

ORDERS FROM JUNE 7 THROUGH
JUNE 22, 1982

JUNE 7, 1982

Appointment of Deputy Clerk

It is ordered that Christopher W. Vasil be, and he is hereby, appointed Deputy Clerk of this Court, effective June 1, 1982.

Appeals Dismissed

No. 81-1878. WILLIAMS *v.* CHEETWOOD & DAVIES ET AL. Appeal from Ct. App. Ohio, Wood County, dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 81-6220. BEACH *v.* FLORIDA BAR. Appeal from Sup. Ct. Fla. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 81-1882. TOWN OF CHINO VALLEY ET AL. *v.* CITY OF PRESCOTT. Appeal from Sup. Ct. Ariz. Motion of Arizona for leave to intervene as a party appellee granted. Appeal dismissed for want of substantial federal question. JUSTICE O'CONNOR took no part in the consideration or decision of this motion and this case. Reported below: 131 Ariz. 78, 638 P. 2d 1324.

No. 81-1974. BURLINGTON NORTHERN INC. *v.* HENRY, PERSONAL REPRESENTATIVE OF THE ESTATE OF HENRY, ET AL. Appeal from Sup. Ct. Mont. dismissed for want of jurisdiction. Reported below: — Mont. —, 645 P. 2d 1350.

No. 81-6294. ROBINSON *v.* PENNSYLVANIA. Appeal from Sup. Ct. Pa. dismissed for want of substantial federal question. JUSTICE BRENNAN and JUSTICE STEVENS would note probable jurisdiction and set case for oral argument. Reported below: 497 Pa. 49, 438 A. 2d 964.

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Vacated and Remanded on Appeal

No. 81-1728. *DONOVAN, SECRETARY OF LABOR v. SAN ANTONIO METROPOLITAN TRANSIT AUTHORITY ET AL.*; and

No. 81-1735. *GARCIA v. SAN ANTONIO METROPOLITAN TRANSIT AUTHORITY ET AL.* Appeals from D. C. W. D. Tex. Judgment vacated and cases remanded for further consideration in light of *Transportation Union v. Long Island R. Co.*, 455 U. S. 678 (1982). JUSTICE BRENNAN, JUSTICE WHITE, and JUSTICE MARSHALL would note probable jurisdiction and set cases for oral argument.

Certiorari Granted—Vacated and Remanded. (See also No. 81-1097, *ante*, p. 52.)

No. 80-1435. *ARMY AND AIR FORCE EXCHANGE SERVICE v. GORMAN.* C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Army and Air Force Exchange Service v. Sheehan*, 456 U. S. 728 (1982). Reported below: 619 F. 2d 1141.

No. 81-1561. *LANE, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS v. SMITH.* C. A. 7th 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 *Fletcher v. Weir*, 455 U. S. 603 (1982). Reported below: 660 F. 2d 237.

Miscellaneous Orders

No. A-992. *ESCOBAR v. BANTIM, WARDEN, ET AL.* Application for release, addressed to JUSTICE BRENNAN and referred to the Court, denied.

No. A-999 (81-2130). *JOSEPH ET AL. v. BOND ET AL.* C. A. 8th Cir. Application for stay, addressed to JUSTICE BRENNAN and referred to the Court, denied.

No. D-257. *IN RE DISBARMENT OF GOTKIN.* Disbarment entered. [For earlier order herein, see 455 U. S. 1012.]

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No. D-275. *IN RE DISBARMENT OF BOBBITT*. It is ordered that Rique Bobbitt, of Houston, Tex., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-276. *IN RE DISBARMENT OF HUBBARD*. It is ordered that Michael W. Hubbard, of Tyler, Tex., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-277. *IN RE DISBARMENT OF BOEHM*. It is ordered that Kenneth L. Boehm, of Hyattsville, Md., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 80, Orig. *COLORADO v. NEW MEXICO ET AL.* Motion of New Mexico et al. for additional time for oral argument denied. [For earlier order herein, see, *e. g.*, 456 U. S. 1004.]

No. 81-349. *CHICAGO BRIDGE & IRON CO. v. CATERPILAR TRACTOR CO. ET AL.* Sup. Ct. Ill. [Probable jurisdiction noted, 454 U. S. 1029.] Motion of appellees to schedule oral argument in tandem with No. 81-523, *Container Corporation of America v. Franchise Tax Board* [probable jurisdiction noted, 456 U. S. 960], denied. JUSTICE STEVENS took no part in the consideration or decision of this motion.

No. 81-485. *HILLSBORO NATIONAL BANK v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. [Certiorari granted, 455 U. S. 906]; and

No. 81-930. *UNITED STATES v. BLISS DAIRY, INC.* C. A. 9th Cir. [Certiorari granted, 455 U. S. 906.] Motion of Bliss Dairy, Inc., for divided argument granted.

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No. 81-1008. BURLINGTON NORTHERN INC. ET AL. *v.* UNITED STATES ET AL. C. A. D. C. Cir. [Certiorari granted, 455 U. S. 988.] Motion of the Solicitor General for divided argument granted.

No. 81-1320. KOLENDER, CHIEF OF POLICE OF SAN DIEGO, ET AL. *v.* LAWSON. C. A. 9th Cir. [Probable jurisdiction noted, 455 U. S. 999.] Motion of Wayne County Prosecutor for leave to participate in oral argument as *amicus curiae* and for additional time for oral argument denied.

No. 81-1972. PORCHER, CLAIMS ADJUDICATOR, SOUTH CAROLINA EMPLOYMENT SECURITY COMMISSION, ET AL. *v.* BROWN ET AL. C. A. 4th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 81-6368. IN RE LUCAS. Petition for writ of mandamus denied.

Certiorari Granted

No. 81-1617. UNITED STATES *v.* PLACE. C. A. 2d Cir. Certiorari granted. Reported below: 660 F. 2d 44.

No. 81-1748. UNITED STATES *v.* MITCHELL ET AL. Ct. Cl. Certiorari granted. Reported below: 229 Ct. Cl. 1, 664 F. 2d 265.

No. 81-1350. UNITED STATES *v.* VILLAMONTE-MARQUEZ ET AL. C. A. 5th Cir. Motion of respondents for leave to proceed *in forma pauperis* and certiorari granted. Reported below: 652 F. 2d 481.

No. 81-1794. JONES, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY, ET AL. *v.* BARNES. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* and certiorari granted. Reported below: 665 F. 2d 427.

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Certiorari Denied. (See also Nos. 81-1878 and 81-6220, *supra.*)

No. 81-290. COMPAGNIE DES BAUXITES DE GUINEE *v.* INSURANCE CORPORATION OF IRELAND, LTD., ET AL. C. A. 3d Cir. *Certiorari denied.* Reported below: 651 F. 2d 877.

No. 81-738. NORTHWEST SPORTS ENTERPRISES, LTD. *v.* SEATTLE TOTEMS HOCKEY CLUB, INC., ET AL. C. A. 9th Cir. *Certiorari denied.* Reported below: 652 F. 2d 852.

No. 81-1232. TEXAS ET AL. *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL.; and

No. 81-1478. HARVEY ET AL. *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL. C. A. 10th Cir. *Certiorari denied.* Reported below: 661 F. 2d 832.

No. 81-1240. SWANSON-DEAN CORP. *v.* SEATTLE DISTRICT COUNCIL OF CARPENTERS. C. A. 9th Cir. *Certiorari denied.* Reported below: 646 F. 2d 376.

No. 81-1485. GRIFFITH CO. ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 9th Cir. *Certiorari denied.* Reported below: 660 F. 2d 406.

