

ORDERS FOR MARCH 4 THROUGH
APRIL 23, 1991

MARCH 4, 1991

Certiorari Granted—Vacated and Remanded

No. 89-609. PUCKETT ET AL. *v.* NATIVE VILLAGE OF TYONEK ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Oklahoma Tax Comm'n v. Citizen Band of Potawatomi Tribe of Okla.*, 498 U. S. 505 (1991). Reported below: 883 F. 2d 1024.

No. 89-6932. MULLIS *v.* UNITED STATES; and HOMICH *v.* UNITED STATES. C. A. 11th Cir. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Gozlon-Peretz v. United States*, 498 U. S. 395 (1991). Reported below: 887 F. 2d 1091 (first case); 888 F. 2d 1395 (second case).

No. 90-892. CITY OF SEATTLE *v.* FIRST COVENANT CHURCH OF SEATTLE, WASHINGTON. Sup. Ct. Wash. Motions of National Trust for Historic Preservation in the United States and Municipal Art Society of New York, Inc., for leave to file briefs as *amici curiae* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872 (1990). Reported below: 114 Wash. 2d 392, 787 P. 2d 1352.

Miscellaneous Orders

No. D-948. IN RE DISBARMENT OF PERLOW. Disbarment entered. [For earlier order herein, see 498 U. S. 956.]

No. D-952. IN RE DISBARMENT OF PORTER. Disbarment entered. [For earlier order herein, see 498 U. S. 978.]

No. D-953. IN RE DISBARMENT OF KANAREK. Disbarment entered. [For earlier order herein, see 498 U. S. 978.]

No. D-972. IN RE DISBARMENT OF PENNELL. It is ordered that Edwin Adam Pennell, of Dunnellon, Fla., be suspended from

March 4, 1991

499 U. S.

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-973. *IN RE DISBARMENT OF SHANZER.* It is ordered that Neil Arthur Shanzer, of Miami, Fla., 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-974. *IN RE DISBARMENT OF BOWERS.* It is ordered that Charles B. Bowers, of Columbia, S. C., 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-975. *IN RE DISBARMENT OF HEIDECKE.* It is ordered that Richard A. Heidecke, Jr., of Oak Brook, Ill., 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-976. *IN RE DISBARMENT OF HESS.* It is ordered that David Alan Hess, of Lubbock, 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-977. *IN RE DISBARMENT OF ZAHARIA.* It is ordered that Paul Zaharia, of Venice, Cal., 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-978. *IN RE DISBARMENT OF MCCLURE.* It is ordered that Corrine Anderson McClure, of Bradenton, Fla., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-979. *IN RE DISBARMENT OF MCSHIRLEY.* It is ordered that Donald Kent McShirley, of Sarasota, Fla., 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.

499 U. S.

March 4, 1991

No. D-980. *IN RE DISBARMENT OF MILLER*. It is ordered that Randy Lamar Miller, of Raleigh, N. C., 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-981. *IN RE DISBARMENT OF LOVING*. It is ordered that David L. Loving III, of Dallas, 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. 112, Orig. *WYOMING v. OKLAHOMA*. Briefing schedule proposed by the Attorney General of Wyoming adopted. Wyoming may file its brief on or before April 2, 1991. Oklahoma may file its brief on or before May 17, 1991. A reply brief may be filed on or before June 6, 1991. [For earlier order herein, see, *e. g.*, 498 U. S. 893.]

No. 90-516. *KAMEN v. KEMPER FINANCIAL SERVICES, INC., ET AL.* C. A. 7th Cir. [Certiorari granted, 498 U. S. 997.] Motions of Business Roundtable and Investment Company Institute for leave to file briefs as *amici curiae* granted.

No. 90-1102. *GIBSON v. FLORIDA BAR ET AL.* C. A. 11th Cir. Motion of Joseph W. Little for leave to file a brief as *amicus curiae* denied.

No. 90-1280. *INSURANCE COMPANY OF PENNSYLVANIA ET AL. v. BEN COOPER, INC.* C. A. 2d Cir. Motion of the Solicitor General to expedite consideration of petition for writ of certiorari denied.

No. 90-6669. *ZINK v. CALIFORNIA STATE BOARD OF EQUALIZATION*. Ct. App. Cal., 2d App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until March 25, 1991, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court.

JUSTICE MARSHALL, dissenting.

For the reasons expressed in *Brown v. Herald Co.*, 464 U. S. 928 (1983), I would deny the petition for writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

March 4, 1991

499 U. S.

No. 90-6351. *IN RE BAUER*. Petition for writ of mandamus denied.

No. 90-6694. *IN RE SASSOWER*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 90-1141. *ARDESTANI v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 11th Cir. Certiorari granted. Reported below: 904 F. 2d 1505.

No. 90-747. *UNITED STATES DEPARTMENT OF STATE v. RAY ET AL.* C. A. 11th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 908 F. 2d 1549.

No. 90-913. *BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM v. MCorp FINANCIAL, INC., ET AL.*; and

No. 90-914. *MCorp ET AL. v. BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM*. C. A. 5th Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 900 F. 2d 852.

Certiorari Denied

No. 90-450. *JACKSON v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 90-464. *BITUMINOUS COAL OPERATORS' ASSN., INC. v. UNITED MINE WORKERS OF AMERICA, INTERNATIONAL UNION, BY RABBIT, TRUSTEE AD LITEM, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 902 F. 2d 1558.

No. 90-785. *SIMON v. UNITED STATES*;

No. 90-931. *BIAGGI v. UNITED STATES*; and

No. 90-937. *BIAGGI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 909 F. 2d 662.

No. 90-803. *DOE v. GARRETT, SECRETARY OF THE NAVY, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 903 F. 2d 1455.

No. 90-825. *LYNN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 90-853. *BANK OF BOULDER v. FEDERAL DEPOSIT INSURANCE CORPORATION*. C. A. 10th Cir. Certiorari denied. Reported below: 911 F. 2d 1466.

499 U. S.

March 4, 1991

No. 90-859. BROWER'S MOVING & STORAGE, INC. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 914 F. 2d 239.

No. 90-894. LEONE, ADMINISTRATOR OF THE ESTATE OF LEONE, AKA HELD, DECEASED, ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 910 F. 2d 46.

No. 90-899. COMMITTEE TO OPPOSE THE SALE OF ST. BARTHOLOMEW'S CHURCH, INC., ET AL. *v.* RECTOR, WARDENS, AND MEMBERS OF THE VESTRY OF ST. BARTHOLOMEW'S CHURCH ET AL.; and

No. 90-900. RECTOR, WARDENS, AND MEMBERS OF THE VESTRY OF ST. BARTHOLOMEW'S CHURCH *v.* CITY OF NEW YORK ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 914 F. 2d 348.

No. 90-905. FRIEDMAN ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 908 F. 2d 974.

No. 90-909. DIAL CORP. *v.* WILLIS DAY PROPERTIES, INC., ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 914 F. 2d 258.

No. 90-911. INTERSTATE BRANDS CORP., BUTTERNUT BREAD DIVISION *v.* CHAUFFEURS, TEAMSTERS, WAREHOUSEMEN & HELPERS, LOCAL UNION No. 135. C. A. 6th Cir. Certiorari denied. Reported below: 909 F. 2d 885.

No. 90-921. DORFMONT *v.* BROWN, DIRECTOR FOR INDUSTRIAL SECURITY CLEARANCE REVIEW, DEFENSE LEGAL SERVICES AGENCY, DEPARTMENT OF DEFENSE, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 913 F. 2d 1399.

No. 90-926. MICHIGAN ET AL. *v.* INTERSTATE COMMERCE COMMISSION ET AL.; and

No. 90-966. ALLIED DELIVERY SYSTEM, INC., ET AL. *v.* INTERSTATE COMMERCE COMMISSION ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 908 F. 2d 972.

No. 90-980. FEDERAL KEMPER LIFE ASSURANCE Co. *v.* BODINE; and

No. 90-1114. BODINE *v.* FEDERAL KEMPER LIFE ASSURANCE Co. C. A. 11th Cir. Certiorari denied. Reported below: 912 F. 2d 1373.

March 4, 1991

499 U. S.

No. 90-990. WEST TEXAS TRANSMISSION, L. P. *v.* ENRON CORP. ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 907 F. 2d 1554.

No. 90-992. NEVADA ET AL. *v.* WATKINS, SECRETARY OF ENERGY, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 1545.

No. 90-998. DEAN *v.* UNITED STATES. Ct. Mil. App. Certiorari denied. Reported below: 31 M. J. 196.

No. 90-1062. RAINBOW NAVIGATION, INC., ET AL. *v.* DEPARTMENT OF THE NAVY ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 286 U. S. App. D. C. 55, 911 F. 2d 797.

