Affirmed on appeal from D. C. N. D. Cal. Reported below: 395 F. Supp. 94.

No. 75-1496. *CARINO v. GRASSO, GOVERNOR OF CONNECTICUT.* Affirmed on appeal from D. C. Conn.

Appeals Dismissed

No. 75-1119. *FILM FOLLIES, INC. v. HAAS, DISTRICT ATTORNEY OF MULTNOMAH COUNTY, ET AL.* Appeal from Ct. App. Ore. dismissed for want of substantial federal question. Reported below: 22 Ore. App. 365, 539 P. 2d 669.

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

Appellant brought this suit in the Circuit Court for Multnomah County, Ore., seeking a declaration that 1973 Ore. Laws, c. 699, § 4, and Ore. Rev. Stat. § 167.060 (10) (1975) violate the First and Fifth Amendments as applied to the States through the Fourteenth Amendment, and asking that enforcement of those statutes be enjoined. The Circuit Court dismissed appellant's complaint, and the Court of Appeals for the State of Oregon affirmed. 22 Ore. App. 365, 539 P. 2d 669 (1975). The Supreme Court of Oregon denied review.

1973 Ore. Laws, c. 699, § 4, provides in pertinent part:

“(1) A person commits the crime of disseminating

obscene material if he knowingly makes, exhibits, sells, delivers or provides, or offers or agrees to make, exhibit, sell, deliver or provide, or has in his possession with intent to exhibit, sell, deliver or provide any obscene writing, picture, motion picture, films, slides, drawings or other visual reproduction.

“(2) As used in subsection (1) of this section, matter is obscene if:

“(a) It depicts or describes in a patently offensive manner sadomasochistic abuse or sexual conduct;

“(b) The average person applying contemporary state standards would find the work, taken as a whole, appeals to the prurient interest in sex; and

“(c) Taken as a whole, it lacks serious literary, artistic, political or scientific value.”

Oregon Rev. Stat. § 167.060 (10) (1975) provides:

“‘Sexual conduct’ means human masturbation, sexual intercourse, or any touching of the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.”

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, 1973 Ore. Laws, c. 699, § 4, as it incorporates the definition of sexual conduct in Ore. Rev. Stat. § 167.060 (10) (1975), is constitutionally overbroad

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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 note probable jurisdiction and, since the judgment of the Court of Appeals for the State of Oregon was rendered after *Miller*, reverse. In that circumstance, I have no occasion to consider whether the other question presented by appellant merits plenary review. See *Heller v. New York*, 413 U. S. 483, 494 (1973) (BRENNAN, J., dissenting).

Finally, it does not appear from the jurisdictional statement 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, appellant must be given an opportunity to have its case decided on, and introduce evidence relevant to, the legal standard upon which the state judgment has ultimately come to depend. Thus, even on its own terms, the Court should vacate the judgment below and remand for a determination whether appellant should be afforded a new hearing under local community standards.

No. 75-1430. *ROBINSON v. CITY OF CHICAGO*. Appeal from App. Ct. Ill., 1st Dist., dismissed for want of substantial federal question. MR. JUSTICE BRENNAN and MR. JUSTICE MARSHALL would note probable jurisdiction and set case for oral argument. Reported below: 32 Ill. App. 3d 149, 336 N. E. 2d 158.

No. 75-6605. *WHITE v. GUILD*. Appeal from C. A. 4th Cir. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 532 F. 2d 753.

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No. 75-6640. PRICE *v.* IOWA. Appeal from Sup. Ct. Iowa dismissed for want of a final judgment (28 U. S. C. § 1257).

Vacated and Remanded on Appeal

No. 75-1539. BOARD OF OPTOMETRY OF CALIFORNIA *v.* CALIFORNIA CITIZENS ACTION GROUP ET AL. Appeal from D. C. C. D. Cal. Motion of American Optometric Assn. for leave to file a brief as *amicus curiae* granted. Judgment vacated and case remanded for further consideration in light of *Virginia Board of Pharmacy v. Virginia Citizens Consumer Council, Inc.*, 425 U. S. 748 (1976). Reported below: 407 F. Supp. 1075.

Other Summary Disposition on Appeal

No. 74-216. UNITED STATES CIVIL SERVICE COMMISSION ET AL. *v.* RAMOS ET AL. Appeal from D. C. P. R. Motion of appellees for leave to proceed *in forma pauperis* granted. Insofar as judgment of the United States District Court for the District of Puerto Rico declares 5 CFR § 338.101 (1976) to be invalid, it is affirmed. *Hampton v. Mow Sun Wong, ante*, p. 88. Because the current Appropriation Act's exclusion of payments to aliens for positions within the United States does not apply to Cuban nationals like the plaintiff-appellees, Pub. L. 94-91, 89 Stat. 458, the District Court is directed to vacate as moot that part of its judgment holding § 601 of the Treasury, Postal Service, and General Government Appropriation Act of 1973, Pub. L. 92-351, 86 Stat. 487, unconstitutional.

Insofar as appellants seek to appeal from the District Court's holding that 7 U. S. C. § 1961 (b)(1) and FHA Instruction 441.2 are unconstitutional, the appeal is dismissed for want of jurisdiction. The District Court failed to enter an injunction from which an appeal lies under 28 U. S. C. § 1253 and the notice of appeal was

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not filed within 30 days of any arguably appealable order. See 28 U. S. C. §§ 2101 (a) and (b). The District Court may reconsider its holding in light of *Hampton v. Mow Sun Wong*, ante, p. 88, and *Mathews v. Diaz*, ante, p. 67, before it enters a final judgment. Reported below: 376 F. Supp. 361.

Certiorari Granted—Vacated and Remanded. (See also, 75-1382, ante, p. 310.)

No. 74-1600. *SALONE v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Chandler v. Roudebush*, 425 U. S. 840 (1976). Reported below: 511 F. 2d 902.

Miscellaneous Orders

No. A-920 (75-1482). *GEISHA HOUSE, INC. v. CULLINANE, CHIEF, DISTRICT OF COLUMBIA POLICE DEPARTMENT, ET AL.* Ct. App. D. C. Application for stay of execution and enforcement of judgment, presented to MR. JUSTICE BRENNAN, and by him referred to the Court, denied. Reported below: 354 A. 2d 515.

No. A-1009. *CROW DOG v. UNITED STATES.* Application for stay of execution and enforcement of mandate of the United States Court of Appeals for the Eighth Circuit, presented to MR. JUSTICE BLACKMUN, and by him referred to the Court, denied. Reported below: 532 F. 2d 1182.

No. A-1052. *GROSS v. UNITED STATES.* Application for stay of execution and enforcement of judgment of conviction in United States District Court for the District of New Jersey, presented to MR. JUSTICE BRENNAN, and by him referred to the Court, denied. Reported below: See 375 F. Supp. 971.

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No. A-1039. G. E. M. CORP., DBA GENE THOMAS CASCADE LOUNGE *v.* LIQUOR CONTROL COMMISSION OF OHIO. Application for stay of judgment of the Supreme Court of Ohio, presented to MR. JUSTICE MARSHALL, and by him referred to the Court, denied.

No. A-1042. MATHIAS ET AL. *v.* DERRICK ET AL. Application for stay of judgment of the United States District Court for the Western District of Texas, Waco Division, presented to MR. JUSTICE POWELL, and by him referred to the Court, denied.

No. 74-6257. GREGG *v.* GEORGIA. Sup. Ct. Ga. [Certiorari granted, 423 U. S. 1082.] Motion of respondent for leave to file supplemental brief after argument granted.