No. 81-1491. KIRSHENBAUM *v.* PENNSYLVANIA BOARD OF LAW EXAMINERS. Sup. Ct. Pa. *Certiorari denied.*

No. 81-1557. BORG WARNER CORP. ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. *Certiorari denied.* Reported below: 663 F. 2d 666.

No. 81-1643. WEBER ET AL. *v.* UNITED STATES. C. A. 1st Cir. *Certiorari denied.* Reported below: 668 F. 2d 552.

No. 81-1673. PHILADELPHIA NATIONAL BANK ET AL. *v.* UNITED STATES. C. A. 3d Cir. *Certiorari denied.* Reported below: 666 F. 2d 834.

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No. 81-1714. *DINNAN v. BLAUBERGS*. C. A. 11th Cir. Certiorari denied. Reported below: 661 F. 2d 426.

No. 81-1742. *MOORE ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 673 F. 2d 1318.

No. 81-1763. *SHANAHAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 676 F. 2d 688.

No. 81-1799. *HERITAGE PUBLISHING CO. v. CUMMINS, EXECUTRIX, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 124 Cal. App. 3d 305, 177 Cal. Rptr. 277.

No. 81-1835. *PLACE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 660 F. 2d 44.

No. 81-1836. *WATSON ET AL. v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 666 F. 2d 312.

No. 81-1842. *MURRAY, DBA BIG SKY TOYOTA v. TOYOTA MOTOR DISTRIBUTORS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 664 F. 2d 1377.

No. 81-1873. *ANDERSON v. ANDERSON*. Sup. Ct. S. C. Certiorari denied.

No. 81-1896. *HALIKAS v. RIVER REGION MENTAL HEALTH-MENTAL RETARDATION BOARD, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 667 F. 2d 1026.

No. 81-1899. *JANNOTTI ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 673 F. 2d 578.

No. 81-1900. *HILLIS v. STEPHEN F. AUSTIN UNIVERSITY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 665 F. 2d 547.

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No. 81-1903. MID-CAROLINA OIL, INC., ET AL. *v.* KLIPPEL ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 673 F. 2d 1313.

No. 81-1904. COBB *v.* WAINWRIGHT. C. A. 11th Cir. Certiorari denied. Reported below: 666 F. 2d 966.

No. 81-1909. FORRESTER *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 81-1918. ROCKINGHAM MACHINE-LUNEX CO. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 8th Cir. Certiorari denied. Reported below: 665 F. 2d 303.

No. 81-1997. GERALD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 666 F. 2d 590.

No. 81-2039. DELUCIA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 676 F. 2d 688.

No. 81-2079. HENSEL *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 672 F. 2d 578.

No. 81-6140. SALISBURY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 662 F. 2d 738.

No. 81-6232. WRIGHT *v.* MURPHY, WARDEN, OKLAHOMA STATE PENITENTIARY, ET AL. C. A. 10th Cir. Certiorari denied.

No. 81-6262. BUTLER *v.* ROSE, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 81-6267. STACY ET AL. *v.* BEVENS, JUDGE, COURT OF COMMON PLEAS, PIKE COUNTY, OHIO. Sup. Ct. Ohio. Certiorari denied.

No. 81-6279. ARCHER *v.* RUSHEN, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 81-6280. *DOUGLAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 668 F. 2d 459.

No. 81-6388. *TOBIAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 662 F. 2d 381.

No. 81-6396. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 666 F. 2d 1196.

No. 81-6407. *RUSSELL v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 211 U. S. App. D. C. 31, 655 F. 2d 1261, and 216 U. S. App. D. C. 165, 670 F. 2d 323.

No. 81-6458. *NAJAR v. OMAN ET AL.* Ct. App. Tex., 3d Sup. Jud. Dist. Certiorari denied. Reported below: 624 S. W. 2d 385.

No. 81-6516. *LANEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 81-6524. *BECKER v. ROSS, COMMISSIONER OF NEW YORK STATE DEPARTMENT OF LABOR*. Ct. App. N. Y. Certiorari denied. Reported below: 55 N. Y. 2d 604, 432 N. E. 2d 142.

No. 81-6525. *BAKER v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 30 Wash. App. 1006.

No. 81-6527. *ROY v. WATSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 669 F. 2d 611.

No. 81-6528. *MASELLI v. STATE BOARD OF EQUALIZATION OF CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 81-6529. *MARTIN v. LITTLE, BROWN & Co., INC.* C. A. 1st Cir. Certiorari denied.

No. 81-6530. *JOHNSON v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 123 Cal. App. 3d 106, 176 Cal. Rptr. 390.

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No. 81-6531. *LEBEDUN v. YOUNG ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 673 F. 2d 1312.

No. 81-6532. *PUENTE v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 69 Ohio St. 2d 136, 431 N. E. 2d 987.

No. 81-6535. *MCCARTHY v. O'CONNOR, EXECUTOR, ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 81-6537. *ANGUIANO v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 81-6538. *CLAYTON v. DOUGLAS, WARDEN, LEXINGTON ASSESSMENT AND RECEPTION CENTER.* C. A. 10th Cir. Certiorari denied. Reported below: 670 F. 2d 143.

No. 81-6543. *BROWN v. BRYANT.* C. A. 4th Cir. Certiorari denied. Reported below: 673 F. 2d 1306.

No. 81-6546. *PASCHAL v. FLORIDA PUBLIC EMPLOYEES RELATIONS COMMISSION ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 666 F. 2d 1381.

No. 81-6547. *WASHINGTON v. OHIO.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 81-6551. *BARKSDALE v. BLACKBURN, WARDEN, LOUISIANA STATE PENITENTIARY.* C. A. 5th Cir. Certiorari denied. Reported below: 670 F. 2d 22.

No. 81-6552. *JOHNSON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 670 F. 2d 183.

No. 81-6554. *BILLINGSLEY v. VANN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 665 F. 2d 352.

No. 81-6558. *GILL v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 81-6559. *BLACK v. EAST OHIO GAS CO. ET AL.* Sup. Ct. Ohio. Certiorari denied.

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No. 81-6560. UNITED STATES EX REL. SIMMONS *v.* HILTON, SUPERINTENDENT, TRENTON STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 676 F. 2d 687.

No. 81-6573. HARRINGTON *v.* TENNESSEE. Sup. Ct. Tenn. Certiorari denied. Reported below: 627 S. W. 2d 345.

No. 81-6576. KOURKENE *v.* STATE BAR OF CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 81-6647. DANIELS *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Reported below: 218 U. S. App. D. C. 162, 673 F. 2d 553.

No. 81-6655. WARD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 81-6658. THOMAS *v.* HAIG, SECRETARY OF STATE, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 218 U. S. App. D. C. 162, 673 F. 2d 553.

No. 81-6664. GEORGE *v.* UNITED STATES. Ct. App. D. C. Certiorari denied.

No. 81-6667. CAMPBELL *v.* CIVILETTI ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 698 F. 2d 1218.

No. 81-6671. SCOTT *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 673 F. 2d 1331.

No. 81-6672. SMITH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 669 F. 2d 732.

No. 81-6676. HERNANDEZ *v.* UNITED STATES ATTORNEY GENERAL ET AL. C. A. 10th Cir. Certiorari denied.

No. 81-1611. MARKS *v.* MARKS. Sup. Ct. N. M. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

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No. 81-1625. OREGON *v.* NEWMAN. Sup. Ct. Ore. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 292 Ore. 216, 637 P. 2d 143.

No. 81-1905. BROWN *v.* FEDERAL ELECTION COMMISSION. C. A. D. C. Cir. Motion of Center on National Labor Policy for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 217 U. S. App. D. C. 359, 672 F. 2d 893.