No. 90-1071. BUFFINGTON, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BUFFINGTON, DECEASED, ET AL. *v.* BALTIMORE COUNTY, MARYLAND, ET AL.; and

No. 90-1123. GAIGALAS ET AL. *v.* BUFFINGTON, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BUFFINGTON, DECEASED, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 913 F. 2d 113.

No. 90-1096. MERRIWEATHER *v.* INTERNATIONAL BUSINESS MACHINES. C. A. 6th Cir. Certiorari denied. Reported below: 908 F. 2d 973.

No. 90-1098. BUSWELL *v.* MINNESOTA; and

No. 90-1099. SCHWARTZMAN *v.* MINNESOTA. Sup. Ct. Minn. Certiorari denied. Reported below: 460 N. W. 2d 614.

No. 90-1105. BRADSHAW ET AL. *v.* PANTRY PRIDE ENTERPRISES, INC. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 566 So. 2d 1306.

No. 90-1107. MCGUIRE *v.* WASHINGTON ET AL. Ct. App. Wash. Certiorari denied. Reported below: 58 Wash. App. 195, 791 P. 2d 929.

No. 90-1109. SMITH *v.* HARBOR TOWING & FLEETING, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 910 F. 2d 312.

No. 90-1111. ROBINSON *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 199 Ill. App. 3d 1102, 585 N. E. 2d 649.

499 U. S.

March 4, 1991

No. 90-1115. STEVENS, DISTRICT ATTORNEY OF LUZERNE COUNTY, PENNSYLVANIA *v.* BUCHANAN. Sup. Ct. Pa. Certiorari denied. Reported below: 525 Pa. 413, 581 A. 2d 172.

No. 90-1117. METROPOLITAN DADE COUNTY, FLORIDA, ET AL. *v.* MEEK ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 908 F. 2d 1540.

No. 90-1128. KIRBY, PERSONAL REPRESENTATIVE OF THE ESTATE OF KIRBY, DECEASED *v.* OMI CORP. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 561 So. 2d 666.

No. 90-1132. COOKSEY *v.* ABRAMS ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 914 F. 2d 269.

No. 90-1133. WYATT *v.* THOMAS ET AL. Sup. Ct. Va. Certiorari denied.

No. 90-1140. GARRIE *v.* JAMES L. GRAY, INC. C. A. 5th Cir. Certiorari denied. Reported below: 912 F. 2d 808.

No. 90-1144. SHARMA ET AL. *v.* SKAARUP SHIP MANAGEMENT CORP. ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 916 F. 2d 820.

No. 90-1155. FROMSON *v.* WESTERN LITHO PLATE & SUPPLY CO. ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 909 F. 2d 1495.

No. 90-1171. COMMUNITY NATIONAL BANK *v.* SHERK. C. A. 5th Cir. Certiorari denied. Reported below: 917 F. 2d 560.

No. 90-1233. KEOHANE *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 918 F. 2d 273.

No. 90-5405. BRUNDAGE *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Reported below: 284 U. S. App. D. C. 219, 903 F. 2d 837.

No. 90-5962. CARTER *v.* TEXAS. Ct. App. Tex., 10th Dist. Certiorari denied.

No. 90-6185. CORTES *v.* BELASKI, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied.

No. 90-6241. PARIS *v.* VIRGINIA. Sup. Ct. Va. Certiorari denied.

March 4, 1991

499 U. S.

No. 90-6252. *GALLMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 907 F. 2d 639.

No. 90-6391. *WOODY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 909 F. 2d 1485.

No. 90-6453. *DURDEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 907 F. 2d 1142.

No. 90-6465. *BOYER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 914 F. 2d 144.

No. 90-6470. *TORRES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 917 F. 2d 568.

No. 90-6473. *REYES-RESENDEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 908 F. 2d 281.

No. 90-6486. *GUIANG v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 907 F. 2d 159.

No. 90-6499. *HERNANDEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 913 F. 2d 1506.

No. 90-6513. *WALKER v. DEPARTMENT OF THE AIR FORCE*. C. A. Fed. Cir. Certiorari denied. Reported below: 907 F. 2d 159.

No. 90-6532. *SULLIVAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 1493.

No. 90-6647. *WASHINGTON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 283 U. S. App. D. C. 244, 899 F. 2d 52.

No. 90-6691. *SMITH v. SCOTT, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 917 F. 2d 569.

No. 90-6692. *ROYAL v. EXXON CHEMICAL U. S. A., CHEMICAL DEPARTMENT*. C. A. 5th Cir. Certiorari denied.

No. 90-6693. *YOUNG v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 90-6696. *SMITH v. PETROVSKY, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 914 F. 2d 269.

499 U. S.

March 4, 1991

No. 90-6697. *SHERRILLS v. ALDRICH ET AL.* C. A. 6th Cir. Certiorari denied.

No. 90-6714. *MOORE v. DEPARTMENT OF VETERANS AFFAIRS ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 90-6720. *ESPARZA v. WOODS.* C. A. 5th Cir. Certiorari denied. Reported below: 920 F. 2d 929.

No. 90-6721. *EVANS v. MECUM.* C. A. 11th Cir. Certiorari denied.

No. 90-6724. *TURNER v. FALK, DIRECTOR, HAWAII DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-6728. *DIXON v. DUCKWORTH, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 917 F. 2d 1306.

No. 90-6729. *MILLER v. SAYLIN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 145.

No. 90-6732. *LEPISCOPO v. TANSY ET AL.* Sup. Ct. N. M. Certiorari denied.

No. 90-6736. *JONES v. ERVIN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1301.

No. 90-6742. *MACKEY v. MACKEY.* C. A. 6th Cir. Certiorari denied. Reported below: 914 F. 2d 1494.

No. 90-6748. *DAVIDSON v. BENDIXEN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 916 F. 2d 709.

No. 90-6753. *TURNPAUGH v. REDMAN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 90-6755. *GILBERT v. BODOVITZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 902 F. 2d 1578.

No. 90-6765. *BROWN v. KOEHLER.* C. A. 6th Cir. Certiorari denied.

No. 90-6768. *MOYE v. CIGNA CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 845.

No. 90-6774. *GARCIA v. IOWA.* Sup. Ct. Iowa. Certiorari denied. Reported below: 461 N. W. 2d 460.

March 4, 1991

499 U. S.

No. 90-6781. *FELTON v. LYNN, SECRETARY, DEPARTMENT OF CORRECTIONS, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 90-6782. *GRUBB v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 90-6788. *BYRD v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 911 F. 2d 734.

No. 90-6800. *SMITH v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 917 F. 2d 562.

No. 90-6813. *LEONARD v. ABC UNIFIED SCHOOL DISTRICT ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 90-6814. *KAWANO, AKA SAI, ET AL. v. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.* C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 379.

No. 90-6826. *CHAMBERS v. MAHER.* C. A. 7th Cir. Certiorari denied. Reported below: 915 F. 2d 1141.

No. 90-6852. *SMITH v. BINGHAM ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 914 F. 2d 740.

No. 90-6866. *WOODARD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 29.

No. 90-6873. *CLAPPER v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 917 F. 2d 562.

No. 90-6876. *WINTERS v. FIRST FEDERAL SAVINGS & LOAN OF RALEIGH.* C. A. 4th Cir. Certiorari denied. Reported below: 912 F. 2d 464.

No. 90-6895. *SOTO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 29.

No. 90-6909. *NORRIS v. FEDERAL BUREAU OF INVESTIGATION.* C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 263.

No. 90-6916. *BRYANT v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 918 F. 2d 174.

499 U. S.

March 4, 1991

No. 90-6921. *BECKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 568.

No. 90-6937. *KUNZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 28.

No. 90-6947. *SCHOLES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 564.

No. 90-6955. *BROXTON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 307, 926 F. 2d 1180.

No. 90-6956. *MURILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 898 F. 2d 156.

No. 90-6960. *COLEMAN v. JONES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 909 F. 2d 447.

No. 90-6963. *MCGIRR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 918 F. 2d 176.

No. 90-6964. *CAMPO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 741.

No. 90-6966. *MCDOUGHERTY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 920 F. 2d 569.

No. 90-6968. *BOUT v. MICHIGAN DEPARTMENT OF CORRECTIONS*. C. A. 6th Cir. Certiorari denied. Reported below: 915 F. 2d 1570.

No. 90-6971. *RHINEHART v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 23.

No. 90-6980. *REINA-HERRERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 891 F. 2d 296.

No. 90-6981. *SINGLETON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 918 F. 2d 956.

No. 90-6985. *AGUIRRE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 922 F. 2d 848.

No. 90-6988. *MCCRAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 1497.

March 4, 1991

499 U. S.

No. 90-6990. *MULLINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 922 F. 2d 842.

No. 90-6998. *ENGLEBRECHT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 917 F. 2d 376.

No. 90-7005. *GLASCO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 797.