No. 75-44. BURRELL ET AL. *v.* MCCRAY ET AL. C. A. 4th Cir. [Certiorari granted, 423 U. S. 923.] Motion of respondents for leave to file second supplemental brief, after argument, granted.

Probable Jurisdiction Noted

No. 75-443. CAREY, GOVERNOR OF NEW YORK, ET AL. *v.* POPULATION SERVICES INTERNATIONAL ET AL. Appeal from D. C. S. D. N. Y. Probable jurisdiction noted. Reported below: 398 F. Supp. 321.

No. 75-1157. TOWN OF LOCKPORT, NEW YORK, ET AL. *v.* CITIZENS FOR COMMUNITY ACTION AT THE LOCAL LEVEL, INC., ET AL. Appeal from D. C. W. D. N. Y. Probable jurisdiction noted. Reported below: See 386 F. Supp. 1.

No. 75-1407. TRAINOR, DIRECTOR, ILLINOIS DEPARTMENT OF PUBLIC AID, ET AL. *v.* HERNANDEZ ET UX. Appeal from D. C. N. D. Ill. Motion of appellees for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. Reported below: 405 F. Supp. 757.

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No. 75-6297. FIALLO, A MINOR, BY RODRIGUEZ, ET AL. v. LEVI, ATTORNEY GENERAL, ET AL. Appeal from D. C. E. D. N. Y. Motion of appellants for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. Case set for oral argument with No. 75-5952 [*Trimble v. Gordon*, probable jurisdiction noted, 424 U. S. 964]. Reported below: 406 F. Supp. 162.

Certiorari Granted

No. 75-1312. DON E. WILLIAMS Co. v. COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari granted. Reported below: 527 F. 2d 649.

No. 75-1462. DELAWARE REPUBLICAN STATE COMMITTEE ET AL. v. REDFEARN ET AL. C. A. 3d Cir. Certiorari granted. Reported below: 524 F. 2d 1403.

Certiorari Denied. (See also No. 75-6605, *supra.*)

No. 75-60. VINCENT ET AL. v. UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 513 F. 2d 1296.

No. 75-158. BOARD OF TRUSTEES OF THE UNIVERSITY OF TENNESSEE ET AL. v. SONI. C. A. 6th Cir. Certiorari denied. Reported below: 513 F. 2d 347.

No. 75-247. UNITED STATES v. SPERLING. C. A. 3d Cir. Certiorari denied. Reported below: 515 F. 2d 465.

No. 75-405. NATIONAL COMMISSION ON EGG NUTRITION v. FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. Reported below: 517 F. 2d 485.

No. 75-618. ATWELL v. KELLEY, ATTORNEY GENERAL OF MICHIGAN. Ct. App. Mich. Certiorari denied. Reported below: 59 Mich. App. 219, 229 N. W. 2d 387.

No. 75-784. SIMON, SECRETARY OF THE TREASURY, ET AL. v. CARO. C. A. 7th Cir. Certiorari denied. Reported below: 521 F. 2d 1084.

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No. 75-828. *MOSES ET AL. v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 339 A. 2d 46.

No. 75-1331. *CLAYTON P. KEHOE TOWING CO., INC., ET AL. v. UNITED STATES ET AL.*; and

No. 75-1332. *TANKER HYGRADE NO. 18, INC. v. UNITED STATES ET AL.* Ct. Cl. Certiorari denied. Reported below: 208 Ct. Cl. 488, 526 F. 2d 805.

No. 75-1346. *BOYD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 525 F. 2d 1406.

No. 75-1347. *URDIALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 2d 1245.

No. 75-1364. *BUGLIARELLI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 75-1367. *SCHIFTER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 75-1368. *ACOSTA ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 670.

No. 75-1370. *PIERRO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 2d 526.

No. 75-1374. *DOWELL ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 2d 708.

No. 75-1380. *SARAH COVENTRY, INC. v. T. SARDELLI & SONS, INC.* C. A. 1st Cir. Certiorari denied. Reported below: 526 F. 2d 20.

No. 75-1383. *MCCORVEY SHEET METAL WORKS, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 238.

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No. 75-1437. JOHNSON *v.* O'CONNOR ET UX. Sup. Ct. Conn. Certiorari denied.

No. 75-1460. PEORIA & EASTERN RAILWAY Co. *v.* PENN CENTRAL TRANSPORTATION Co., TRUSTEES IN BANKRUPTCY. C. A. 3d Cir. Certiorari denied. Reported below: 527 F. 2d 645.

No. 75-1461. CHAVEZ ET AL. *v.* STATE HIGHWAY DEPARTMENT OF NEW MEXICO ET AL. Sup. Ct. N. M. Certiorari denied.

No. 75-1467. UNITED STATES GYPSUM Co. ET AL. *v.* JACKSONVILLE BUSINESS SERVICES, INC., ET AL. Sup. Ct. Fla. Certiorari denied. Reported below: 328 So. 2d 845.

No. 75-1469. LAMBERTSON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 528 F. 2d 441.

No. 75-1483. CITY OF CHICAGO *v.* KENNY CONSTRUCTION Co. ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 528 F. 2d 184.

No. 75-1485. ASH *v.* BAKER ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 963.

No. 75-1516. FIRE OFFICERS UNION ET AL. *v.* PENNSYLVANIA ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 501.

No. 75-1542. WARRINER *v.* FERNANDEZ ET AL. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 310 So. 2d. 375.

No. 75-1551. SAMPSON ET AL., DBA SOUTHEASTERN INDUSTRIAL DEVELOPMENT DISTRICT *v.* EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES ET AL. Ct. Cl. Certiorari denied. Reported below: 208 Ct. Cl. 656, 529 F. 2d 1299.

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No. 75-1608. *WHITNEY v. BRANN ET VIR.* C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 966.

No. 75-1611. *MEHRA, ADMINISTRATOR v. BENTZ ET VIR.* C. A. 2d Cir. Certiorari denied. Reported below: 529 F. 2d 1137.

No. 75-1635. *COMBS v. TEXAS.* Ct. Civ. App. Tex., 3d Sup. Jud. Dist. Certiorari denied. Reported below: 526 S. W. 2d 648.

No. 75-6321. *WHITE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 1249.

No. 75-6334. *JONES, AKA SHARIFF v. UNITED STATES;*
and

No. 75-6358. *JONES v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 542 F. 2d 186.

No. 75-6338. *STEWART v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 531 F. 2d 326.

No. 75-6341. *SIMPSON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 75-6345. *FLEMING v. GUNN, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 75-6356. *LOVELL v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 530 F. 2d 238.

No. 75-6367. *WIMBERLY v. UNITED STATES;* and

No. 75-6412. *FOWLER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 2d 528.

No. 75-6369. *BROWN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 2d 962.

No. 75-6411. *NELSON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 529 F. 2d 40.

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No. 75-6371. *MARSHALL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 526 F. 2d 1349.

No. 75-6416. *FREUND v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 532 F. 2d 501.

No. 75-6417. *GONZALES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 75-6418. *BENSON ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 2d 926.

No. 75-6421. *COUNTS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 527 F. 2d 542.

No. 75-6422. *HERGENRADER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 529 F. 2d 83.

No. 75-6426. *MIRANDA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-6428. *FRUGE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 525 F. 2d 1406.

No. 75-6432. *ROCHA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 527 F. 2d 423.

No. 75-6436. *JACKSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 75-6444. *CARROLL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 510 F. 2d 507.

No. 75-6460. *HENDRICKS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 526 F. 2d 585.

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No. 75-6479. *MILROY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 538 F. 2d 1033.

No. 75-6515. *CAVANAUGH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 535 F. 2d 1251.

No. 75-6532. *ROBINSON v. GOYNES*. C. A. 5th Cir. Certiorari denied.