No. 81-1931. MEMORIAL PARK CEMETERY ASSN. ET AL. *v.* ROSEBROUGH MONUMENT CO. C. A. 8th Cir. Motions of American Cemetery Association et al. and Service Employees International Union, AFL-CIO, for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 666 F. 2d 1130.

No. 81-6512. HARRIS *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist.;

No. 81-6540. DRAKE *v.* GEORGIA. Sup. Ct. Ga.; and

No. 81-6549. JENT *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: No. 81-6540, 248 Ga. 891, 287 S. E. 2d 180; No. 81-6549, 408 So. 2d 1024.

JUSTICE BRENNAN and JUSTICE MARSHALL, dissenting.

Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U. S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentences in these cases.

Rehearing Denied

No. 80-1257. DONALD SCHRIVER, INC., ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL., 451 U. S. 976; and

No. 80-1666. LARSON, COMMISSIONER OF SECURITIES, MINNESOTA DEPARTMENT OF COMMERCE, ET AL. *v.* VALENTE ET AL., 456 U. S. 228. Petitions for rehearing denied.

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No. 81-1411. *PHELPS v. KANSAS SUPREME COURT ET AL.*, 456 U. S. 944;

No. 81-1492. *STANDARD DRYWALL, INC. v. UNITED STATES*, 456 U. S. 927;

No. 81-1704. *HATCH ET UX. v. MADSEN, SUPERINTENDENT OF BANKS OF ARIZONA, RECEIVER, ET AL.*, 456 U. S. 962;

No. 81-6235. *THOMPSON v. SOUTH CAROLINA*, 456 U. S. 938;

No. 81-6265. *NZONGOLA v. NZONGOLA*, 456 U. S. 933;

No. 81-6266. *NZONGOLA v. NZONGOLA*, 456 U. S. 933;
and

No. 81-6372. *WADE v. TEXAS*, 456 U. S. 964. Petitions for rehearing denied.

Assignment Order

An order of THE CHIEF JUSTICE designating and assigning Justice Stewart (retired) to perform judicial duties in the United States Court of Appeals for the Second Circuit for the period November 16, 1982, to November 18, 1982, and for such further 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.

JUNE 9, 1982

Dismissal Under Rule 53

No. 81-2099. *NATIONAL CASH REGISTER CORP. v. CHATLOS SYSTEMS, INC.* C. A. 3d Cir. Certiorari dismissed under this Court's Rule 53. Reported below: 670 F. 2d 1304.

JUNE 10, 1982

Dismissal Under Rule 53

No. 81-6301. *BALDWIN v. BLACKBURN, WARDEN, LOUISIANA STATE PENITENTIARY, ET AL.*, 456 U. S. 950. Petition for rehearing dismissed under this Court's Rule 53.

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Appeals Dismissed

No. 81-1953. STARVIEW DRIVE IN THEATRE, INC. *v.* COOK COUNTY, ILLINOIS, ET AL. Appeal from App. Ct. Ill., 1st Dist., dismissed for want of substantial federal question. JUSTICE BRENNAN would note probable jurisdiction and set case for oral argument. Reported below: 100 Ill. App. 3d 624, 427 N. E. 2d 201.

No. 81-1964. GORRELL *v.* FOWLER ET AL. Appeal from Sup. Ct. Ga. dismissed for want of substantial federal question. Reported below: 248 Ga. 801, 286 S. E. 2d 13.

No. 81-6382. DAVIS *v.* MISSISSIPPI. Appeal from Sup. Ct. Miss. dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. JUSTICE WHITE would note probable jurisdiction and set case for oral argument. Reported below: 406 So. 2d 795.

Certiorari Granted—Vacated and Remanded

No. 81-804. LOUISVILLE & JEFFERSON COUNTY TRANSIT AUTHORITY, DBA TRANSIT AUTHORITY OF RIVER CITY *v.* DIVISION 1447, AMALGAMATED TRANSIT UNION, AFL-CIO. C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Jackson Transit Authority v. Transit Union*, ante, p. 15. Reported below: 659 F. 2d 722.

No. 81-908. UNITED STATES *v.* SPIELER. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Ross*, 456 U. S. 798 (1982). Reported below: 646 F. 2d 955.

No. 81-953. UNITED STATES *v.* CLEARY. C. A. 9th 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. Ross*, 456 U. S. 798 (1982). Reported below: 656 F. 2d 1302.

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No. 81-1089. MAINE *v.* PATTEN. Sup. Jud. Ct. Me. 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. Ross*, 456 U. S. 798 (1982). Reported below: 436 A. 2d 387.

No. 81-1287. ALABAMA *v.* WRIGHT;

No. 81-1397. ALABAMA *v.* DANIELS;

No. 81-1514. ALABAMA *v.* BRACEWELL;

No. 81-1515. ALABAMA *v.* HILL;

No. 81-1662. ALABAMA *v.* DAVIS; and

No. 81-1809. ALABAMA *v.* HORSLEY. Ct. Crim. App. Ala. Motions of respondents for leave to proceed *in forma pauperis* and certiorari granted. Judgments vacated and cases remanded for further consideration in light of *Hopper v. Evans*, 456 U. S. 605 (1982). Reported below: No. 81-1287, 407 So. 2d 565; No. 81-1397, 406 So. 2d 1023; No. 81-1514, 407 So. 2d 854; No. 81-1515, 407 So. 2d 567; No. 81-1662, 408 So. 2d 532; No. 81-1809, 409 So. 2d 1347.

No. 81-1513. ALABAMA *v.* BRYARS. Ct. Crim. App. Ala. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Hopper v. Evans*, 456 U. S. 605 (1982). Reported below: 407 So. 2d 566.

No. 81-1600. ALABAMA *v.* RITTER. Sup. Ct. Ala. Motion of respondent for leave to proceed *in forma pauperis* and certiorari granted. Judgment vacated and case remanded for further consideration in light of *Hopper v. Evans*, 456 U. S. 605 (1982). Reported below: 414 So. 2d 452.

No. 81-1995. WAINWRIGHT, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS *v.* HENRY. C. A. 11th 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 *Engle v. Isaac*, 456 U. S. 107 (1982). Reported below: 661 F. 2d 56.

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Miscellaneous Orders

No. A-1056. SAN FRANCISCO POLICE OFFICERS ASSN. *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA (OFFICERS FOR JUSTICE ET AL., REAL PARTIES IN INTEREST). D. C. N. D. Cal. Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

No. 9, Orig. UNITED STATES *v.* LOUISIANA ET AL. Motion of Mississippi for relief from the final decree entered in this case on December 12, 1960 [364 U. S. 502], referred to the Special Master. JUSTICE MARSHALL took no part in the consideration or decision of this motion. [For earlier decision herein, see, *e. g.*, 456 U. S. 865.]

No. 80, Orig. COLORADO *v.* NEW MEXICO ET AL. Motion of New Mexico for leave to file a reply brief granted. [For earlier order herein, see, *e. g.*, *ante*, p. 1103.]

No. 81-298. COMMUNITY TELEVISION OF SOUTHERN CALIFORNIA *v.* GOTTFRIED ET AL.; and

No. 81-799. FEDERAL COMMUNICATIONS COMMISSION *v.* GOTTFRIED ET AL. C. A. D. C. Cir. [Certiorari granted, 454 U. S. 1141.] Motion of respondents to reconsider order denying motion for divided argument denied.

No. 81-1064. CITY OF LOS ANGELES *v.* LYONS. C. A. 9th Cir. [Certiorari granted, 455 U. S. 937.] Motion of respondent to dismiss writ of certiorari as improvidently granted denied. Further consideration of the memorandum of petitioner suggesting a question of mootness and addressing related issues is deferred to hearing of case on the merits.