No. 90-7008. *WRIGHT v. SULLIVAN, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 844.

No. 90-7010. *MONTES-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 919 F. 2d 736.

No. 90-7011. *HAGOOD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1302.

No. 90-7014. *HICKS v. KENTUCKY*. Cir. Ct. Ky., McCracken County. Certiorari denied.

No. 90-7015. *OLSVIK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 470.

No. 90-7026. *LOUIS v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 572 So. 2d 916.

No. 90-7036. *WELKY v. PRELESNIK, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 90-7049. *SAMEL v. JABE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 958.

No. 89-2026. *MOTOR VEHICLE MANUFACTURERS ASSOCIATION OF THE UNITED STATES, INC., ET AL. v. ABRAMS, ATTORNEY GENERAL OF NEW YORK*. C. A. 2d Cir. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 899 F. 2d 1315.

No. 90-944. *ROLAND M. ET UX. v. CONCORD SCHOOL COMMITTEE ET AL.* C. A. 1st Cir. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition. Reported below: 910 F. 2d 983.

499 U. S.

March 4, 1991

No. 90-1104. NAACP, DETROIT BRANCH, ET AL. *v.* DETROIT POLICE OFFICERS ASSN. ET AL. C. A. 6th Cir. Motion of Society of American Law Teachers et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 914 F. 2d 1494.

No. 90-1121. GODLOVE *v.* BAMBERGER, FOREMAN, OSWALD & HAHN ET AL. C. A. 7th Cir. Motion of petitioner to file corrected petition for writ of certiorari granted. Certiorari denied. Reported below: 903 F. 2d 1145.

No. 90-6383. GORDON *v.* CALIFORNIA. Sup. Ct. Cal.;

No. 90-6540. CLOZZA *v.* MURRAY, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir.; and

No. 90-6628. WAINWRIGHT *v.* ARKANSAS. Sup. Ct. Ark. Certiorari denied. Reported below: No. 90-6383, 50 Cal. 3d 1223, 792 P. 2d 251; No. 90-6540, 913 F. 2d 1092; No. 90-6628, 302 Ark. 371, 790 S. W. 2d 420.

JUSTICE MARSHALL, dissenting.

Adhering to my view 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, 231 (1976), I would grant certiorari and vacate the death sentences in these cases.

Rehearing Denied

No. 90-5701. ARNOLIE *v.* SECRETARY OF THE NAVY, 498 U. S. 1049;

No. 90-5961. PLETTEN *v.* MERIT SYSTEMS PROTECTION BOARD ET AL., 498 U. S. 1053;

No. 90-6189. SRUBAR *v.* UNITED STATES, 498 U. S. 1049;

No. 90-6205. SCOTT *v.* CALIFORNIA, 498 U. S. 1050;

No. 90-6215. STEWARD *v.* GARRETT, SECRETARY OF THE NAVY, ET AL., 498 U. S. 1035;

No. 90-6285. FROST *v.* CALIFORNIA ET AL., 498 U. S. 1051;

No. 90-6341. GALLARDO *v.* UNITED STATES, 498 U. S. 1038;

No. 90-6359. MUTH *v.* CENTRAL BUCKS SCHOOL DISTRICT ET AL., 498 U. S. 1052;

No. 90-6373. RICHARDS ET AL. *v.* MEDICAL CENTER OF DELAWARE, INC., ET AL., 498 U. S. 1072; and

No. 90-6395. WRIGHT *v.* NEW YORK, 498 U. S. 1073. Petitions for rehearing denied.

March 4, 18, 1991

499 U. S.

No. 89-1363. UNITED STATES *v.* FRANCE, 498 U. S. 335. Petition for rehearing denied. JUSTICE SOUTER took no part in the consideration or decision of this petition.

MARCH 18, 1991

Certiorari Granted—Vacated and Remanded

No. 88-1483. CLAYTON BROKERAGE CO. OF ST. LOUIS, INC. *v.* JORDAN. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, ante, p. 1. Reported below: 861 F. 2d 172.

No. 89-1303. RESERVE LIFE INSURANCE CO. *v.* EICHENSEER. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, ante, p. 1. Reported below: 881 F. 2d 1355.

No. 89-1315. HOSPITAL AUTHORITY OF GWINNETT COUNTY, GEORGIA, INDIVIDUALLY AND DBA GWINNETT AMBULANCE SERVICES *v.* JONES, ADMINISTRATOR OF THE ESTATE OF O'KELLEY. Sup. Ct. Ga. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, ante, p. 1. Reported below: 259 Ga. 759, 386 S. E. 2d 120.

No. 89-1361. CHURCH OF SCIENTOLOGY OF CALIFORNIA *v.* WOLLERSHEIM. Ct. App. Cal., 2d App. Dist. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, ante, p. 1. Reported below: 212 Cal. App. 3d 872, 260 Cal. Rptr. 331.

No. 89-1399. INTERNATIONAL SOCIETY FOR KRISHNA CONSCIOUSNESS OF CALIFORNIA ET AL. *v.* GEORGE ET AL. Ct. App. Cal., 4th App. Dist. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, ante, p. 1.

No. 90-324. BROWN GROUP, INC., DBA BROWN SHOE CO., INC. *v.* HICKS. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further con-

499 U. S.

March 18, 1991

sideration in light of that court's en banc opinion to be filed in *Taggart v. Jefferson County Child Support Enforcement Unit*, No. 89-2429EA, rehearing en banc granted December 11, 1990.* Reported below: 902 F. 2d 630.

No. 90-626. *PACIFIC LIGHTING CORP. ET AL. v. MGW, INC.* Ct. App. Cal., 4th App. Dist. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, ante, p. 1.

No. 90-827. *PORTEC, INC. v. THE POST OFFICE*. C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, ante, p. 1. Reported below: 913 F. 2d 802.

No. 90-953. *CITY GAS COMPANY OF FLORIDA v. CONSOLIDATED GAS COMPANY OF FLORIDA, INC.* C. A. 11th Cir. Motions of Florida Public Service Commission, Edison Electric Institute, American Gas Association, and National Association of Regulatory Utility Commissioners for leave to file briefs as *amici curiae* granted. Certiorari granted, judgment vacated, and case remanded with directions to dismiss. *United States v. Munisingwear, Inc.*, 340 U. S. 36 (1950). Reported below: 912 F. 2d 1262.

Miscellaneous Orders

No. — — ——. *BARRITT v. ADAMS TV OF WHEELING, INC., ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. A-632. *IN RE SLAUGHTER*. Sup. Ct. Ky. Application for stay, addressed to JUSTICE MARSHALL and referred to the Court, denied.

No. A-680 (90-7246). *MALDONADO-RIVERA v. UNITED STATES*. Application for further stay of mandate of the United States Court of Appeals for the Second Circuit, presented to JUSTICE MARSHALL, and by him referred to the Court, denied.

No. D-915. *IN RE DISBARMENT OF KOKERNAK*. Disbarment entered. [For earlier order herein, see 497 U. S. 1045.]

No. D-924. *IN RE DISBARMENT OF PARKER*. Disbarment entered. [For earlier order herein, see 497 U. S. 1055.]

*[REPORTER'S NOTE: The en banc opinion was subsequently reported at 935 F. 2d 947 (1991).]

March 18, 1991

499 U. S.

No. D-925. *IN RE DISBARMENT OF MELARO*. Disbarment entered. [For earlier order herein, see 497 U. S. 1055.]

No. D-949. *IN RE DISBARMENT OF WILSON*. Disbarment entered. [For earlier order herein, see 498 U. S. 956.]

No. D-960. *IN RE DISBARMENT OF BROADHURST*. Disbarment entered. [For earlier order herein, see 498 U. S. 1044.]

No. D-961. *IN RE DISBARMENT OF MILLER*. Disbarment entered. [For earlier order herein, see 498 U. S. 1044.]

No. D-982. *IN RE DISBARMENT OF PEARSON*. It is ordered that Alfonso Nathaniel Pearson, of Burnwell, Ala., 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-983. *IN RE DISBARMENT OF STITT*. It is ordered that Clyde W. Stitt, of San Francisco, Cal., 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. 117, Orig. *MISSISSIPPI v. UNITED STATES ET AL.* Motion for leave to file bill of complaint denied.

No. 89-1895. *ASTORIA FEDERAL SAVINGS & LOAN ASSN. v. SOLIMINO*. C. A. 2d Cir. [Certiorari granted, 498 U. S. 1023.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 89-1905. *WISCONSIN PUBLIC INTERVENOR ET AL. v. MORTIER ET AL.* Sup. Ct. Wis. [Certiorari granted, 498 U. S. 1045.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 90-34. *EXXON CORP. v. CENTRAL GULF LINES, INC., ET AL.* C. A. 2d Cir. [Certiorari granted, 498 U. S. 1045.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 90-368. *TOIBB v. RADLOFF*. C. A. 8th Cir. [Certiorari granted, 498 U. S. 1060.] Motion of the Solicitor General for divided argument granted.