No. 75-6537. *BELL v. WAINWRIGHT, SECRETARY, DEPARTMENT OF OFFENDER REHABILITATION OF FLORIDA*. C. A. 5th Cir. Certiorari denied. Reported below: 529 F. 2d 520.

No. 75-6559. *TABOR v. CAMPBELL, ASSISTANT CORRECTIONAL SUPERINTENDENT, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 75-6575. *MILLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 529 F. 2d 1125.

No. 75-6590. *FLETCHER v. LEWIS A. JAMMER Co., INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 964.

No. 75-6602. *HUFFMAN v. MISSOURI*. C. A. 8th Cir. Certiorari denied. Reported below: 527 F. 2d 899.

No. 75-6608. *GIBSON ET AL. v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-6611. *SLOCUM v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 52 Cal. App. 3d 867, 125 Cal. Rptr. 442.

No. 75-6613. *MOORE v. OHIO STATE BAR ASSN.* Sup. Ct. Ohio. Certiorari denied. Reported below: 45 Ohio St. 2d 57, 341 N. E. 2d 302.

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No. 75-6615. *FOUNTS v. POGUE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 532 F. 2d 1232.

No. 75-6616. *GREEN v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 62 Ill. 2d 146, 340 N. E. 2d 9.

No. 75-6622. *KITTRELL ET AL. v. CITY OF ROCKWALL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 715.

No. 75-6623. *CARTER v. MONEY TREE Co.* C. A. 8th Cir. Certiorari denied. Reported below: 532 F. 2d 113.

No. 75-6624. *FULMOR v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-6626. *MELONSON v. WAINWRIGHT, SECRETARY, DEPARTMENT OF OFFENDER REHABILITATION OF FLORIDA*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 813.

No. 75-6627. *DAVID v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 75-6655. *RIGGINS v. MEACHUM, CORRECTIONAL SUPERINTENDENT*. C. A. 1st Cir. Certiorari denied.

No. 75-928. *ESTELLE, CORRECTIONS DIRECTOR, ET AL. v. JUSTICE, U. S. DISTRICT JUDGE, ET AL.* C. A. 5th Cir. Motion of respondent inmates for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 516 F. 2d 480.

MR. JUSTICE REHNQUIST, with whom THE CHIEF JUSTICE and MR. JUSTICE POWELL join, dissenting.

The writ of mandamus is granted sparingly and is "reserved for really extraordinary causes," *Ex parte Fahey*, 332 U. S. 258, 260 (1947). It seems to me that

the course of this litigation in the United States District Court for the Eastern District of Texas makes it a "really extraordinary" case, and I would grant certiorari to review the decision of the Court of Appeals for the Fifth Circuit declining to issue the writ sought by petitioners.

Sometime prior to April 1974, David Ruiz and other inmates of the Texas Department of Corrections sued petitioner Estelle, Director of the Texas Department of Corrections, in the United States District Court for the Eastern District of Texas seeking declaratory and equitable relief from alleged deprivations of rights secured to the plaintiffs by the Constitution of the United States. Jurisdiction was based upon 28 U. S. C. § 1343 and 42 U. S. C. § 1983. On April 12, 1974, respondent the Honorable William Wayne Justice, a judge of the United States District Court for the Eastern District of Texas, ordered the *Ruiz* case consolidated with several other pending causes in the District which he found to involve common questions of law and fact, and proceeded, *sua sponte*, to enter the following additional order:

"This Court having also determined that the public interest will be served by the participation of the United States of America in the consolidated civil action, it is

"ORDERED that the United States of America make an appearance in the above-entitled and numbered consolidated civil action as *amicus curiae*, in order to investigate fully the facts alleged in the prisoners' complaints, to participate in such civil action with the full rights of a party thereto, and to advise this Court at all stages of the proceedings as to any action deemed appropriate by it."

Not surprisingly, the United States some months later filed a motion to intervene in the action, and to add parties defendant thereto. Despite the familiar rule that

an intervenor take the case as he finds it, respondent granted not only the motion of the United States to intervene, but also that seeking to add as parties defendant the Texas Board of Corrections, and the members of that Board as individuals. In addition, the complaint in intervention of the United States sought relief which went far beyond that sought by the inmates, requesting an order enjoining petitioners from the following:

"1. Failing or refusing to provide inmates with a medical care delivery system which is accessible and adequate to meet their medical needs;

"2. Failing or refusing to provide living and working conditions which do not jeopardize the health and safety of inmates;

"3. Failing or refusing to provide inmates reasonable protection from physical assault;

"4. Failing or refusing to permit inmates reasonable access to the Courts and to public officials for redress of grievances;

"5. Failing or refusing to supervise and control prison officials and employees sufficiently to prevent the systematic imposition of summary and other cruel and unusual punishment on inmates and the systematic denial of due process to inmates."

Petitioners opposed the unexpected entry of the United States into this litigation, as well as its attempt to expand the issues before the District Court. Respondent, however, refused their request to certify his orders for interlocutory appeal pursuant to 28 U. S. C. § 1292 (b). Petitioners thereupon brought the instant action pursuant to the All Writs Act, 28 U. S. C. § 1651 (a), contending that respondent had so exceeded his authority as to warrant issuance of a writ of mandamus. The Court of Appeals rejected petitioners' request for this relief in

opinions which indicated that the three members of the panel had divergent views on the issues before it.

While each of the three judges of the Court of Appeals had a somewhat different view as to why petitioners should not obtain the relief they requested, it seems fair to say that the lowest common denominator of these views was an assumption on the court's part that even if respondent's orders were wholly unauthorized by law, they could not be reviewed by a writ of mandamus. I think this assumption incorrect. And I believe that respondent's actions in this litigation raise issues of sufficient moment, regarding both the relationship between the Federal Judiciary and the Executive Branch of the Federal Government and that between the Federal Judiciary and the States, that the Court of Appeals' conclusion that mandamus should not issue warrants plenary review here.

The effect of the actions of respondent is to pit the United States, as a virtually involuntary coplaintiff, alongside the inmate plaintiffs and against petitioner correctional officials. I think it extremely doubtful there is any authority for those actions. Federal Rule Civ. Proc. 24 (b), upon which respondent relied, requires that a would-be intervenor have at a minimum some "claim" having "a question of law or fact in common" with the action sought to be joined. But the United States surely has no claim of its own under the Fourteenth Amendment which it may assert against petitioners, and the rather pallid brief of the United States in opposition to certiorari is discreetly silent as to the source of any such "claim." Title 42 U. S. C. § 2000h-2 (1970 ed., Supp. IV), which authorizes intervention by the Attorney General in an action seeking relief from the denial of equal protection of the laws "on account of race, color, religion, sex or national origin . . .," clearly affords no basis for intervention by the Gov-

ernment on the pleadings before the District Court. The Solicitor General's brief also refers to the fact that the United States has statutory responsibility for enforcing 18 U. S. C. §§ 241 and 242, "the criminal counterpart to 42 U. S. C. § 1983," but it would seem unlikely that respondent or any other district judge could grant intervention for the reason that the proposed intervenor wished later to institute criminal proceedings against one of the parties to a civil action. In its memorandum in support of its motion to intervene in the District Court, the United States urged that it had "inherent standing to sue to enjoin widespread and severe deprivations of constitutional rights. *In re Debs*, 158 U. S. 564 (1895)." If *Debs*, which held that a federal court had authority to issue an injunction against an armed conspiracy that threatened the interstate transportation of the mails, is to be extended to the situation presented by this case, I think the decision to do so should be made by this Court.