No. 81-6331. IN RE WANTLAND;

No. 81-6640. IN RE RICE; and

No. 81-6699. IN RE FELICIANO. Petitions for writs of mandamus denied.

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No. 81-1493. *GILLETTE CO. v. MINER*. Sup. Ct. Ill. [Certiorari granted, 456 U. S. 914.] Motion of Plaintiffs in the "Dalkon Shield" IUD Products Liability Case for leave to file a brief as *amicus curiae* granted. Motions of New England Legal Foundation and National Association of Independent Insurers et al. for leave to file briefs as *amici curiae* granted.

No. 81-1852. *MONTANA ET AL. v. CROW TRIBE OF INDIANS*. C. A. 9th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 81-6715. *IN RE CAMPBELL*; and

No. 81-6760. *IN RE WESER*. Petitions for writs of habeas corpus denied.

Certiorari Granted

No. 81-1664. *METROPOLITAN EDISON CO. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 3d Cir. Certiorari granted. Reported below: 663 F. 2d 478.

No. 81-1687. *SONY CORPORATION OF AMERICA ET AL. v. UNIVERSAL CITY STUDIOS, INC., ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 659 F. 2d 963.

No. 81-419. *TEXAS v. BROWN*. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* and certiorari granted. Reported below: 617 S. W. 2d 196.

No. 81-1774. *ESTELLE, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS v. BULLARD*. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Questions 1 and 3 presented by the petition. Reported below: 665 F. 2d 1347.

Certiorari Denied. (See also No. 81-6382, *supra*.)

No. 81-912. *CLICK ET AL. v. IDAHO EX REL. EVANS, GOVERNOR OF IDAHO, ET AL.* Sup. Ct. Idaho. Certiorari denied. Reported below: 102 Idaho 443, 631 P. 2d 614.

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No. 81-1534. NIEVES *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 658 F. 2d 14.

No. 81-1588. ILLINOIS EX REL. MYERS *v.* MEWS. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 98 Ill. App. 3d 1199, 427 N. E. 2d 1050.

No. 81-1677. MANSION HOUSE CENTER SOUTH RE-DEVELOPMENT CO. ET AL. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 661 F. 2d 724.

No. 81-1708. NEW ENGLAND POWER CO. *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 215 U. S. App. D. C. 295, 668 F. 2d 1327.

No. 81-1732. WEIL *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 685 F. 2d 427.

No. 81-1757. JOSEPH ET AL. *v.* HELMS, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 217 U. S. App. D. C. 360, 672 F. 2d 894.

No. 81-1777. MENGARELLI *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 665 F. 2d 1053.

No. 81-1815. HALEY ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 669 F. 2d 201.

No. 81-1817. LOCAL DIVISION 589, AMALGAMATED TRANSIT UNION, AFL-CIO, CLC, ET AL. *v.* MASSACHUSETTS ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 666 F. 2d 618.

No. 81-1844. GORDONSVILLE INDUSTRIES, INC. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 218 U. S. App. D. C. 160, 673 F. 2d 551.

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No. 81-1885. *CBS INC. ET AL. v. COLUMBIA PICTURES INDUSTRIES, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 666 F. 2d 364.

No. 81-1886. *SANDINI v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 660 F. 2d 544.

No. 81-1911. *NICOLL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 664 F. 2d 1308.

No. 81-1913. *INTERNATIONAL MEDICATION SYSTEMS, LTD. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied. Reported below: 667 F. 2d 1031.

No. 81-1915. *THORNTON v. ATLANTA & WEST POINT RAILROAD CO.* C. A. 11th Cir. Certiorari denied. Reported below: 665 F. 2d 352.

No. 81-1917. *COUNTRY-WIDE INSURANCE CO. v. RODRIGUEZ ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 55 N. Y. 2d 162, 433 N. E. 2d 118.

No. 81-1923. *BOLYEA v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 412 So. 2d 482.

No. 81-1924. *CHAMBERLAIN v. ARTHUR PHILLIPS & Co., INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 673 F. 2d 1298.

No. 81-1925. *BAXTER v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 274 Ark. 539, 626 S. W. 2d 935.

No. 81-1926. *SPEED ET AL. v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 412 So. 2d 502.

No. 81-1933. *LEWIS v. INDIANA.* Sup. Ct. Ind. Certiorari denied. Reported below: — Ind. —, 429 N. E. 2d 1110.

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No. 81-1928. *FIDELITY TELEVISION, INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*; and

No. 81-1929. *MULTI-STATE COMMUNICATIONS, INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 216 U. S. App. D. C. 57, 670 F. 2d 215.

No. 81-1941. *EATOUGH v. ALBANO ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 673 F. 2d 671.

No. 81-1943. *EVANS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 665 F. 2d 352.

No. 81-1947. *CASTRO v. TEXAS DEPARTMENT OF HUMAN RESOURCES.* Ct. App. Tex., 4th Sup. Jud. Dist. Certiorari denied. Reported below: 625 S. W. 2d 747.

No. 81-1948. *KEATING v. KEATING, PERSONAL REPRESENTATIVE OF THE ESTATE OF KEATING.* Ct. App. Wis. Certiorari denied. Reported below: 104 Wis. 2d 740, 313 N. W. 2d 280.

No. 81-1949. *UNIROYAL, INC. v. SKAINES, DBA WYATT TIRE DISTRIBUTORS.* C. A. 6th Cir. Certiorari denied. Reported below: 673 F. 2d 1330.

No. 81-1950. *KOZMEL v. INDUSTRIAL COMMISSION OF ILLINOIS ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 88 Ill. 2d 512, 431 N. E. 2d 373.

No. 81-1951. *VESSEL HOEGH SHIELD ET AL. v. GULF TRADING & TRANSPORTATION CO.* C. A. 5th Cir. Certiorari denied. Reported below: 658 F. 2d 363.

No. 81-1954. *SHORT v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 671 F. 2d 178.

No. 81-1955. *NAAS v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 409 So. 2d 535.

No. 81-1956. *VAN SICKLE v. VAN SICKLE.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

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No. 81-1959. *SEMBLE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 685 F. 2d 426.

No. 81-1960. *JOHNSON v. GRANHOLM ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 662 F. 2d 449.

No. 81-1969. *WASHINGTON ET AL. v. FINLAY, MAYOR OF COLUMBIA, SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 664 F. 2d 913.

No. 81-1991. *BRAND v. BOISE SOUTHERN COMPANY OF DERIDDER, LOUISIANA*. C. A. 5th Cir. Certiorari denied. Reported below: 669 F. 2d 732.

No. 81-2006. *KITE ET AL. v. MARSHALL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 661 F. 2d 1027.

No. 81-2018. *BERGER v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 218 U. S. App. D. C. 159, 673 F. 2d 550.

No. 81-2050. *BURLINGTON NORTHERN INC. v. WILSON*. C. A. 8th Cir. Certiorari denied. Reported below: 670 F. 2d 780.

No. 81-2055. *KONDRAT v. UNITED STATES DEPARTMENT OF JUSTICE*. C. A. 6th Cir. Certiorari denied. Reported below: 701 F. 2d 178.

No. 81-2058. *HERITAGE HOMES OF ATTLEBORO, INC. v. SEEKONK WATER DISTRICT*. C. A. 1st Cir. Certiorari denied. Reported below: 670 F. 2d 1.

No. 81-2059. *SCHERER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 673 F. 2d 176.

No. 81-2070. *LOFTEN ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 688 F. 2d 817.

No. 81-2071. *MATHIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 673 F. 2d 289.

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No. 81-2074. REMSING *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 660 F. 2d 724.

No. 81-2076. KALITA *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied.