No. 90-659. *GOLLUST ET AL. v. MENDELL ET AL.* C. A. 2d Cir. [Certiorari granted, 498 U. S. 1023.] Motion of the Acting

499 U. S.

March 18, 1991

Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 90-769. RENNE, SAN FRANCISCO CITY ATTORNEY, ET AL. v. GEARY ET AL. C. A. 9th Cir. [Certiorari granted, 498 U. S. 1046.] Motion of California Judges Association for leave to file a brief as *amicus curiae* granted.

No. 90-889. KING v. ST. VINCENT'S HOSPITAL. C. A. 11th Cir. [Certiorari granted, 498 U. S. 1081.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 90-906. METROPOLITAN WASHINGTON AIRPORTS AUTHORITY ET AL. v. CITIZENS FOR THE ABATEMENT OF AIRCRAFT NOISE, INC., ET AL. C. A. D. C. Cir. [Certiorari granted, 498 U. S. 1045.] Motion of the Acting Solicitor General for divided argument granted.

No. 90-984. KANSAS GAS & ELECTRIC CO. v. KANSAS STATE CORPORATION COMMISSION ET AL. Ct. App. Kan.;

No. 90-1189. TROJAN TECHNOLOGIES, INC., ET AL. v. PENNSYLVANIA ET AL. C. A. 3d Cir.; and

No. 90-1194. MAINE PUBLIC UTILITIES COMMISSION v. MAINE YANKEE ATOMIC POWER CO. Sup. Jud. Ct. Me. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 90-1074. ESTELLE, WARDEN v. MCGUIRE. C. A. 9th Cir. [Certiorari granted, 498 U. S. 1119.] Motion for appointment of counsel granted, and it is ordered that Ann Hardgrove Voris, Esq., of San Francisco, Cal., be appointed to serve as counsel for respondent in this case.

No. 90-6352. GRIFFIN v. UNITED STATES. C. A. 7th Cir. [Certiorari granted, 498 U. S. 1082.] Motion for appointment of counsel granted, and it is ordered that Michael G. Logan, Esq., of Chicago, Ill., be appointed to serve as counsel for petitioner in this case.

No. 90-6986. KUNEK v. COFFMAN ET AL. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until April 8, 1991, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court.

March 18, 1991

499 U. S.

JUSTICE MARSHALL and JUSTICE STEVENS, dissenting.

For the reasons expressed in *Brown v. Herald Co.*, 464 U. S. 928 (1983), we would deny the petition for writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 90-6891. IN RE MASON. Ct. App. Cal., 2d App. Dist. Petition for writ of common-law certiorari denied.

No. 90-6924. IN RE BOSA. Petition for writ of mandamus denied.

No. 90-6920. IN RE GILLISPIE. Petition for writ of prohibition denied.

Certiorari Granted

No. 90-838. MOLZOF, PERSONAL REPRESENTATIVE OF THE ESTATE OF MOLZOF *v.* UNITED STATES. C. A. 7th Cir. Certiorari granted. Reported below: 911 F. 2d 18.

No. 90-970. LECHMERE, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 1st Cir. Certiorari granted. Reported below: 914 F. 2d 313.

No. 90-1014. LEE ET AL. *v.* WEISMAN, PERSONALLY AND AS NEXT FRIEND OF WEISMAN. C. A. 1st Cir. Certiorari granted. Reported below: 908 F. 2d 1090.

No. 90-1102. GIBSON *v.* FLORIDA BAR ET AL. C. A. 11th Cir. Certiorari granted. Reported below: 906 F. 2d 624.

No. 90-6297. WILLIAMS *v.* UNITED STATES. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 910 F. 2d 1574.

Certiorari Denied. (See also No. 90-6891, *supra*.)

No. 90-73. GENERAL AMERICAN LIFE INSURANCE CO. *v.* SIMMONS. Sup. Ct. Ala. Certiorari denied. Reported below: 562 So. 2d 140.

No. 90-244. MASSACHUSETTS MUTUAL LIFE INSURANCE CO. *v.* COLLINS. Sup. Ct. Ala. Certiorari denied. Reported below: 575 So. 2d 1005.

No. 90-728. SYRE *v.* PENNSYLVANIA. Super. Ct. Pa. Certiorari denied. Reported below: 400 Pa. Super. 625, 576 A. 2d 1139.

499 U. S.

March 18, 1991

No. 90-756. *MCKNIGHT v. GENERAL MOTORS CORP.* C. A. 7th Cir. Certiorari denied. Reported below: 908 F. 2d 104.

No. 90-795. *TORO v. DUGGER, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 914 F. 2d 268.

No. 90-808. *PLESINSKI v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 1033.

No. 90-811. *STILES v. BLUNT, SECRETARY OF STATE OF MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 912 F. 2d 260.

No. 90-818. *RICHTER, DBA THE BODY SHOP v. SAN DIEGO ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 90-841. *TAXACHER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 902 F. 2d 867.

No. 90-858. *PITTMAN ET AL. v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 8th Cir. Certiorari denied. Reported below: 911 F. 2d 42.

No. 90-863. *CANDELARIO v. FRANK, POSTMASTER GENERAL OF THE UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 906 F. 2d 798.

No. 90-877. *DEE ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 912 F. 2d 741.

No. 90-935. *CENVILL INVESTORS, INC., FKA CENTURY VILLAGE EAST, INC., ET AL. v. CONDOMINIUM OWNERS ORGANIZATION OF CENTURY VILLAGE EAST ET AL.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 556 So. 2d 1197.

No. 90-959. *SIMMONS ET AL. v. INTERSTATE COMMERCE COMMISSION ET AL.* (two cases). C. A. 7th Cir. Certiorari denied. Reported below: 909 F. 2d 186 (first case); 900 F. 2d 1023 (second case).

No. 90-964. *SEABOARD LUMBER CO. ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 903 F. 2d 1560.

No. 90-965. *MCQUEEN v. COMPTROLLER OF PUBLIC ACCOUNTS OF TEXAS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 907 F. 2d 1544.

March 18, 1991

499 U. S.

No. 90-971. *AVESTA AB ET AL. v. UNITED STATES ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 914 F. 2d 233.

No. 90-972. *JONES ET AL. v. DERWINSKI, SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 1496.

No. 90-978. *PERKINS v. GENERAL MOTORS CORPORATION OF AMERICA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 911 F. 2d 22.

No. 90-983. *IRON WORKERS LOCAL 118, INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL & ORNAMENTAL IRON WORKERS, AFL-CIO, ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied. Reported below: 908 F. 2d 977.

No. 90-987. *CHURCH OF SCIENTOLOGY OF CALIFORNIA v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 905 F. 2d 1344.

No. 90-1002. *KASCHAK v. SUPERIOR COURT OF CALIFORNIA, KERN COUNTY.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 90-1006. *BERGER ET AL. v. EDGEWATER STEEL CO.* C. A. 3d Cir. Certiorari denied. Reported below: 911 F. 2d 911.

No. 90-1008. *CONNECTICUT OFFICE OF CONSUMER COUNSEL ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 915 F. 2d 75.

No. 90-1012. *WOODS v. FRANK, POSTMASTER GENERAL OF THE UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 911 F. 2d 728.

No. 90-1019. *IMCO, INC., ET AL. v. MORTON, COMMANDER, UNITED STATES DEFENSE CONTRACTS, ADMINISTRATION SERVICES MANAGEMENT AREA-BIRMINGHAM, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 744.

No. 90-1020. *COUNTY OF WAYNE, MICHIGAN v. RUSHING.* Sup. Ct. Mich. Certiorari denied. Reported below: 436 Mich. 247, 462 N. W. 2d 23.

499 U. S.

March 18, 1991

No. 90-1043. *W. F. DEVELOPMENT CORP. ET AL. v. OFFICE OF THE UNITED STATES TRUSTEE*. C. A. 5th Cir. Certiorari denied. Reported below: 905 F. 2d 883.

No. 90-1083. *VILLAGE OF WILMETTE ET AL. v. NATIONAL PEOPLES ACTION*. C. A. 7th Cir. Certiorari denied. Reported below: 914 F. 2d 1008.

No. 90-1088. *RETTIG v. KENT CITY SCHOOL DISTRICT ET AL.*; and

No. 90-6388. *RETTIG v. KENT CITY SCHOOL DISTRICT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 912 F. 2d 466.

No. 90-1097. *DOLENZ v. STUART YACHT BUILDERS, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 914 F. 2d 268.

No. 90-1112. *TOTAL CONDO CONCEPTS, INC., ET AL. v. COUNTY OF SAN DIEGO ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 90-1119. *LEBLANC v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 913 F. 2d 17.