In short, the legal assumptions on which the District Court acted involve serious and far-reaching questions which have certainly not been settled by any decision of this Court. And since the relief sought by the inmate plaintiffs in *Ruiz*, if awarded at all, will run to the individual prisoners, petitioners will be unable to assert any separate claim of error in an appeal from that judgment by reason of the respondent's orders allowing intervention by the United States. There is a substantial probability, therefore, that the issue here presented will escape review at any other time, and that mandamus is "the only means of forestalling [the] intrusion of the federal judiciary" complained of by petitioners. *Will v. United States*, 389 U. S. 90, 95 (1967); *Maryland v. Soper*, 270 U. S. 9 (1926). If there was no legal basis for the respondent to grant intervention on the part of the United States, use of the writ of mandamus in this case would come squarely within its "traditional use . . .

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confinin[ing] an inferior court to a lawful exercise of its prescribed jurisdiction" *Roche v. Evaporated Milk Assn.*, 319 U. S. 21, 26 (1943), for respondent's action would fall into the category of "usurpation of power" against which mandamus is classically available. *De Beers Mines, Ltd. v. United States*, 325 U. S. 212, 217 (1945).

Over and beyond these factors, which govern availability of mandamus in private litigation, this case raises issues involving the "delicate area of federal-state relations," *Will v. United States, supra*, at 95, in which mandamus must be more readily available in other civil litigations. *Ibid.*; *Maryland v. Soper, supra*, at 29. And, perhaps most importantly of all, the Court of Appeals indicated in its opinion, *In re Estelle*, 516 F. 2d 480, 487 n. 5 (1975), that intervention by the United States in situations similar to that presented here has been authorized by a number of District Courts in the Fifth Circuit. There is good reason to believe, therefore, that orders such as those entered by respondent in this case will be entered by other District Judges in that Circuit in the future. If this be an improper exercise of their authority, the prospect of its being repeated makes mandamus particularly appropriate. *La Buy v. Howes Leather Co.*, 352 U. S. 249 (1957).

I would grant the writ of certiorari.

No. 75-6300. *GARDUNO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. MR. JUSTICE BRENNAN and MR. JUSTICE MARSHALL would grant certiorari.

Rehearing Denied

No. 75-6155. *HICKS v. UNITED STATES*, 425 U. S. 953;

No. 75-6325. *DAWN, DBA GAME CO. v. STERLING DRUG, INC., ET AL.*, 425 U. S. 942; and

No. 75-6397. *LYON v. CALIFORNIA*, 425 U. S. 962. Petitions for rehearing denied.

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Miscellaneous Orders

No. A-1075. BOARD OF EDUCATION OF THE CITY OF ELIZABETH, NEW JERSEY *v.* BYRNE, GOVERNOR OF NEW JERSEY, ET AL. Application for stay of judgment of the Supreme Court of New Jersey, presented to MR. JUSTICE BRENNAN, and by him referred to the Court, denied. Reported below: 70 N. J. 155, 358 A. 2d 457.

No. A-1079. WEBB ET AL. *v.* LOHR, JUDGE. Sup. Ct. Colo. Application for preliminary injunction and/or stay of order entered by respondent on June 2, 1976 [in *People v. Longet*], presented to MR. JUSTICE WHITE, and by him referred to the Court, denied.

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Appeals Dismissed

No. 75-1561. CHULA VISTA ELECTRIC CO. *v.* STATE BOARD OF EQUALIZATION OF CALIFORNIA. Appeal from Ct. App. Cal., 2d App. Dist., dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 53 Cal. App. 3d 445, 125 Cal. Rptr. 827.

No. 75-1580. McVEA ET AL. *v.* BOARD OF DIRECTORS OF THE FEDERAL INTERMEDIATE CREDIT BANK. Appeal from Sup. Ct. La. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Reported below: 325 So. 2d 608.

No. 75-1569. ARIZONA PUBLIC SERVICE CO. *v.* ARIZONA ET AL. Appeal from Ct. App. Ariz. dismissed for want of jurisdiction. 28 U. S. C. § 2101 (c). Reported below: 24 Ariz. App. 601, 540 P. 2d 727.

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Certiorari Granted—Vacated and Remanded. (See also No. 75-1504, *ante*, p. 479.)

No. 74-116. *PLACE v. WEINBERGER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, ET AL.*, 419 U. S. 1040. Petition for rehearing granted and order of November 25, 1974, denying petition for writ of certiorari, vacated. Certiorari granted, judgment vacated, and case remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Brown v. General Services Administration*, 425 U. S. 820, 824 n. 4 (1976). MR. JUSTICE STEVENS took no part in the consideration or decision of this case.

No. 74-851. *SEEBER, GENERAL MANAGER, TENNESSEE VALLEY AUTHORITY, ET AL. v. ALABAMA ET AL.* C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Hancock v. Train*, *ante*, p. 167. Reported below: 502 F. 2d 1238.

Miscellaneous Orders

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. [Certiorari granted, 424 U. S. 907.] Motion of respondents for additional time for oral argument granted and 15 additional minutes allotted for that purpose. Petitioners also allotted 15 additional minutes for oral argument.

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.] Renewed motion of the Attorney General of California et al. for leave to participate in oral argument as *amici curiae* denied.

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No. 75-1064. KREMENS, HOSPITAL DIRECTOR, ET AL. v. BARTLEY ET AL. Appeal from D. C. E. D. Pa. [Probable jurisdiction noted, 424 U. S. 964.] Motion of appellees for leave to proceed further herein *in forma pauperis* granted.

No. 75-1150. CITY OF PHILADELPHIA ET AL. v. NEW JERSEY ET AL. Appeal from Sup. Ct. N. J. [Probable jurisdiction noted, 425 U. S. 910.] Motion of American Society of Civil Engineers for leave to file a brief as *amicus curiae* granted.

No. 75-1532. HECHINGER ET AL. v. MARTIN, CHAIRMAN, DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS, ET AL. Appeal from D. C. D. C. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 75-6787. MAYOLA v. ALABAMA. Motion for leave to file petition for writ of habeas corpus denied.

Probable Jurisdiction Noted

No. 75-1301. DELAWARE TRIBAL BUSINESS COMMITTEE ET AL. v. WEEKS ET AL.;

No. 75-1335. ABSENTEE DELAWARE TRIBE OF OKLAHOMA BUSINESS COMMITTEE ET AL. v. WEEKS ET AL.; and

No. 75-1495. KLEPPE, SECRETARY OF THE INTERIOR, ET AL. v. WEEKS ET AL. Appeals from D. C. W. D. Okla. Probable jurisdiction noted, cases consolidated, and a total of one and one-half hours allotted for oral argument. In case No. 75-1335, the parties are invited to address particularly questions 1, 4, and 9 presented by the jurisdictional statement. Reported below: 406 F. Supp. 1309.

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Certiorari Granted

No. 75-1552. CASTANEDA, SHERIFF *v.* PARTIDA. C. A. 5th Cir. Certiorari granted. Reported below: 524 F. 2d 481.

No. 75-6521. ABNEY ET AL. *v.* UNITED STATES. C. A. 3d Cir. Motion for leave to proceed *in forma pauperis* and certiorari granted. Reported below: 530 F. 2d 963.

Certiorari Denied. (See also Nos. 75-1561 and 75-1580, *supra.*)

No. 74-476. PENN ET AL. *v.* RUMSFELD, SECRETARY OF DEFENSE, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 497 F. 2d 970.

No. 75-734. SMITH ET AL. *v.* TROYAN ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 520 F. 2d 492.

No. 75-1000. BOIRE, REGIONAL DIRECTOR, NATIONAL LABOR RELATIONS BOARD *v.* PILOT FREIGHT CARRIERS, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 515 F. 2d 1185.