No. 81-2081. TAVAREZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 664 F. 2d 1255.

No. 81-2087. CONWAY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 672 F. 2d 924.

No. 81-2104. LEWIS *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 676 F. 2d 688.

No. 81-2115. PAK SHING LAM *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 676 F. 2d 713.

No. 81-2118. FERNANDEZ-URIARTE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 685 F. 2d 427.

No. 81-2123. MURPHY *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 676 F. 2d 688.

No. 81-2141. KONDRAT *v.* UNITED STATES DEPARTMENT OF STATE. C. A. 6th Cir. Certiorari denied. Reported below: 701 F. 2d 178.

No. 81-6289. PASSARO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 672 F. 2d 924.

No. 81-6302. HARRISON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 667 F. 2d 1158.

No. 81-6306. BALL *v.* ENGLE ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 698 F. 2d 1217.

No. 81-6330. WANTLAND *v.* MARYLAND. Ct. Sp. App. Md. Certiorari denied. Reported below: 49 Md. App. 636, 435 A. 2d 102.

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No. 81-6355. *OLIVO v. FOGG*. C. A. 2d Cir. Certiorari denied. Reported below: 679 F. 2d 873.

No. 81-6357. *RUDOLPH v. ALLEN*. C. A. 11th Cir. Certiorari denied. Reported below: 666 F. 2d 519.

No. 81-6391. *MONK v. SCHWEIKER, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 9th Cir. Certiorari denied. Reported below: 663 F. 2d 1079.

No. 81-6423. *JOHNSTONE v. WOLFF, DIRECTOR, NEVADA STATE PRISON*. C. A. 9th Cir. Certiorari denied. Reported below: 672 F. 2d 922.

No. 81-6461. *BEZAK v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 81-6471. *BUCKHANA ET AL. v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 99 Ill. App. 3d 889, 425 N. E. 2d 1297.

No. 81-6489. *LEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 672 F. 2d 914.

No. 81-6490. *MANDRACHIO v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 55 N. Y. 2d 906, 433 N. E. 2d 1272.

No. 81-6519. *RIVERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 661 F. 2d 911.

No. 81-6545. *BAINTER v. WYRICK, WARDEN, MISSOURI STATE PENITENTIARY*. C. A. 8th Cir. Certiorari denied. Reported below: 676 F. 2d 704.

No. 81-6553. *LAGASSE v. VESTAL, WARDEN, MAINE STATE PRISON, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 671 F. 2d 668.

No. 81-6555. *HUDGINS v. HARRIS, SHERIFF OF MECKLENBURG COUNTY*. C. A. 4th Cir. Certiorari denied. Reported below: 673 F. 2d 1311.

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No. 81-6556. *BIRDEN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 56 N. Y. 2d 594, 435 N. E. 2d 1101.

No. 81-6557. *GOPMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 671 F. 2d 1383.

No. 81-6561. *PIETROWSKI v. ESTELLE*. C. A. 5th Cir. Certiorari denied.

No. 81-6562. *REITER v. THOMAS*. Ct. App. Tex., 10th Sup. Jud. Dist. Certiorari denied.

No. 81-6563. *WILLIAMS v. ARKANSAS PUBLIC SERVICE COMMISSION*. Sup. Ct. Ark. Certiorari denied. Reported below: 275 Ark. xxii.

No. 81-6568. *TURNER v. ROSE, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 698 F. 2d 1223.

No. 81-6569. *BRAGG v. LEVERETTE, WARDEN, WEST VIRGINIA PENITENTIARY*. C. A. 4th Cir. Certiorari denied. Reported below: 676 F. 2d 690.

No. 81-6574. *BOAG v. RAINES, INSTITUTIONAL ADMINISTRATOR, ARIZONA STATE PRISON*. C. A. 9th Cir. Certiorari denied. Reported below: 673 F. 2d 1336.

No. 81-6575. *HOLSEY v. ELLIS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 665 F. 2d 1040.

No. 81-6578. *MOBLEY v. TABOR ET AL.* C. A. 11th Cir. Certiorari denied.

No. 81-6579. *ATKINS v. GREER, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 679 F. 2d 893.

No. 81-6580. *RIVERA v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 127 Cal. App. 3d 136, 179 Cal. Rptr. 384.

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No. 81-6584. *SLAYTON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 81-6585. *TAYLOR v. WYRICK, WARDEN, MISSOURI STATE PENITENTIARY*. C. A. 8th Cir. Certiorari denied.

No. 81-6587. *MARK v. SEATTLE TIMES ET AL.* Sup. Ct. Wash. Certiorari denied. Reported below: 96 Wash. 2d 473, 635 P. 2d 1081.

No. 81-6595. *MATTHEWS v. EXXON CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 669 F. 2d 732.

No. 81-6616. *CALZARANO v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 671 F. 2d 491.

No. 81-6624. *BROOKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 670 F. 2d 148.

No. 81-6641. *SMALLWOOD v. PONTE*. C. A. 1st Cir. Certiorari denied.

No. 81-6652. *NEUSTEIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 642 F. 2d 445.

No. 81-6662. *MITCHELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 666 F. 2d 1385.

No. 81-6680. *TUCKER v. SCHWEIKER, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 9th Cir. Certiorari denied. Reported below: 665 F. 2d 1054.

No. 81-6682. *JOHN v. CARLSON, DIRECTOR, UNITED STATES BUREAU OF PRISONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 676 F. 2d 686.

No. 81-6686. *PETTEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 673 F. 2d 1319.

No. 81-6695. *KING v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 670 F. 2d 675.

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No. 81-6697. *DARKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 676 F. 2d 714.

No. 81-6700. *INGRAM v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 688 F. 2d 817.

No. 81-6701. *MALLORY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 674 F. 2d 224.

No. 81-6702. *MORAN v. SCHWEIKER, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 2d Cir. Certiorari denied. Reported below: 685 F. 2d 425.

No. 81-6709. *HERNANDEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 681 F. 2d 810.

No. 81-6712. *LOZADA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 674 F. 2d 167.

No. 81-6718. *REED v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 670 F. 2d 622.

No. 81-6719. *PETTEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 679 F. 2d 890.

No. 81-6724. *PERKINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 671 F. 2d 1377.

No. 81-6728. *GOODWIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 676 F. 2d 695.

No. 81-6731. *ODOM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 674 F. 2d 228.

No. 81-6738. *VLASIC v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 81-6741. *LOCKHART v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 676 F. 2d 698.

No. 81-6749. *DEVINCENT v. PUTNAM, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 676 F. 2d 709.

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No. 81-1387. VOLUNTARY PURCHASING GROUPS, INC. *v.* CHEVRON CHEMICAL CO. C. A. 5th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 659 F. 2d 695.

No. 81-1919. GROUND'S ET AL. *v.* MOBIL OIL CORP. ET AL.;

No. 81-1920. PANHANDLE EASTERN PIPE LINE CO. ET AL. *v.* MOBIL OIL CORP. ET AL.;

No. 81-1921. NORTHERN NATURAL GAS CO. ET AL. *v.* MOBIL OIL CORP. ET AL.; and

No. 81-1922. CITIES SERVICE GAS CO. ET AL. *v.* MOBIL OIL CORP. ET AL. C. A. 10th Cir. Certiorari denied. JUSTICE POWELL took no part in the consideration or decision of these petitions. Reported below: 666 F. 2d 1279.

No. 81-5597. HOPPER *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied. JUSTICE BRENNAN and JUSTICE MARSHALL would grant certiorari.