No. 90-1120. *GARMON v. ALABAMA STATE BAR*. Sup. Ct. Ala. Certiorari denied. Reported below: 570 So. 2d 633.

No. 90-1131. *RAILWAY LABOR EXECUTIVES' ASSN. ET AL. v. CHESAPEAKE WESTERN RAILWAY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 915 F. 2d 116.

No. 90-1148. *RODGERS, SHERIFF, GILCHRIST COUNTY, FLORIDA v. HUFFORD ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 912 F. 2d 1338.

No. 90-1149. *INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW) v. MACK TRUCKS, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 917 F. 2d 107.

No. 90-1154. *SCOTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 910 F. 2d 1289.

No. 90-1158. *SERV-A-PORTION, INC., ET AL. v. J. F. FEESER INC. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 909 F. 2d 1524.

March 18, 1991

499 U. S.

No. 90-1159. *BLY ET UX. v. KINLEIN*. Ct. Sp. App. Md. Certiorari denied. Reported below: 83 Md. App. 704.

No. 90-1160. *EVONUK v. OREGON*. C. A. 9th Cir. Certiorari denied.

No. 90-1162. *CROSS ET AL. v. WASHINGTON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 911 F. 2d 341.

No. 90-1163. *PALOMO v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 90-1166. *LONG ISLAND TYPOGRAPHICAL UNION No. 915, CWA, AFL-CIO v. NEWSDAY, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 915 F. 2d 840.

No. 90-1177. *CITY OF NEW ORLEANS ET AL. v. DUBOUE*. C. A. 5th Cir. Certiorari denied. Reported below: 909 F. 2d 129.

No. 90-1181. *CAMPBELL ET UX., CO-ADMINISTRATORS OF ESTATE OF CAMPBELL, DECEASED v. WHITE*. C. A. 7th Cir. Certiorari denied. Reported below: 916 F. 2d 421.

No. 90-1182. *SAINT THOMAS v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 914 F. 2d 271.

No. 90-1185. *CONNECTICUT v. NELSON*. App. Ct. Conn. Certiorari denied. Reported below: 23 Conn. App. 215, 579 A. 2d 1104.

No. 90-1186. *JOHNSON GAS APPLIANCE CO. v. VE HOLDING CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 917 F. 2d 1574.

No. 90-1188. *TEETER v. SHAMBAUGH, ACTING DIRECTOR OF SUPPORT SERVICES, FAIRVIEW TRAINING CENTER, DEPARTMENT OF HUMAN RESOURCES OF OREGON*. C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 28.

No. 90-1193. *HUMAN, SUPERINTENDENT OF GRAVETTE PUBLIC SCHOOL DISTRICT, ET AL. v. DOE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 857.

No. 90-1198. *BATOR v. WASHOE COUNTY BUILDING DEPARTMENT ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 106 Nev. 1015, 835 P. 2d 27.

499 U. S.

March 18, 1991

No. 90-1199. *LUMPKIN v. LUMPKIN*. C. A. 5th Cir. Certiorari denied. Reported below: 918 F. 2d 175.

No. 90-1200. *UNITED STATES FIRE INSURANCE CO. v. RIVERSIDE VENTURES, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 915 F. 2d 692.

No. 90-1203. *MURRAY v. OHIO ADULT PAROLE AUTHORITY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 916 F. 2d 713.

No. 90-1204. *ECCLI v. VON KLEMPERER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 915 F. 2d 1560.

No. 90-1206. *VILLARREAL v. HARTE-HANKS COMMUNICATIONS, INC., ET AL.* Ct. App. Tex., 13th Dist. Certiorari denied. Reported below: 787 S. W. 2d 131.

No. 90-1207. *TAYLOR v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied. Reported below: 915 F. 2d 1579.

No. 90-1209. *BALZER v. MEIER ET AL.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 196 Ill. App. 3d 1104, 582 N. E. 2d 773.

No. 90-1210. *CHESTER UPLAND SCHOOL DISTRICT v. LESTER H., A MINOR, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 916 F. 2d 865.

No. 90-1239. *UNITED ASSOCIATION OF BLACK LANDSCAPERS ET AL. v. CITY OF MILWAUKEE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 916 F. 2d 1261.

No. 90-1292. *LEWIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 915 F. 2d 1574.

No. 90-1313. *ROBIN ET AL. v. ARTHUR YOUNG & Co.* C. A. 7th Cir. Certiorari denied. Reported below: 915 F. 2d 1120.

No. 90-6059. *STEINES v. ADMINISTRATOR OF VETERANS AFFAIRS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 192 Ill. App. 3d 1109, 577 N. E. 2d 203.

No. 90-6137. *MORA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 911 F. 2d 728.

March 18, 1991

499 U. S.

No. 90-6218. *FREEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 909 F. 2d 1109.

No. 90-6309. *ARANGO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 912 F. 2d 441.

No. 90-6317. *GRIFFIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 914 F. 2d 269.

No. 90-6356. *MEJIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 470.

No. 90-6367. *TURNER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 908 F. 2d 974.

No. 90-6402. *ROGERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 917 F. 2d 165.

No. 90-6451. *HARRIS v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 793 S. W. 2d 802.

No. 90-6517. *PAIZ ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 905 F. 2d 1014.

No. 90-6537. *JAMES v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 436 Mich. 851, 460 N. W. 2d 557.

No. 90-6542. *SIMMONS v. BILLINGTON*. Ct. App. D. C. Certiorari denied.

No. 90-6556. *BAKHTIARI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 913 F. 2d 1053.

No. 90-6620. *DAY v. GAF CORP. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 918 F. 2d 182.

No. 90-6624. *STRATTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 915 F. 2d 1578.

No. 90-6652. *GELIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 1492.

No. 90-6661. *ROBINSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 90-6672. *MANCARI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 914 F. 2d 1014.

499 U. S.

March 18, 1991

No. 90-6757. *MELENDEZ LIRANZO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 842.

No. 90-6772. *ROSE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 25.

No. 90-6775. *PULIDO-GOMEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 917 F. 2d 494.

No. 90-6786. *SPARKMAN v. COLER*. C. A. 11th Cir. Certiorari denied.

No. 90-6789. *RUIZ v. EARLE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 914 F. 2d 253.

No. 90-6791. *PETERSON v. GRANNIS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 911 F. 2d 724.

No. 90-6792. *GANEY v. OUTLAW ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 22.

No. 90-6793. *BARNES v. NORRIS ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-6802. *SAVAGE-EL v. RISON, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 908 F. 2d 977.

No. 90-6807. *MITCHELL v. JONES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 909 F. 2d 1483.

No. 90-6812. *LEPISCOPO v. CONWAY*. Sup. Ct. N. M. Certiorari denied.

No. 90-6815. *MORRISON v. OXENDINE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1302.

No. 90-6817. *QUINTERO v. TORVALD KLAVENESS & Co. A/S ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 914 F. 2d 717.

No. 90-6821. *WILLIS v. CITY OF CLEVELAND, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 916 F. 2d 714.

No. 90-6822. *BARNES v. HENDERSON, WARDEN*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 843.

March 18, 1991

499 U. S.

No. 90-6824. *BRENNAN v. OHIO ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 916 F. 2d 712.

No. 90-6832. *D'AMARIO v. WEST PUBLISHING CO. ET AL.* C. A. 1st Cir. Certiorari denied.

No. 90-6837. *PEHRINGER v. DUGGER, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 918 F. 2d 182.

No. 90-6838. *TYLER ET AL. v. MISSOURI DEPARTMENT OF CORRECTIONS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 90-6840. *HUMPHREY v. SOUTHERN OHIO CORRECTIONAL FACILITY.* Ct. Cl. Ohio. Certiorari denied.

No. 90-6842. *RICHARDS v. COMMITTEE OF BAR EXAMINERS.* Sup. Ct. Cal. Certiorari denied.

No. 90-6844. *WINGO v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 90-6847. *EHR SAM v. RUBENSTEIN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 917 F. 2d 764.

No. 90-6848. *DAY v. BARKETT, JUSTICE, FLORIDA SUPREME COURT, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 90-6857. *PARKER v. JOHNSON, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 744.

No. 90-6860. *HERRERA v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 90-6863. *MUSTOPHER v. DUGGER, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 918 F. 2d 182.

No. 90-6865. *MITCHELL v. STANTON.* Sup. Ct. Tenn. Certiorari denied.

No. 90-6867. *RESE TAR v. EISLEY ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 524 Pa. 598, 568 A. 2d 1248.

No. 90-6868. *CORBIT v. DRAKE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 743.

499 U. S.

March 18, 1991

No. 90-6875. *COCKRUM v. MILLS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 90-6877. *TILLMAN v. DUCKWORTH ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 920 F. 2d 935.