No. 75-1200. NIMS ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 123.

No. 75-1275. STAR ET AL. *v.* BENTON, DIRECTOR OF FINANCE OF BALTIMORE, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 530 F. 2d 970.

No. 75-1277. A. L. BURBANK & Co., LTD., ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 2d 9.

No. 75-1293. EDWARDS *v.* REED, SECRETARY OF THE AIR FORCE. C. A. 6th Cir. Certiorari denied.

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No. 75-1377. *BONACORSA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 528 F. 2d 1218.

No. 75-1378. *COSBY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 529 F. 2d 143.

No. 75-1414. *DONNELLY ADVERTISING CORPORATION OF FLORIDA ET AL. v. CITY OF MIAMI ET AL.* C. A. 5th Cir. Certiorari denied.

No. 75-1435. *PASCHALL, EXECUTRIX, ET AL. v. CHRISTIE-STEWART, INC., ET AL.* Sup. Ct. Okla. Certiorari denied. Reported below: 544 P. 2d 505.

No. 75-1438. *VANCE v. NEW JERSEY*. Super. Ct. N. J. Certiorari denied.

No. 75-1441. *WHITE, MAYOR OF BOSTON v. MORGAN ET AL.*;

No. 75-1445. *MCDONOUGH ET AL. v. MORGAN ET AL.*;

No. 75-1466. *BOSTON HOME AND SCHOOL ASSN. v. MORGAN ET AL.*; and

No. 75-1527. *DOHERTY ET AL. v. MORGAN ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 530 F. 2d 401 (first, second, and third cases); 530 F. 2d 431 (fourth case).

No. 75-1507. *SLOAN v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 2d Cir. Certiorari denied. Reported below: 527 F. 2d 11.

No. 75-1518. *PEPI, INC., ET AL. v. PITCHFORD ET AL.*; and

No. 75-1579. *PITCHFORD ET AL. v. PEPI, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 531 F. 2d 92.

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No. 75-1512. *FRIERSON ET AL. v. WEST, GOVERNOR OF SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 75-1519. *FAHEY v. HOLY FAMILY HOSPITAL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 32 Ill. App. 3d 537, 336 N. E. 2d 309.

No. 75-1523. *KARR v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 44 Ohio St. 2d 163, 339 N. E. 2d 641.

No. 75-1524. *TRUSTEES OF READING BODY WORKS, INC., ET AL. v. SECURITIES INVESTOR PROTECTION CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 533 F. 2d 1314.

No. 75-1525. *NEREUS SHIPPING, S. A. v. COMPANIA ESPANOLA DE PETROLEOS, S. A., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 527 F. 2d 966.

No. 75-1546. *KNIGHT v. HOLDER ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 324 So. 2d 765.

No. 75-1549. *SINCLAIR ET AL. v. WILLIAMS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 529 F. 2d 1383.

No. 75-1595. *LUBOW v. HOLLANDER ET AL.* Ct. App. Md. Certiorari denied. Reported below: 277 Md. 47, 351 A. 2d 421.

No. 75-1648. *DEERING MILLIKEN RESEARCH CORP. v. BEAUNIT CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 538 F. 2d 1022.

No. 75-6346. *GENTILE v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 530 F. 2d 461.

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No. 75-6349. *CAMPBELL v. COUSINS, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 925.

No. 75-6360. *KONIGSBERG v. VINCENT, CORRECTIONAL SUPERINTENDENT*. C. A. 2d Cir. Certiorari denied. Reported below: 526 F. 2d 131.

No. 75-6380. *AYERS v. COWAN, PENITENTIARY SUPERINTENDENT*. C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 2d 524.

No. 75-6385. *LIDDY v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 174 U. S. App. D. C. 242, 530 F. 2d 1094.

No. 75-6395. *WOFFORD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 75-6408. *GARTON v. NORTHERN PACIFIC RAILWAY Co.* Sup. Ct. Wash. Certiorari denied.

No. 75-6435. *CLARK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 529 F. 2d 517.

No. 75-6439. *HART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 344.

No. 75-6441. *BOTTOM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-6456. *SHARPE v. JONES, CORRECTIONAL SUPERINTENDENT, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 535 F. 2d 1250.

No. 75-6458. *CORNISH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 530 F. 2d 961.

No. 75-6462. *BEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 851.

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No. 75-6463. *POPE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-6466. *SANDOVAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 1405.

No. 75-6467. *BARFIELD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 2d 926.

No. 75-6478. *HARLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 535 F. 2d 1251.

No. 75-6484. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 2d 527.

No. 75-6490. *ESCOBAR-ORDONEZ v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 969.

No. 75-6491. *FRAZIER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 532 F. 2d 752.

No. 75-6510. *CAIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-6516. *COLLINS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-6525. *EX PARTE TYLER*. C. A. 8th Cir. Certiorari denied.

No. 75-6531. *BETTKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 2d 926.

No. 75-6550. *EARL ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 2d 1145.

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No. 75-6565. *JOHNSON v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 75-6572. *INGENITO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 531 F. 2d 1174.

No. 75-6598. *PHILLIPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 526 F. 2d 590.

No. 75-6629. *TRUSLEY v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. Reported below: 525 F. 2d 692.

No. 75-6630. *STANDLEY v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied.

No. 75-6634. *MORGAN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 75-6635. *CLARK v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 218 Kan. 726, 544 P. 2d 1372.

No. 75-6647. *HARRISON ET AL. v. CRISP, WARDEN, ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 75-6650. *BROWN v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 265 S. C. 516, 220 S. E. 2d 125.

No. 75-6654. *HORAN v. NEALON ET AL.* Ct. App. D. C. Certiorari denied.

No. 75-6658. *BULLOCK v. CUYLER, CORRECTIONAL SUPERINTENDENT*. C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 966.

No. 75-6659. *DELEE v. KNIGHT, SHERIFF, ET AL.* Sup. Ct. S. C. Certiorari denied. Reported below: 266 S. C. 103, 221 S. E. 2d 844.

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No. 75-6661. TREFTZ *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. Reported below: 465 Pa. 614, 351 A. 2d 265.

No. 75-6664. BENNETT ET AL. *v.* OKLAHOMA. Ct. Crim. App. Okla. Certiorari denied. Reported below: 546 P. 2d 659.

No. 75-6666. HOHENSEE ET AL. *v.* GRIER ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 524 F. 2d 1403.

No. 75-6669. MITCHELL *v.* NEW HAMPSHIRE. Sup. Ct. N. H. Certiorari denied. Reported below: 115 N. H. 720, 349 A. 2d 862.

No. 75-6673. PALMER *v.* ESTELLE, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 1231.

No. 75-6678. MORGAN *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 75-6679. ROBERTS *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 75-6697. STARR *v.* GORSKI, EXECUTRIX. C. A. 3d Cir. Certiorari denied. Reported below: 527 F. 2d 645.

No. 75-6698. BALL *v.* SHAMBLIN. C. A. 5th Cir. Certiorari denied. Reported below: 529 F. 2d 520.

No. 75-6711. WHITE *v.* SUPERIOR COURT OF ARIZONA ET AL. Sup. Ct. Ariz. Certiorari denied.

No. 75-1026. TYLER ET AL. *v.* VICKERY ET AL. C. A. 5th Cir. Motion of Atlanta Legal Aid Society, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 517 F. 2d 1089.