Rehearing Denied

No. 81-1569. ROGERS, PRESIDENT OF THE UNIVERSITY OF TEXAS AT AUSTIN, ET AL. *v.* WHITE, 456 U. S. 928;

No. 81-6304. COLLINS *v.* ZANT, WARDEN, 456 U. S. 950;

No. 81-6358. WALKER *v.* TEXAS, 456 U. S. 963;

No. 81-6364. MEDVED *v.* UNITED STATES, 456 U. S. 963;

No. 81-6367. MCCRARY *v.* SMITH, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY, 456 U. S. 963;

No. 81-6369. WILLIAMS *v.* EVERETT, DIRECTOR, ARKANSAS DEPARTMENT OF LABOR, 456 U. S. 963;

No. 81-6467. McDONALD *v.* THOMPSON ET AL., 456 U. S. 981;

No. 81-6476. KIMBERLIN *v.* UNITED STATES, 456 U. S. 964; and

No. 81-6577. ROMIEH *v.* REAGAN, PRESIDENT OF THE UNITED STATES, ET AL., 456 U. S. 994. Petitions for rehearing denied.

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No. 79-6180. RAYSOR *v.* STERN, ADMINISTRATOR, NEW YORK STATE COMMISSION ON JUDICIAL CONDUCT, ET AL., 446 U. S. 942; and

No. 81-5333. RAYSOR *v.* GABBEY ET AL., 454 U. S. 1100. Motion for leave to file petition for rehearing denied.

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Miscellaneous Order

No. A-1086. ASSARSSON *v.* UNITED STATES. Application for stay of extradition and bail, presented to JUSTICE STEVENS, and by him referred to the Court, denied. JUSTICE REHNQUIST took no part in the consideration or decision of this application.

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Appeals Dismissed

No. 81-1589. HUNT *v.* COLLINS. Appeal from Sup. Ct. Ga. dismissed for want of properly presented federal question. Reported below: 248 Ga. 611, 287 S. E. 2d 216.

No. 81-1999. SEYMOUR NATIONAL BANK, AS GUARDIAN FOR O'SULLIVAN, ET AL. *v.* INDIANA. Appeal from Sup. Ct. Ind. dismissed for want of substantial federal question. Reported below: — Ind. —, 428 N. E. 2d 203.

Certiorari Granted—Vacated and Remanded. (See also No. 81-1444, *ante*, p. 594.)

No. 81-1736. UNITED STATES *v.* SHARPE ET AL. C. A. 4th Cir. *Certiorari* granted, judgment vacated, and case remanded for further consideration in light of *United States v. Ross*, 456 U. S. 798 (1982). Reported below: 660 F. 2d 967.

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

In *United States v. Ross*, 456 U. S. 798, we addressed the question "whether, in the course of a legitimate warrantless

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search of an automobile, police are entitled to open containers found within the vehicle." *Id.*, at 817. We held that the scope of a legitimate warrantless search of an automobile is defined by the object of the search and the places in which there is probable cause to believe that it may be found. The issue presented in this case is whether a warrantless search was itself legitimate. Since our opinion in *United States v. Ross* sheds no light on the proper disposition of the case, I respectfully dissent.

No. 81-1496. *SPIESS ET AL. v. C. ITOH & CO. (AMERICA), INC.* C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Sumitomo Shoji America, Inc. v. Avagliano*, ante, p. 176. Reported below: 643 F. 2d 353.

No. 81-1761. *ECKERD DRUGS, INC., ET AL. v. BROWN ET AL.* C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *General Telephone Co. of Southwest v. Falcon*, ante, p. 147. Reported below: 663 F. 2d 1268 and 669 F. 2d 913.

No. 81-1849. *UNITED STATES v. CURRIE.* C. A. 9th 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. Goodwin*, ante, p. 368. Reported below: 667 F. 2d 1251.

Miscellaneous Orders

No. A-1054. *FLORIDA BUSINESSMEN FOR FREE ENTERPRISE ET AL. v. CITY OF HOLLYWOOD ET AL.* C. A. 11th Cir. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied. JUSTICE REHNQUIST and JUSTICE STEVENS took no part in the consideration or decision of this application.

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No. — — ——. REGAN, SECRETARY OF THE TREASURY, ET AL. *v.* TAXATION WITH REPRESENTATION OF WASHINGTON. Motion of Disabled American Veterans and Paralyzed Veterans of America for leave to intervene as party appellants denied. Motion of American Legion for leave to intervene as a party appellee denied. Motion of Veterans of Foreign Wars of the United States for leave to intervene denied. JUSTICE BRENNAN, JUSTICE BLACKMUN, and JUSTICE O'CONNOR would defer further consideration of these motions to the docketing and consideration of the jurisdictional statement.

No. A-1064. HOWELL & HOWELL, INC., ET AL. *v.* LOCAL UNION NO. 118, INTERNATIONAL BROTHERHOOD OF PAINTERS & ALLIED TRADES. Application for injunction pending appeal, addressed to JUSTICE STEVENS and referred to the Court, denied. JUSTICE REHNQUIST took no part in the consideration or decision of this application.

No. A-1084. BROOKS ET AL. *v.* WINTER, GOVERNOR OF MISSISSIPPI, ET AL. D. C. N. D. Miss. Application for stay, presented to JUSTICE WHITE, and by him referred to the Court, denied. JUSTICE REHNQUIST took no part in the consideration or decision of this application.

No. D-270. IN RE DISBARMENT OF MORITZ. Andrew Bruce Moritz, of San Diego, Cal., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court. The rule to show cause, heretofore issued on May 3, 1982 [456 U. S. 957], is hereby discharged.

No. 81-1044. UNITED STATES POSTAL SERVICE BOARD OF GOVERNORS *v.* AIKENS. C. A. D. C. Cir. [Certiorari granted, 455 U. S. 1015.] Motion of American Federation of Labor and Congress of Industrial Organizations for leave to file a brief as *amicus curiae* granted.

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No. 80-1190. PULLMAN-STANDARD, A DIVISION OF PULLMAN, INC. *v.* SWINT ET AL.; and

No. 80-1193. UNITED STEELWORKERS OF AMERICA, AFL-CIO, ET AL. *v.* SWINT ET AL., 456 U. S. 273. Motion of respondents Louis Swint and Willie James Johnson for leave to proceed *in forma pauperis, nunc pro tunc*, denied.

No. 80-2128. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY *v.* HENSLEY, 456 U. S. 904. Motion of respondent for approval of attorney's fees denied without prejudice to applying for the relief in the United States Court of Appeals for the District of Columbia Circuit. JUSTICE REHNQUIST took no part in the consideration or decision of this motion.

No. 81-1489. XEROX CORP. *v.* COUNTY OF HARRIS, TEXAS, ET AL. Ct. App. Tex., 1st Sup. Jud. Dist. [Probable jurisdiction noted, 456 U. S. 913.] Motion of appellees for divided argument and for additional time for oral argument denied.

No. 81-6793. IN RE JONES. Petition for writ of habeas corpus denied.

No. 81-6602. IN RE SMILEY; and

No. 81-6611. IN RE SCOTT. Petitions for writs of mandamus denied.

Probable Jurisdiction Noted

No. 81-731. ARKANSAS ELECTRIC COOPERATIVE CORP. *v.* ARKANSAS PUBLIC SERVICE COMMISSION. Appeal from Sup. Ct. Ark. Probable jurisdiction noted. Reported below: 273 Ark. 170, 618 S. W. 2d 151.

No. 81-1839. MINNEAPOLIS STAR & TRIBUNE CO. *v.* MINNESOTA COMMISSIONER OF REVENUE. Appeal from Sup. Ct. Minn. Probable jurisdiction noted. Reported below: 314 N. W. 2d 201.