No. 90-6880. *PRESTWOOD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 901 F. 2d 1112.

No. 90-6882. *BROWN v. ADMINISTRATIVE LAW JUDGE*. C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 247.

No. 90-6883. *FROST v. GEERNAERT ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 200 Cal. App. 3d 1104, 246 Cal. Rptr. 440.

No. 90-6893. *HANSON v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 918 F. 2d 185.

No. 90-6900. *THOMPSON v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 394 Pa. Super. 634, 569 A. 2d 1386.

No. 90-6902. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 907 F. 2d 155.

No. 90-6904. *JEFFRIES v. NIX, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 912 F. 2d 982.

No. 90-6912. *MANDOLPH-GREENE v. SAINAS*. Sup. Ct. Haw. Certiorari denied. Reported below: 71 Haw. 653, 798 P. 2d 446.

No. 90-6914. *MARTIN v. PENNSYLVANIA REAL ESTATE COMMISSION ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-6918. *BUTLER ET AL. v. GREENPOINT SAVINGS BANK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 842.

No. 90-6919. *STAFFORD v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 800 P. 2d 738.

No. 90-6922. *CARTER v. MEAD PAPER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 24.

No. 90-6925. *BOSA v. BOSA*. Super. Ct. Pa. Certiorari denied. Reported below: 398 Pa. Super. 641, 573 A. 2d 617.

March 18, 1991

499 U. S.

No. 90-6927. *ELAM v. FOLTZ, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 738.

No. 90-6930. *GRAHAM v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 90-6931. *RAEL v. SULLIVAN, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 918 F. 2d 874.

No. 90-6933. *MATHIS v. WAYNE COUNTY FRIEND OF THE COURT ET AL.* C. A. 6th Cir. Certiorari denied.

No. 90-6934. *MORRIS v. PULEO ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 731.

No. 90-6935. *MOORE v. MASCHNER ET AL.* C. A. 10th Cir. Certiorari denied.

No. 90-6936. *METOYER v. KAISER, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 90-6938. *GRIFFIN v. LANE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 909 F. 2d 1486.

No. 90-6942. *WILEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 564.

No. 90-6944. *FULLER v. WARDEN, MARYLAND PENITENTIARY*. C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 1491.

No. 90-6950. *WATTS v. JOHNSON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 1493.

No. 90-6952. *VARNER v. MORRISON, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 90-6961. *BURNLEY v. KENNON*. C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 848.

No. 90-6962. *KARIM-PANAHI v. REAGAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 469.

No. 90-6965. *MCDONALD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 146.

No. 90-6970. *SANDERS v. JOHNSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 141.

499 U. S.

March 18, 1991

No. 90-6973. *SCANLAN v. SAN FRANCISCO COUNTY DEPARTMENT OF SOCIAL SERVICES*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 90-6977. *GLOVER v. MARSH, SECRETARY OF THE ARMY*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 557.

No. 90-6982. *WILLIAMS ET UX. v. KANSTOROOM ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 82 Md. App. 774.

No. 90-6995. *CROSS ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 916 F. 2d 622.

No. 90-7003. *PETERS v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 90-7004. *PIERCE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 920 F. 2d 934.

No. 90-7007. *WAGSTAFF-EL v. CARLTON PRESS CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 913 F. 2d 56.

No. 90-7021. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 918 F. 2d 174.

No. 90-7028. *KEITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1302.

No. 90-7029. *JOSEPH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 282.

No. 90-7035. *REYES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 844.

No. 90-7037. *CAMPOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 920 F. 2d 929.

No. 90-7041. *TRAVERS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 19, 918 F. 2d 225.

No. 90-7047. *STEWART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 922 F. 2d 839.

March 18, 1991

499 U. S.

No. 90-7052. *JACOBS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 10.

No. 90-7053. *FORTENBERRY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 914 F. 2d 671.

No. 90-7057. *WHEELER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 918 F. 2d 956.

No. 90-7059. *LINDSAY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 922 F. 2d 839.

No. 90-7060. *HARRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1302.

No. 90-7061. *MARTINEZ-CABRE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1302.

No. 90-7066. *DEAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 920 F. 2d 12.

No. 90-7071. *ANDERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 860.

No. 90-7072. *THOMPSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 917 F. 2d 563.

No. 90-7078. *UPSHAW v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 789.

No. 90-7086. *COLEMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 181.

No. 90-7089. *RAMOS CARRASCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 918 F. 2d 175.

No. 90-7092. *CORPUS-BARAJAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 919 F. 2d 736.

No. 90-7098. *PABLO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 844.

No. 90-7102. *MARTIN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 286 U. S. App. D. C. 383, 917 F. 2d 1313.

499 U. S.

March 18, 1991

No. 90-7114. CARO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 843.

No. 90-7122. COZAD *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 181.

No. 90-7125. GONZALEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 146.

No. 90-7147. HAMPTON *v.* NEVADA. Sup. Ct. Nev. Certiorari denied. Reported below: 106 Nev. 1024, 835 P. 2d 41.

No. 90-1142. NEW JERSEY *v.* HARVEY. Sup. Ct. N. J. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 121 N. J. 407, 581 A. 2d 483.

No. 90-1231. CASPARI, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER, ET AL. *v.* WALTON. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 916 F. 2d 1352.

No. 90-1168. TOWN OF CONCORD, MASSACHUSETTS, ET AL. *v.* BOSTON EDISON Co. C. A. 1st Cir. Motions of American Public Power Association et al. and National Association of Gas Consumers for leave to file briefs as *amici curiae* granted. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 915 F. 2d 17.

No. 90-1191. OPERATING ENGINEERS & PARTICIPATING EMPLOYERS PRE-APPRENTICE, APPRENTICE & JOURNEYMAN AFFIRMATIVE ACTION TRAINING FUND ET AL. *v.* WEISS BROS. CONSTRUCTION Co., DBA WEISSCAL, ET AL. Ct. App. Cal., 3d App. Dist. Motions of Carpenters Joint Apprenticeship and Training Committee Fund for Southern California and Electrical Joint Apprenticeship et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 221 Cal. App. 3d 867, 270 Cal. Rptr. 786.

No. 90-6086. BELYEU *v.* TEXAS. Ct. Crim. App. Tex.;

No. 90-6101. JOUBERT *v.* NEBRASKA. Sup. Ct. Neb.;

No. 90-6291. ORNDORFF ET AL. *v.* LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir.;

No. 90-6325. HENRY *v.* PENNSYLVANIA. Sup. Ct. Pa.;

March 18, 1991

499 U. S.

- No. 90-6541. *BEAN v. ILLINOIS*. Sup. Ct. Ill.;
- No. 90-6816. *VAN POYCK v. FLORIDA*. Sup. Ct. Fla.;
- No. 90-6818. *SWEET v. MISSOURI*. Sup. Ct. Mo.;
- No. 90-6850. *GATES v. WARDEN AT SAN QUENTIN*. C. A. 9th Cir.; and
- No. 90-6855. *SPENCE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: No. 90-6086, 791 S. W. 2d 66; No. 90-6101, 235 Neb. 230, 455 N. W. 2d 117; No. 90-6291, 906 F. 2d 1230; No. 90-6325, 524 Pa. 135, 569 A. 2d 929; No. 90-6541, 137 Ill. 2d 65, 560 N. E. 2d 258; No. 90-6816, 564 So. 2d 1066; No. 90-6818, 796 S. W. 2d 607; No. 90-6855, 795 S. W. 2d 743.

JUSTICE MARSHALL, dissenting.

Adhering to my view 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, 231 (1976), I would grant certiorari and vacate the death sentences in these cases.

Rehearing Denied

- No. 89-5961. *PARKER v. DUGGER, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, 498 U. S. 308;
- No. 90-752. *WINCHESTER v. COUNTY OF SAN DIEGO ET AL.*, 498 U. S. 1047;
- No. 90-839. *COUNTY OF KERN, CALIFORNIA v. ABSHIRE ET AL.*, 498 U. S. 1068;
- No. 90-1013. *STEM v. AHEARN ET AL.*, 498 U. S. 1069;
- No. 90-5851. *TRUESDALE v. SOUTH CAROLINA*, 498 U. S. 1074;
- No. 90-6050. *PAYNE v. MIDDLETON ET AL.*, 498 U. S. 1070;
- No. 90-6289. *ARMSTRONG v. FRANK, POSTMASTER GENERAL*, 498 U. S. 1071;
- No. 90-6302. *SANDLIN v. ELLIS*, 498 U. S. 1071;
- No. 90-6323. *DIAZ v. MILES, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY, ET AL.*, 498 U. S. 1071;
- No. 90-6326. *HENTHORN v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA*, 498 U. S. 1071;
- No. 90-6336. *VEALE ET AL. v. NEW HAMPSHIRE*, 498 U. S. 1071;
- No. 90-6354. *IN RE MULVILLE*, 498 U. S. 1065;
- No. 90-6355. *IN RE MULVILLE*, 498 U. S. 1066;
- No. 90-6357. *SANDLIN v. ALLEN ET AL.*, 498 U. S. 1072; and

499 U. S.

March 18, 21, 25, 1991

No. 90-6385. *ABIFF v. GEORGIA*, 498 U. S. 1072. Petitions for rehearing denied.