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No. 75-1289. CALIFORNIA CO., A DIVISION OF CHEVRON OIL Co. v. FEDERAL POWER COMMISSION;

No. 75-1299. SHELL OIL Co. ET AL. v. FEDERAL POWER COMMISSION;

No. 75-1304. AMERICAN PUBLIC GAS ASSN. v. FEDERAL POWER COMMISSION;

No. 75-1305. PUBLIC SERVICE COMMISSION OF NEW YORK v. FEDERAL POWER COMMISSION;

No. 75-1308. ASSOCIATED GAS DISTRIBUTORS v. FEDERAL POWER COMMISSION; and

No. 75-1474. SUPERIOR OIL Co. v. FEDERAL POWER COMMISSION. C. A. 5th Cir. Certiorari denied. MR. JUSTICE POWELL took no part in the consideration or decision of these petitions. Reported below: 520 F. 2d 1061.

No. 75-1503. TEXACO INC. ET AL. v. FEDERAL ENERGY ADMINISTRATION ET AL. Temp. Emerg. Ct. App. Certiorari denied. MR. JUSTICE POWELL took no part in the consideration or decision of this petition. Reported below: 531 F. 2d 1071.

No. 75-1602. E. I. DU PONT DE NEMOURS & Co. ET AL. v. ENVIRONMENTAL PROTECTION AGENCY;

No. 75-1612. ETHYL CORP. v. ENVIRONMENTAL PROTECTION AGENCY;

No. 75-1613. NALCO CHEMICAL Co. v. ENVIRONMENTAL PROTECTION AGENCY; and

No. 75-1614. NATIONAL PETROLEUM REFINERS ASSN. v. ENVIRONMENTAL PROTECTION AGENCY. C. A. D. C. Cir. Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* denied. Certiorari denied. MR. JUSTICE POWELL took no part in the consideration or decision of this motion and petitions. Reported below: 176 U. S. App. D. C. 373, 541 F. 2d 1.

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No. 75-1480. *BANNERT v. AMERICAN CAN Co.* C. A. 6th Cir. Motion for leave to file an amended petition for writ of certiorari granted. Certiorari denied. Reported below: 525 F. 2d 104.

No. 75-1653. *AIR LINE PILOTS ASSOCIATION, INTERNATIONAL v. NORTHWEST AIRLINES, INC.* C. A. D. C. Cir. Certiorari denied. MR. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 174 U. S. App. D. C. 196, 530 F. 2d 1048.

Rehearing Granted. (See No. 74-116, *supra.*)

Rehearing Denied

No. 75-805. *CIVIL SERVICE COMMISSION OF NEW YORK ET AL. v. SNEAD*, 425 U. S. 457;

No. 75-898. *SUTHERLAND ET AL. v. ILLINOIS*, 425 U. S. 947;

No. 75-1210. *QUARLES, TRUSTEE v. GOODSON ET AL.*, 425 U. S. 928;

No. 75-1321. *CRAWFORD ET UX. v. SECURITY NATIONAL BANK*, 425 U. S. 959; and

No. 75-1322. *BELCHER v. ALABAMA*, 425 U. S. 952. Petitions for rehearing denied.

JUNE 16, 1976

Dismissal Under Rule 60

No. 75-5929. *BERRÍOS v. INTER AMERICAN UNIVERSITY ET AL.* Appeal from D. C. P. R. dismissed under this Court's Rule 60. Reported below: 409 F. Supp. 769.

JUNE 21, 1976

Dismissal Under Rule 60

No. 75-6742. *HOUSER v. SEALS*, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus dismissed under this Court's Rule 60.

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Affirmed on Appeal

No. 75-1476. *ATCHISON, TOPEKA & SANTA FE RAILWAY CO. ET AL. v. UNITED STATES ET AL.* Affirmed on appeal from D. C. E. D. Pa. Reported below: 403 F. Supp. 1327.

No. 75-1550. *VORBECK ET AL. v. McNEAL ET AL.* Affirmed on appeal from D. C. E. D. Mo. MR. JUSTICE BRENNAN, MR. JUSTICE MARSHALL, and MR. JUSTICE POWELL would note probable jurisdiction and set case for oral argument. Reported below: 407 F. Supp. 733.

Appeals Dismissed

No. 75-1326. *VICE v. FERGUSON ET AL.* Appeal from Sup. Ct. Miss. dismissed for want of properly presented federal question. MR. JUSTICE BLACKMUN would dismiss appeal for want of substantial federal question. Reported below: 322 So. 2d 760.

No. 75-1553. *UNITED STATES POWER SQUADRONS ET AL. v. HINDEN ET AL.* Appeal from Super. Ct. N. J. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 75-1592. *DAVIS v. DAVIS.* 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. Reported below: 306 Minn. 536, 235 N. W. 2d 836.

No. 75-1649. *FARNUM v. COMMITTEE ON CHARACTER AND FITNESS, SUPREME COURT OF NEW YORK.* Appeal from Ct. App. N. Y. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

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Certiorari Granted—Vacated and Remanded

No. 74-1499. ENOMOTO, CORRECTIONS DIRECTOR, ET AL. *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA (WRIGHT ET AL., REAL PARTIES IN INTEREST). C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Kerr v. United States District Court for the Northern District of California*, *ante*, p. 394.

No. 75-969. S. D. COHN & Co. ET AL. *v.* WOOLF ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *TSC Industries, Inc. v. Northway, Inc.*, *ante*, p. 438. Reported below: 515 F. 2d 591.

No. 75-1481. STOVER ET AL. *v.* CHICANO POLICE OFFICERS ASSN. ET AL. C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Washington v. Davis*, *ante*, p. 229. Reported below: 526 F. 2d 431.

Certificate Dismissed

No. 75-1728. ATKINS, U. S. DISTRICT JUDGE, ET AL. *v.* UNITED STATES. Certificate from the United States Court of Claims dismissed. MR. JUSTICE STEWART, MR. JUSTICE POWELL, and MR. JUSTICE STEVENS would accept the certificate.

Miscellaneous Orders

No. A-1017. COLLINS *v.* UNITED STATES. C. A. 8th Cir. Application for bail, presented to MR. JUSTICE MARSHALL, and by him referred to the Court, denied.

No. 74-1106. UNITED STATES *v.* WASHINGTON. Ct. App. D. C. [Certiorari granted, *ante*, p. 905.] Motion of respondent for leave to proceed further herein *in forma pauperis* granted.

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No. 75-1002. JOSEPH SKILKEN & Co. ET AL. *v.* CITY OF TOLEDO ET AL. C. A. 6th Cir. Motion of petitioners to grant certiorari and set case for oral argument with *Village of Arlington Heights v. Metropolitan Housing Development Corp.* [certiorari granted, 423 U. S. 1030] denied.

No. 75-1064. KREMENS, HOSPITAL DIRECTOR, ET AL. *v.* BARTLEY ET AL. Appeal from D. C. E. D. Pa. [Probable jurisdiction noted, 424 U. S. 964.] Motion of the Supreme Court of Pennsylvania for leave to file a brief as *amicus curiae* denied.

No. 75-1261. BUTZ, SECRETARY OF AGRICULTURE *v.* HEIN ET AL.; and

No. 75-1355. BURNS, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES OF IOWA, ET AL. *v.* HEIN ET AL. Appeals from D. C. S. D. Iowa. [Probable jurisdiction noted, *ante*, p. 904.] Motion for appointment of counsel granted and Robert Bartels, Esquire, of Iowa City, Iowa, is appointed pursuant to this Court's Rule 53 (7) to serve as counsel for appellee Hein in these cases.

No. 75-1450. DEPARTMENT OF SOCIAL SERVICES OF IOWA *v.* WEST HEIGHT MANOR, INC.; and BURNS, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES OF IOWA, ET AL. *v.* HUTCHISON NURSING HOME, INC., ET AL. Sup. Ct. Iowa. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 75-1583. MORRIS ET AL. *v.* GRESSETTE, PRESIDENT PRO TEM, SOUTH CAROLINA SENATE, ET AL. Appeal from D. C. S. C. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 75-6511. SAHLEY *v.* CALIFORNIA ET AL. Motion for leave to file petition for writ of habeas corpus denied.