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No. 81-2057. KARCHER, SPEAKER, NEW JERSEY ASSEMBLY, ET AL. *v.* DAGGETT ET AL. Appeal from D. C. N. J. Probable jurisdiction noted. Reported below: 535 F. Supp. 978.

No. 81-1863. UNITED STATES ET AL. *v.* GRACE ET AL. Appeal from C. A. D. C. Cir. Motion of appellees for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. Reported below: 214 U. S. App. D. C. 375, 665 F. 2d 1193.

Certiorari Granted

No. 81-857. MARTINEZ, AS NEXT FRIEND OF MORALES *v.* BROCKETTE, TEXAS COMMISSIONER OF EDUCATION, ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 648 F. 2d 425.

No. 81-1938. UNITED STATES *v.* BAGGOT. C. A. 7th Cir. Certiorari granted. Reported below: 662 F. 2d 1232.

No. 81-1966. BELKNAP, INC. *v.* HALE ET AL. Ct. App. Ky. Certiorari granted.

No. 81-1802. UNITED STATES *v.* KNOTTS. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* and certiorari granted. Reported below: 662 F. 2d 515.

No. 81-1983. SCHWEIKER, SECRETARY OF HEALTH AND HUMAN SERVICES *v.* CAMPBELL. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* and certiorari granted. Reported below: 665 F. 2d 48.

No. 81-2101. PENNHURST STATE SCHOOL AND HOSPITAL ET AL. *v.* HALDERMAN ET AL. C. A. 3d Cir. Motion of respondents Terri Lee Halderman et al. for leave to proceed *in forma pauperis* and certiorari granted. Reported below: 673 F. 2d 647.

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No. 81-1945. *PACIFIC GAS & ELECTRIC CO. ET AL. v. STATE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION ET AL.* C. A. 9th Cir. Certiorari granted limited to the following questions: Whether petitioners' challenges to the provisions in the 1976 amendments to California's Warren-Alquist Act, Cal. Pub. Res. Code Ann. §§ 25524.1(b) and 25524.2 (West 1977), which condition the construction of nuclear plants on findings by the State Energy Resources Conservation and Development Commission that adequate storage facilities and means of disposal are available for high-level nuclear waste, are ripe for judicial review, and whether §§ 25524.1(b) and 25524.2 are pre-empted by the Atomic Energy Act of 1954, 42 U. S. C. § 2011 *et seq.* Reported below: 659 F. 2d 903.

Certiorari Denied

No. 81-1552. *BINDER v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 9th Cir. Certiorari denied. Reported below: 667 F. 2d 1030.

No. 81-1679. *CASSEL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 668 F. 2d 969.

No. 81-1682. *SCACCHETTI v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 668 F. 2d 643.

No. 81-1699. *EARLY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 673 F. 2d 1318.

No. 81-1703. *LAMBERT v. WATTIGNY.* Ct. App. La., 3d Cir. Certiorari denied. Reported below: 408 So. 2d 1126.

No. 81-1749. *WILSHIRE OIL COMPANY OF TEXAS v. BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.* C. A. 3d Cir. Certiorari denied. Reported below: 668 F. 2d 732.

No. 81-1791. *GROUP LIFE & HEALTH INSURANCE CO. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 660 F. 2d 1042.

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No. 81-1793. *RAGUSA ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 664 F. 2d 696.

No. 81-1804. *RCA CORP. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 664 F. 2d 881.

No. 81-1811. *SLATER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 654 F. 2d 732.

No. 81-1821. *SUPER EXCAVATORS, INC. v. OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 674 F. 2d 592.

No. 81-1868. *COUNCIL OF PUBLIC UTILITY MAILERS v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 663 F. 2d 1186.

No. 81-1897. *ANTHONY v. UNITED STATES ET AL.*; and *ANTHONY v. WEST, UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA (UNITED STATES, REAL PARTY IN INTEREST)*. C. A. 10th Cir. Certiorari denied. Reported below: 667 F. 2d 870 (first case); 672 F. 2d 796 (second case).

No. 81-1907. *REGILIO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 669 F. 2d 1169.

No. 81-1934. *LEWIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 663 F. 2d 889.

No. 81-1944. *PACIFIC LEGAL FOUNDATION ET AL. v. STATE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 659 F. 2d 903.

No. 81-1967. *CANNON ET AL. v. CONSOLIDATED RAIL CORP. ET AL.*; and

No. 81-1992. *UNITED TRANSPORTATION UNION v. CONSOLIDATED RAIL CORP. ET AL.* Sp. Ct. R. R. R. A. Certiorari denied. Reported below: 535 F. Supp. 697.

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No. 81-1968. *LIBERATORE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 669 F. 2d 391.

No. 81-1971. *TRUSTEES OF THE FIRST BAPTIST CHURCH OF SILVER SPRING, MARYLAND v. SUPERVISOR OF ASSESSMENTS OF MONTGOMERY COUNTY, MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 50 Md. App. 751.

No. 81-1979. *SLIWOO v. UNITED STATES*; and

No. 81-6586. *MAZZIO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 681 F. 2d 810.

No. 81-1982. *SWOBODA, PERSONAL REPRESENTATIVE OF THE ESTATE OF SWOBODA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 662 F. 2d 326.

No. 81-1994. *BULLOCK v. ADAMS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 102 Ill. App. 3d 379, 430 N. E. 2d 534.

No. 81-2000. *THOMAS MERTON CENTER v. ROCKWELL INTERNATIONAL CORP. ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 497 Pa. 460, 442 A. 2d 213.

No. 81-2002. *STALLINGS v. FLETCHER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 698 F. 2d 1223.

No. 81-2009. *YEO v. MICHIGAN*. Ct. App. Mich. Certiorari denied. Reported below: 103 Mich. App. 418, 302 N. W. 2d 883.

No. 81-2028. *ZISOOK ET AL. v. ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF THE SUPREME COURT OF ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 88 Ill. 2d 321, 430 N. E. 2d 1037.

No. 81-2036. *BENNETT v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 416 So. 2d 1114.

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No. 81-2043. OIL TRANSPORT CO. ET AL. *v.* UNION OF TRANSPORTATION EMPLOYEES. C. A. 5th Cir. Certiorari denied. Reported below: 668 F. 2d 821.

No. 81-2047. BULLOCK, COMPTROLLER OF PUBLIC ACCOUNTS FOR TEXAS, ET AL. *v.* BRIGGS ET AL. Ct. App. Tex., 3d Sup. Jud. Dist. Certiorari denied. Reported below: 623 S. W. 2d 508.

No. 81-2086. GREEN ET AL. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 671 F. 2d 46.

No. 81-2092. BONKOWSKY *v.* BONKOWSKY. Sup. Ct. Ohio. Certiorari denied. Reported below: 69 Ohio St. 2d 152, 431 N. E. 2d 998.

No. 81-2133. WEINGARTNER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 681 F. 2d 810.

No. 81-2134. BENAVIDEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 664 F. 2d 1255.

No. 81-2148. QUINTANA *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 673 F. 2d 296.

No. 81-2175. BIGLEY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 666 F. 2d 174.

No. 81-2177. BELTEMPO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 675 F. 2d 472.

No. 81-6089. PETSCHEN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 662 F. 2d 515.

No. 81-6296. JENNINGS *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 431 A. 2d 552.

No. 81-6375. UDZIELA *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 671 F. 2d 995.

No. 81-6380. LUPO *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 652 F. 2d 723.

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No. 81-6383. *WILSON v. TILLMAN*, JUDGE, CIRCUIT COURT OF ST. LOUIS CITY. C. A. 8th Cir. Certiorari denied. Reported below: 676 F. 2d 706.