MARCH 21, 1991

Miscellaneous Order

No. 90-967. *WOODDELL v. INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 71, ET AL.* C. A. 6th Cir. The order entered February 19, 1991 [498 U. S. 1082], is modified to read as follows: Certiorari granted limited to Question I presented by the petition. In addition, the parties are directed to brief and argue the following question: "Does § 301 of the Labor Management Relations Act create a federal cause of action under which a union member may sue his union for violation of the union constitution?"

MARCH 25, 1991

Vacated and Remanded on Appeal

No. 90-1244. *STATE DEMOCRATIC EXECUTIVE COMMITTEE OF ALABAMA v. HAWTHORNE ET AL.* Appeal from D. C. M. D. Ala. Judgment vacated and case remanded with directions to dismiss. *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950). Reported below: 750 F. Supp. 1090.

Certiorari Granted—Vacated and Remanded

No. 89-1230. *CITY OF CHICAGO ET AL. v. FRIEDRICH.* C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *West Virginia Univ. Hospitals, Inc. v. Casey*, ante, p. 83. Reported below: 888 F. 2d 511.

No. 90-400. *LE'MON v. NATIONAL LABOR RELATIONS BOARD.* C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Air Line Pilots v. O'Neill*, ante, p. 65, and *Steelworkers v. Rawson*, 495 U. S. 362 (1990). Reported below: 902 F. 2d 810.

No. 90-1010. *DILLON, COMMISSIONER, INDIANA DEPARTMENT OF INSURANCE, ET AL. v. ALLEGHANY CORP. ET AL.* C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded with directions to dismiss. *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950).

March 25, 1991

499 U. S.

Miscellaneous Orders

No. A-421 (90-7201). *BORROTO ET AL. v. UNITED STATES*. C. A. 11th Cir. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. D-930. *IN RE DISBARMENT OF HOBSON*. Disbarment entered. [For earlier order herein, see 497 U. S. 1056.]

No. D-932. *IN RE DISBARMENT OF BUSSEY*. Disbarment entered. [For earlier order herein, see 497 U. S. 1056.]

No. D-984. *IN RE DISBARMENT OF FLINN*. It is ordered that Gene Flinn, of Miami, Fla., 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-985. *IN RE DISBARMENT OF ROGERS*. It is ordered that Michael J. Rogers, of Burleson, 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-986. *IN RE DISBARMENT OF ZAUBER*. It is ordered that Kenneth Paul Zaubert, of North Brunswick, N. J., 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-987. *IN RE DISBARMENT OF BALLARD*. It is ordered that F. Michael Ballard, of Fairfax, Va., 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. 89-1905. *WISCONSIN PUBLIC INTERVENOR ET AL. v. MORTIER ET AL.* Sup. Ct. Wis. [Certiorari granted, 498 U. S. 1045.] Motion of respondents to permit California to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 90-622. *FLORIDA v. JIMENO ET AL.* Sup. Ct. Fla. [Certiorari granted, 498 U. S. 997.] Motion of National Association of Criminal Defense Lawyers for leave to file a brief as *amicus curiae* out of time denied. Motion of National Association of Crimi-

499 U. S.

March 25, 1991

nal Defense Lawyers for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 90-757. CHISOM ET AL. *v.* ROEMER, GOVERNOR OF LOUISIANA, ET AL.; and

No. 90-1032. UNITED STATES *v.* ROEMER, GOVERNOR OF LOUISIANA, ET AL. C. A. 5th Cir. [Certiorari granted, 498 U. S. 1060.] Motion of the Solicitor General for divided argument granted.

No. 90-813. HOUSTON LAWYERS' ASSN. ET AL. *v.* ATTORNEY GENERAL OF TEXAS ET AL.; and

No. 90-974. LEAGUE OF UNITED LATIN AMERICAN CITIZENS ET AL. *v.* ATTORNEY GENERAL OF TEXAS ET AL. C. A. 5th Cir. [Certiorari granted, 498 U. S. 1060.] Motion of respondent Sharolyn Wood for divided argument denied. Motion of respondent F. Harold Entz for divided argument denied.

No. 90-952. CLARK ET AL. *v.* ROEMER, GOVERNOR OF LOUISIANA, ET AL. D. C. M. D. La. [Probable jurisdiction noted, 498 U. S. 1060.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 90-5721. PAYNE *v.* TENNESSEE. Sup. Ct. Tenn. [Certiorari granted, 498 U. S. 1076 and 1080.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 90-7228. IN RE ROSS. Petition for writ of habeas corpus denied.

No. 90-1152. IN RE STUBBLEFIELD; and

No. 90-7094. IN RE JACKSON. Petitions for writs of mandamus denied.

No. 90-6974. IN RE SASSOWER; and

No. 90-7000. IN RE SASSOWER. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 90-1038. CIPOLLONE, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF CIPOLLONE *v.* LIGGETT GROUP, INC., ET AL. C. A. 3d Cir. Certiorari granted. Reported below: 893 F. 2d 541.

March 25, 1991

499 U. S.

Certiorari Denied

No. 90-695. HUFF, TRUSTEE *v.* STANDARD LIFE INSURANCE Co. C. A. 11th Cir. Certiorari denied. Reported below: 897 F. 2d 1072.

No. 90-764. FISCHER *v.* OHIO. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 90-782. ODOM ET AL. *v.* JOHNSON. C. A. 5th Cir. Certiorari denied. Reported below: 910 F. 2d 1273.

No. 90-810. DART ET AL. *v.* FORRESTER. C. A. 9th Cir. Certiorari denied. Reported below: 908 F. 2d 976.

No. 90-878. JOHNSON *v.* ALABAMA. Ct. Crim. App. Ala. Certiorari denied. Reported below: 564 So. 2d 108.

No. 90-996. COLORADO INTERSTATE GAS Co. *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 904 F. 2d 1456.

No. 90-1025. MMAHAT ET AL. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION, AS MANAGER OF THE FSLIC RESOLUTION FUND. C. A. 5th Cir. Certiorari denied. Reported below: 907 F. 2d 546.

No. 90-1037. MOORE *v.* REGENTS OF THE UNIVERSITY OF CALIFORNIA ET AL. Sup. Ct. Cal. Certiorari denied. Reported below: 51 Cal. 3d 120, 793 P. 2d 479.

No. 90-1046. ZAMLEN ET AL. *v.* CITY OF CLEVELAND ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 906 F. 2d 209.

No. 90-1049. BAKER ET AL. *v.* FEDERAL AVIATION ADMINISTRATION ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 917 F. 2d 318.

No. 90-1063. HAULAWAY INC. ET AL. *v.* MARTIN, SECRETARY OF LABOR. C. A. 3d Cir. Certiorari denied. Reported below: 914 F. 2d 242.

No. 90-1064. RUTLAND *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 907 F. 2d 489.

No. 90-1069. SOUTH HALF OF LOT 7 AND LOT 8, BLOCK 14, KOUNTZE'S 3RD ADDITION TO THE CITY OF OMAHA, ET AL. *v.*

499 U. S.

March 25, 1991

UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 910 F. 2d 488.

No. 90-1214. WILLIAMSON *v.* ABILENE INDEPENDENT SCHOOL DISTRICT ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 917 F. 2d 561.

No. 90-1216. TRANSPORTATION•COMMUNICATIONS INTERNATIONAL UNION *v.* MT PROPERTIES, INC. C. A. 8th Cir. Certiorari denied. Reported below: 914 F. 2d 1083.

No. 90-1219. TOCCO *v.* NEW JERSEY COUNCIL ON AFFORDABLE HOUSING ET AL. Super. Ct. N. J., App. Div. Certiorari denied. Reported below: 242 N. J. Super. 218, 576 A. 2d 328.

No. 90-1220. POLUR *v.* RAFFE ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 912 F. 2d 52.

No. 90-1221. LITTON INDUSTRIAL AUTOMATION SYSTEMS, INC., ET AL. *v.* GENERAL ELECTRIC CO. C. A. 8th Cir. Certiorari denied. Reported below: 920 F. 2d 1415.

No. 90-1224. CONTRERAS ET AL. *v.* CITIBANK (SOUTH DAKOTA) ET AL. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 198 Ill. App. 3d 1059, 556 N. E. 2d 751.

No. 90-1227. DELGAUDIO ET AL. *v.* KENDRICK, JUDGE, CIRCUIT COURT OF ARLINGTON COUNTY, VIRGINIA. Sup. Ct. Va. Certiorari denied.