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No. 75-6289. *MOORE v. CITY OF EAST CLEVELAND*. Appeal from Court of Appeals of Ohio, Cuyohoga County. [Probable jurisdiction noted, 425 U. S. 949.] Motion of American Civil Liberties Union for leave to file a brief as *amicus curiae* granted, provided brief is filed within time allowed for filing of brief of party supported.

No. 75-1566. *CASE v. COMMISSIONER OF PATENTS AND TRADEMARKS ET AL.* Motion for leave to file petition for writ of mandamus denied.

Probable Jurisdiction Noted

No. 75-1318. *PEARSON v. DODD ET AL.* Appeal from Sup. Ct. App. W. Va. Probable jurisdiction noted. Reported below: — W. Va. —, 221 S. E. 2d 171.

No. 75-1397. *JUDICE ET AL., JUDGES v. VAIL ET AL.* Appeal from D. C. S. D. N. Y. Motion of appellees for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. Reported below: 406 F. Supp. 951.

No. 75-1453. *WOOLEY, CHIEF OF POLICE OF LEBANON, ET AL. v. MAYNARD ET UX.* Appeal from D. C. N. H. Motion of appellees for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. Reported below: 406 F. Supp. 1381.

Certiorari Granted

No. 75-1439. *SMITH v. UNITED STATES.* C. A. 8th Cir. Certiorari granted.

No. 75-1510. *WEATHERFORD, AGENT OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, ET AL. v. BURSEY.* C. A. 4th Cir. Certiorari granted. Reported below: 528 F. 2d 483.

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No. 75-1473. *E. I. DU PONT DE NEMOURS & Co. ET AL. v. TRAIN, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY*; and

No. 75-1705. *TRAIN, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY v. E. I. DU PONT DE NEMOURS & Co. ET AL.* C. A. 4th Cir. Motion to consolidate these cases with No. 75-978 [*E. I. du Pont de Nemours & Co. v. Train, Administrator, Environmental Protection Agency*, certiorari granted, 425 U. S. 933] denied. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Cases set for oral argument with No. 75-978. Reported below: 541 F. 2d 1018.

Certiorari Denied. (See also Nos. 75-1553, 75-1592, and 75-1649, *supra.*)

No. 75-974. *WEST PENN POWER Co. v. TRAIN, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 522 F. 2d 302.

No. 75-1170. *KEHRLI v. SPRINKLE.* C. A. 10th Cir. Certiorari denied. Reported below: 524 F. 2d 328.

No. 75-1217. *BIRTLE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 75-1230. *CITIES SERVICE Co. ET AL. v. FEDERAL ENERGY ADMINISTRATION ET AL.* Temp. Emerg. Ct. App. Certiorari denied. Reported below: 529 F. 2d 1016.

No. 75-1259. *MARATHON OIL Co. v. FEDERAL ENERGY ADMINISTRATION ET AL.* Temp. Emerg. Ct. App. Certiorari denied.

No. 75-1310. *ESSER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 520 F. 2d 213.

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No. 75-1313. *COLLINS v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 236 N. W. 2d 376.

No. 75-1315. *LINDSEY ET AL. v. LOUISIANA THROUGH THE SABINE RIVER AUTHORITY*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 934.

No. 75-1317. *ZARKOS ET AL. v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO (RIGGS, REAL PARTY IN INTEREST)*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 75-1353. *BURLESON v. FRIEDLI ET AL.* Ct. App. D. C. Certiorari denied.

No. 75-1363. *ALESSIO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 528 F. 2d 1079.

No. 75-1365. *WHEELER v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 311 So. 2d 713.

No. 75-1366. *GARNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-1372. *MULES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 532 F. 2d 752.

No. 75-1379. *MEYER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 2d 72.

No. 75-1389. *FINFROCK ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 530 F. 2d 979.

No. 75-1396. *ROCHELLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 2d 844 and 526 F. 2d 405.

No. 75-1399. *WARIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 530 F. 2d 103.

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No. 75-1400. *PENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 527 F. 2d 1356.

No. 75-1436. *OIL SHALE CORP. ET AL. v. KLEPPE, SECRETARY OF THE INTERIOR*. C. A. 10th Cir. Certiorari denied.

No. 75-1458. *ROBERTS v. OHIO*. Ct. App. Ohio, Mahoning County. Certiorari denied.

No. 75-1471. *CIVIC TELECASTING CORP. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 173 U. S. App. D. C. 236, 523 F. 2d 1185.

No. 75-1509. *PHILLIPS v. FORD, PRESIDENT OF THE UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 174 U. S. App. D. C. 77, 527 F. 2d 1386.

No. 75-1563. *AHLMAN ET UX. v. DURBIN ET AL.* Sup. Ct. Ky. Certiorari denied.

No. 75-1570. *KANSAS v. FARHA ET AL.* Sup. Ct. Kan. Certiorari denied. Reported below: 218 Kan. 394, 544 P. 2d 341.

No. 75-1573. *RICHARDS v. HOWARD UNIVERSITY ET AL.* Ct. App. D. C. Certiorari denied.

No. 75-1589. *ALCOR AVIATION, INC. v. RADAIR, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 527 F. 2d 113.

No. 75-1601. *GOODMAN ET AL. v. LIZZA & SONS, INC., ET AL.* Super. Ct. N. J. Certiorari denied.

No. 75-1603. *DITLOW v. PAN AMERICAN WORLD AIRWAYS ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 75-1607. *LACKAWANNA POWER SQUADRON ET AL. v. HINDEN ET AL.* Sup. Ct. N. J. Certiorari denied.

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No. 75-1617. *RILEY ET AL. v. STEPHENS ET AL.* Sup. Ct. Ohio. Certiorari denied.

No. 75-1655. *LAGORIO v. BOARD OF TRADE OF THE CITY OF CHICAGO ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 529 F. 2d 1290.

No. 75-1668. *INCORPORATED VILLAGE OF ROSLYN HARBOR ET AL. v. JEWISH RECONSTRUCTIONIST SYNAGOGUE OF THE NORTH SHORE, INC.* Ct. App. N. Y. Certiorari denied. Reported below: 38 N. Y. 2d 283, 342 N. E. 2d 534.

No. 75-6246. *DUNN v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 31 Ill. App. 3d 854, 334 N. E. 2d 866.

No. 75-6272. *COLE, AKA KOL v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied.

No. 75-6364. *REESE v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 511 F. 2d 1395.

No. 75-6401. *WALKER v. MINNESOTA.* Sup. Ct. Minn. Certiorari denied. Reported below: 306 Minn. 105, 235 N. W. 2d 810.

No. 75-6424. *DIGIANGIEMO v. OLGIIATTI, CHAIRMAN, NEW YORK STATE BOARD OF PAROLE.* C. A. 2d Cir. Certiorari denied. Reported below: 528 F. 2d 1262.

No. 75-6431. *GREEN v. NEW MEXICO.* Ct. App. N. M. Certiorari denied.

No. 75-6434. *GILL v. CUPP, PENITENTIARY SUPERINTENDENT.* C. A. 9th Cir. Certiorari denied.

No. 75-6446. *DUVALL v. UNITED STATES;* and

No. 75-6468. *JONES v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 537 F. 2d 15.

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No. 75-6449. O'MEALLY *v.* UNITED STATES; and
No. 75-6470. MAYES *v.* UNITED STATES. C. A. 6th
Cir. Certiorari denied. Reported below: 529 F. 2d 527.