No. 81-6408. *DOE v. NEW MEXICO*. Ct. App. N. M. Certiorari denied. Reported below: 97 N. M. 263, 639 P. 2d 72.

No. 81-6415. *GREEN v. UNITED STATES PROBATION OFFICE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 671 F. 2d 505.

No. 81-6444. *MEINSTER v. UNITED STATES*; and
No. 81-6445. *MYERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 664 F. 2d 971.

No. 81-6448. *LYONS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 670 F. 2d 77.

No. 81-6472. *CABALLERY v. UNITED STATES PAROLE COMMISSION ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 673 F. 2d 43.

No. 81-6491. *STEEDMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 666 F. 2d 69.

No. 81-6591. *JENKINS v. MAGGIO, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 673 F. 2d 1325.

No. 81-6592. *DODSON v. ARKANSAS*. Ct. App. Ark. Certiorari denied. Reported below: 4 Ark. App. 1, 626 S. W. 2d 624.

No. 81-6600. *SAWYER v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 297 Pa. Super. 517, 441 A. 2d 449.

No. 81-6603. *ADAMS v. ESTELLE, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. C. A. 5th Cir. Certiorari denied.

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No. 81-6604. *FISHER ET AL. v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 96 Wash. 2d 962, 639 P. 2d 743.

No. 81-6608. *WOODEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 81-6609. *RAWLS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 661 F. 2d 436.

No. 81-6614. *HISHAW v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 81-6617. *WOODS, AKA EASON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 102 Ill. App. 3d 1200, 434 N. E. 2d 1202.

No. 81-6618. *TAVARES v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 385 Mass. 140, 430 N. E. 2d 1198.

No. 81-6619. *JOHNSON v. GARRISON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 676 F. 2d 693.

No. 81-6620. *HOLSEY v. CIRCUIT COURT FOR WASHINGTON COUNTY*. Ct. App. Md. Certiorari denied.

No. 81-6623. *BENNETT v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 409 So. 2d 936.

No. 81-6627. *JORDEN v. ESTELLE, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. C. A. 5th Cir. Certiorari denied.

No. 81-6630. *HOOVER v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 81-6634. *CRAWFORD v. LITTLE*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 97 Ill. App. 3d 1200, 426 N. E. 2d 1286.

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No. 81-6635. *DARROCH v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 305 N. C. 196, 287 S. E. 2d 856.

No. 81-6637. *MOORE v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 412 So. 2d 487.

No. 81-6638. *RUDMAN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 81-6642. *WILBURN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 81-6644. *RODGERS v. ESTELLE, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. C. A. 5th Cir. Certiorari denied. Reported below: 673 F. 2d 1326.

No. 81-6645. *RITTER v. RITTER*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 81-6649. *BENTLEY v. RUSHEN, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 673 F. 2d 1336.

No. 81-6650. *ARMENTO v. SCURR, WARDEN, IOWA STATE PENITENTIARY*. C. A. 8th Cir. Certiorari denied. Reported below: 676 F. 2d 705.

No. 81-6653. *SMITH v. INLAND STEEL CO.* C. A. 7th Cir. Certiorari denied. Reported below: 676 F. 2d 700.

No. 81-6656. *MA v. FIRST NATIONAL CORP. ET AL.* C. A. 2d Cir. Certiorari denied.

No. 81-6668. *KELLY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 673 F. 2d 1312.

No. 81-6670. *McKINSTRY v. OHIO*. Ct. App. Ohio, Summit County. Certiorari denied.

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No. 81-6673. *OCCHINO v. NORTHWESTERN BELL TELEPHONE CO. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 675 F. 2d 220.

No. 81-6684. *VAN ORMAN v. FIRST NATIONAL BANK OF SOUTH CENTRAL MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 698 F. 2d 1225.

No. 81-6685. *WILLIAMS v. PEPSI-COLA BOTTLING COMPANY OF ST. LOUIS, MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 676 F. 2d 704.

No. 81-6696. *CARDENAS v. CANALE.* C. A. 5th Cir. Certiorari denied. Reported below: 670 F. 2d 183.

No. 81-6698. *CROSS v. CITY OF TULSA.* C. A. 10th Cir. Certiorari denied.

No. 81-6721. *CAMOSCIO v. MASSACHUSETTS BOARD OF REGISTRATION IN PODIATRY ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 385 Mass. 1002, 430 N. E. 2d 1212.

No. 81-6730. *QUITQUIT v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 9th Cir. Certiorari denied.

No. 81-6748. *JEFFERS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 670 F. 2d 675.

No. 81-6750. *JOHNSTON v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 672 F. 2d 922.

No. 81-6757. *CARRIER v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 672 F. 2d 300.

No. 81-6767. *BUSSEY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 676 F. 2d 695.

No. 81-6786. *BARNEY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 674 F. 2d 729.

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No. 81-1988. CONSOLIDATED MOTOR INNS *v.* BVA CREDIT CORP. C. A. 11th Cir. Certiorari denied. JUSTICE POWELL took no part in the consideration or decision of this petition. Reported below: 666 F. 2d 189.

No. 81-2085. GUIDE PUBLISHING CO., T/A JOURNAL AND GUIDE *v.* THOMAS. Sup. Ct. Va. Motion of American Newspaper Publishers Association for leave to file a brief as *amicus curiae* granted. Certiorari denied.

No. 81-6422. GENSON *v.* RIPLEY ET AL. C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE and JUSTICE O'CONNOR took no part in the consideration or decision of this petition.

No. 81-6570. ARANGO *v.* FLORIDA. Sup. Ct. Fla.; and
No. 81-6598. KRIER *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: No. 81-6570, 411 So. 2d 172; No. 81-6598, 249 Ga. 80, 287 S. E. 2d 531.

JUSTICE BRENNAN and JUSTICE MARSHALL, dissenting.

Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U. S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentences in these cases.

No. 81-6594. POPE *v.* THONE, GOVERNOR OF NEBRASKA, ET AL. C. A. 8th Cir. Certiorari denied. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 671 F. 2d 298.

Rehearing Denied

No. 81-160. MISSISSIPPI ET AL. *v.* PHILLIPS ET AL., 456 U. S. 960;

No. 81-181. JOINT LEGISLATIVE COMMITTEE FOR PERFORMANCE, EVALUATION, AND EXPENDITURE REVIEW OF MISSISSIPPI ET AL. *v.* PHILLIPS ET AL., 456 U. S. 960; and

No. 81-6421. WESTOVER *v.* RICHENBERGER ET AL., 456 U. S. 964. Petitions for rehearing denied.

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No. 27, Orig. OHIO *v.* KENTUCKY, 456 U. S. 958; and
No. 81, Orig. KENTUCKY *v.* INDIANA ET AL., 456 U. S.
958. Petition of Dorothy Cole et al. for rehearing on denial
of leave to intervene denied.

No. 80-1430. ENGLE, CORRECTIONAL SUPERINTENDENT
v. ISAAC; PERINI, CORRECTIONAL SUPERINTENDENT *v.*
BELL; and ENGLE, CORRECTIONAL SUPERINTENDENT *v.*
HUGHES, 456 U. S. 107. Petition of Kenneth L. Bell for re-
hearing denied.

No. 81-6281. APPLEBY *v.* WTIC-FM RADIO STATION
ET AL., 456 U. S. 933. Motion for leave to file petition for
rehearing denied.

JUNE 22, 1982

Dismissal Under Rule 53

No. 81-1551. SCHWEIKER, SECRETARY OF HEALTH AND
HUMAN SERVICES *v.* ROSOFSKY. D. C. E. D. N. Y. [Probable
jurisdiction noted, 456 U. S. 959.] Appeal dismissed
under this Court's Rule 53.