No. 75-6464. JOHNSON *v.* UNITED STATES. C. A. 7th
Cir. Certiorari denied. Reported below: 530 F. 2d 980.

No. 75-6471. JEWELL *v.* UNITED STATES. C. A. 9th
Cir. Certiorari denied. Reported below: 532 F. 2d 697.

No. 75-6480. BRYAN *v.* UNITED STATES. C. A. 5th
Cir. Certiorari denied. Reported below: 524 F. 2d 1230.

No. 75-6481. JOHNSON *v.* UNITED STATES. C. A. 5th
Cir. Certiorari denied. Reported below: 528 F. 2d 926.

No. 75-6483. JACKSON *v.* UNITED STATES. C. A. 8th
Cir. Certiorari denied.

No. 75-6493. HUNTER, AKA PETERS, ET AL. *v.* UNITED
STATES. C. A. 3d Cir. Certiorari denied. Reported
below: 532 F. 2d 748.

No. 75-6503. BOLTON *v.* UNITED STATES. C. A. 3d
Cir. Certiorari denied. Reported below: 532 F. 2d 748.

No. 75-6504. BRANT *v.* UNITED STATES. C. A. 2d
Cir. Certiorari denied.

No. 75-6505. MATTHEWS *v.* UNITED STATES. C. A.
3d Cir. Certiorari denied. Reported below: 532 F.
2d 748.

No. 75-6507. PATRICK *v.* UNITED STATES; and

No. 75-6512. ALLEN *v.* UNITED STATES. C. A. 4th
Cir. Certiorari denied.

No. 75-6508. GLOVER *v.* UNITED STATES. C. A. 5th
Cir. Certiorari denied. Reported below: 529 F. 2d 521.

No. 75-6513. POFF *v.* UNITED STATES. C. A. 9th Cir.
Certiorari denied.

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No. 75-6514. *AUSTIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 532 F. 2d 297.

No. 75-6517. *RAYMOND v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 2d 966.

No. 75-6518. *RICE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 529 F. 2d 521.

No. 75-6519. *ZAMORA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-6530. *KNIGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 532 F. 2d 748.

No. 75-6539. *BELINA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 529 F. 2d 521.

No. 75-6546. *SANDOVAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 2d 580.

No. 75-6547. *ZAMUDIO-AGUILAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 75-6564. *DUKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 527 F. 2d 386.

No. 75-6567. *PIPKINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 2d 559.

No. 75-6570. *OAKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 527 F. 2d 937.

No. 75-6576. *HOFFMAN v. OHIO*. Ct. App. Ohio, Lucas County. Certiorari denied.

No. 75-6579. *SHEA v. ROUDEBUSH, ADMINISTRATOR, VETERANS' ADMINISTRATION*. C. A. 9th Cir. Certiorari denied.

No. 75-6588. *COOLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 75-6609. *MILLANES-RUIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 65-6671. *MITCHELL v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 39 N. Y. 2d 173, 347 N. E. 2d 607.

No. 75-6674. *MORSE v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 33 Ill. App. 3d 384, 342 N. E. 2d 307.

No. 75-6690. *STOKES v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied.

No. 75-6692. *PILCHER v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 2d 623.

No. 75-6696. *JONES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 34 Ill. App. 3d 103, 339 N. E. 2d 485.

No. 75-6704. *GONZALES v. ISRAEL*. C. A. 7th Cir. Certiorari denied. Reported below: 534 F. 2d 330.

No. 75-6705. *TYCZKOWSKI v. SKONIECZKA, WARDEN*. C. A. 3d Cir. Certiorari denied.

No. 75-6707. *BELLEW v. GUNN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 532 F. 2d 1288.

No. 75-6718. *MOORE v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 2d 690.

No. 75-6719. *JOHNSON v. ESTELLE, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied.

No. 75-1349. *VILLANO ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. MR. JUSTICE WHITE took no part in the consideration or decision of this petition. Reported below: 529 F. 2d 1046.

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No. 75-6725. OMERNICK *v.* WISCONSIN. C. A. 7th Cir. Certiorari denied.

No. 75-6755. MEADOWS *v.* MICHIGAN ET AL. C. A. 6th Cir. Certiorari denied.

No. 75-1384. ESTELLE, CORRECTIONS DIRECTOR *v.* ALBERTI. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 524 F. 2d 1265.

No. 75-1431. STERN *v.* UNITED STATES ET AL. C. A. 6th Cir. Motion to substitute Emma Louise Gardner, Executrix of Estate of Malcolm P. Gardner, in place of respondent Malcolm P. Gardner, deceased, granted. Certiorari denied. Reported below: 528 F. 2d 715.

No. 75-1582. TOIA, ACTING COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES OF NEW YORK *v.* HOLLEY ET AL. C. A. 2d Cir. Motion of respondents Holley et al. for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 529 F. 2d 1294.

No. 75-6689. STEVENSON *v.* MATHEWS, WARDEN. C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 529 F. 2d 61.

Rehearing Denied

No. 74-676. ESTELLE, CORRECTIONS DIRECTOR *v.* WILLIAMS, 425 U. S. 501;

No. 75-130. QUINN, COMMISSIONER, CHICAGO FIRE DEPARTMENT *v.* MUSCARE, 425 U. S. 560;

No. 75-1186. BROMBERG *v.* CHAIRMAN, U. S. CIVIL SERVICE COMMISSION, ET AL., 425 U. S. 963; and

No. 75-1405. MARSHALL FIELD & Co. *v.* SHOUP, 425 U. S. 981. Petitions for rehearing denied. MR. JUSTICE STEVENS took no part in the consideration or decision of these petitions.

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- No. 75-110. SAKRAIDA *v.* AG PRO, INC., 425 U. S. 273;
 No. 75-1240. RODRIGUEZ ET AL. *v.* UNITED STATES, 425
 U. S. 999; and
 No. 75-6152. PRESTON, AKA RILLA *v.* GRAY, WARDEN,
 425 U. S. 976. Petitions for rehearing denied.

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Dismissal Under Rule 60

No. 75-6788. HOWELL *v.* MISSISSIPPI STATE PROBATION AND PAROLE BOARD; and BROOKS *v.* MISSISSIPPI STATE PROBATION AND PAROLE BOARD. Sup. Ct. Miss. Certiorari dismissed under this Court's Rule 60. Reported below: 330 So. 2d 565 (first case); 330 So. 2d 567 (second case).

RECORDS

No. 75-1100. *James W. ...*
 No. 75-1101. *...*
 No. 75-1102. *...*
 No. 75-1103. *...*
 No. 75-1104. *...*
 No. 75-1105. *...*
 No. 75-1106. *...*
 No. 75-1107. *...*
 No. 75-1108. *...*
 No. 75-1109. *...*
 No. 75-1110. *...*

No. 75-1111. *...*
 No. 75-1112. *...*
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 No. 75-1119. *...*
 No. 75-1120. *...*

No. 75-1121. *...*
 No. 75-1122. *...*
 No. 75-1123. *...*
 No. 75-1124. *...*
 No. 75-1125. *...*
 No. 75-1126. *...*
 No. 75-1127. *...*
 No. 75-1128. *...*
 No. 75-1129. *...*
 No. 75-1130. *...*

Following Cases

No. 75-1131. *...*
 No. 75-1132. *...*
 No. 75-1133. *...*
 No. 75-1134. *...*
 No. 75-1135. *...*
 No. 75-1136. *...*
 No. 75-1137. *...*
 No. 75-1138. *...*
 No. 75-1139. *...*
 No. 75-1140. *...*