No. 90-1228. FYKE *v.* ILLINOIS. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 195 Ill. App. 3d 1113, 582 N. E. 2d 329.

No. 90-1235. JET CHARTER SERVICE, INC. *v.* BANQUE PARIBAS (SUISSE), S. A. C. A. 11th Cir. Certiorari denied. Reported below: 907 F. 2d 1110.

No. 90-1236. PHELPS *v.* MATTHEWS, AKA JOHNSON, ET AL. Ct. App. Colo. Certiorari denied.

No. 90-1238. DERSTEIN *v.* BENSON ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 915 F. 2d 1410.

No. 90-1245. KOLLER *v.* RICHARDSON-MERRELL, INC. C. A. D. C. Cir. Certiorari denied.

March 25, 1991

499 U. S.

No. 90-1248. *CORDREY, A MINOR, ET AL. v. EUCKERT, SUPERINTENDENT, EVERGREEN LOCAL SCHOOL DISTRICT, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 1460.

No. 90-1277. *CRAMER ET AL. v. ASSOCIATION LIFE INSURANCE Co., INC.* Sup. Ct. La. Certiorari denied. Reported below: 569 So. 2d 533.

No. 90-1310. *KARNES v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 958.

No. 90-1316. *PERRY v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 5th Cir. Certiorari denied. Reported below: 912 F. 2d 1466.

No. 90-1327. *PALM COURT, INC., ET AL. v. DISTRICT COURT OF APPEAL OF FLORIDA, FOURTH DISTRICT, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 574 So. 2d 142.

No. 90-1336. *BENNETT v. GRAHAM, FORMER GOVERNOR OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 90-6457. *HAGLUND v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 106 Nev. 1024, 835 P. 2d 41.

No. 90-6461. *MCCLENDON v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 197 Ill. App. 3d 472, 554 N. E. 2d 791.

No. 90-6497. *JAMES v. DROPSIE COLLEGE, AKA ANNENBERG RESEARCH INSTITUTE.* C. A. 3d Cir. Certiorari denied. Reported below: 914 F. 2d 243.

No. 90-6549. *HALPIN v. MARTINEZ ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 601 So. 2d 552.

No. 90-6603. *NORI v. MALONEY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 842.

No. 90-6685. *MUNIO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 909 F. 2d 436.

No. 90-6712. *MCCONNELL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 903 F. 2d 566.

No. 90-6778. *SHULMAN v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 2d Cir. Certiorari denied. Reported below: 914 F. 2d 239.

499 U. S.

March 25, 1991

No. 90-6898. *GRANADO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 28.

No. 90-6908. *STRINGER v. JOHNSON*. Sup. Ct. Cal. Certiorari denied.

No. 90-6945. *VINSON v. COOPER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 921 F. 2d 274.

No. 90-6948. *ROBINSON v. SAWYER, MAYOR, CITY OF CHICAGO, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 90-6953. *BAUGH v. NAGLE, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 920 F. 2d 12.

No. 90-6954. *FRANCIS v. HOKE, WARDEN*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 844.

No. 90-6958. *OATESS v. DRAGOVICH ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-6972. *WHITE v. MORRIS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 179.

No. 90-6975. *KIM v. PRINTEMPS*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 90-6976. *KIM v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 90-6979. *BROWN v. VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 557.

No. 90-6983. *WILLIAMS ET UX. v. KANSTOROOM ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 82 Md. App. 774.

No. 90-6987. *KUNZ v. ALASKA*. C. A. 9th Cir. Certiorari denied. Reported below: 902 F. 2d 1578.

No. 90-6993. *RODRIGUEZ v. HOKE, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 844.

No. 90-6996. *BOYD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 923 F. 2d 852.

No. 90-7002. *VAN DER JAGT v. SIB INTERNATIONAL BANCORP, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 914 F. 2d 252.

March 25, 1991

499 U. S.

No. 90-7006. *PHILLIPS v. SENKOWSKI, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 844.

No. 90-7009. *ALLEN v. DAVIS, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 918 F. 2d 182.

No. 90-7012. *MARTIN v. FARNAN ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-7017. *MARYLAND v. JARVIS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 1491.

No. 90-7022. *ALEJOS-PEREZ ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1302.

No. 90-7032. *PAUL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 917 F. 2d 1306.

No. 90-7034. *ROLDAN-ZAPATA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 916 F. 2d 795.

No. 90-7044. *DELBRIDGE ET AL. v. NEW JERSEY DIVISION OF YOUTH AND FAMILY SERVICES*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 90-7045. *COHEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 958.

No. 90-7050. *PONCE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 917 F. 2d 841.

No. 90-7055. *BROM v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 463 N. W. 2d 758.

No. 90-7064. *DOGANIERE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 165.

No. 90-7068. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 1305.

No. 90-7079. *YBABEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 919 F. 2d 508.

No. 90-7088. *ZANI v. WALDRON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 917 F. 2d 562.

499 U. S.

March 25, 1991

No. 90-7095. *CRAGO v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 53 Ohio St. 3d 243, 559 N. E. 2d 1353.

No. 90-7099. *JOHNSON v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 918 F. 2d 175.

No. 90-7100. *MAMMOLITO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 915 F. 2d 1576.

No. 90-7111. *LAWRENCE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 918 F. 2d 68.

No. 90-7119. *WATSON v. UNITED STATES*; and *JACKSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 904 F. 2d 702 (first case) and 701 (second case).

No. 90-7129. *ALVARADO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1302.

No. 90-7130. *FRONDLE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 918 F. 2d 62.

No. 90-7133. *CASAL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 915 F. 2d 1225.

No. 90-7138. *GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 146.

No. 90-7142. *SIGGERS v. WITHROW, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 141.

No. 90-7150. *ROSENBERG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 181.

No. 90-7162. *LANDA-VEGA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 920 F. 2d 930.

No. 90-7165. *MCCRAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 1497.

No. 90-7166. *HOWELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 144.

No. 90-7168. *MATHNAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 895 F. 2d 1418.

March 25, 1991

499 U. S.

No. 90-7171. TAMAYO *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 958.

No. 90-7175. KOULIZOS *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. Reported below: 920 F. 2d 933.

No. 90-7176. LILLY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 181.

No. 90-7178. NOLAN *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 910 F. 2d 1553.

No. 90-7181. EDWARDS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 593.

No. 90-7182. REYNOLDS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 919 F. 2d 435.

No. 90-7188. ALVARADO-GONZALEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 470.

No. 90-7191. BURNS *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 732.

No. 90-7192. WHIGHAM *v.* FOLTZ, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 90-7207. MCCLINTON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 925 F. 2d 1458.

No. 90-7208. GARCIA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1471.

No. 90-7211. MCCLURE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 918 F. 2d 956.

No. 90-7220. POWELL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 922 F. 2d 212.

No. 90-968. NORTH CAROLINA *v.* MCNEIL. Sup. Ct. N. C. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 327 N. C. 388, 395 S. E. 2d 106.

499 U. S.

March 25, 1991

No. 90-1130. KELLY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY *v.* HARPER. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 916 F. 2d 54.

No. 90-1146. FMC *v.* SHOSHONE-BANNOCK TRIBES ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 905 F. 2d 1311.

No. 90-1212. TAHOE-SIERRA PRESERVATION COUNCIL, INC., ET AL. *v.* TAHOE REGIONAL PLANNING AGENCY ET AL. C. A. 9th Cir. Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 911 F. 2d 1331.

No. 90-1333. BOBAL *v.* RENSSELAER POLYTECHNIC INSTITUTE ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 916 F. 2d 759.

No. 90-6193. MCSHERRY *v.* BLOCK ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE MARSHALL would grant certiorari. Reported below: 880 F. 2d 1049.

No. 90-6951. COMER *v.* ARIZONA. Sup. Ct. Ariz.; and

No. 90-7193. HOWARD *v.* ROWLAND ET AL. Sup. Ct. Cal. Certiorari denied. Reported below: No. 90-6951, 165 Ariz. 413, 799 P. 2d 333.

JUSTICE MARSHALL, dissenting.

Adhering to my view 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, 231 (1976), I would grant certiorari and vacate the death sentences in these cases.

Rehearing Denied

No. 90-835. SMITH, ADMINISTRATRIX OF THE ESTATE OF SMITH, DECEASED *v.* CITY OF BERKELEY ET AL., 498 U. S. 1068;

No. 90-1054. IN RE McDONALD, 498 U. S. 1081;

No. 90-5783. CALLIS *v.* MURRAY, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL., 498 U. S. 1091; and

No. 90-6411. SINDRAM *v.* MCKENNA ET AL., 498 U. S. 1096. Petitions for rehearing denied.

March 28, April 1, 1991

499 U. S.

MARCH 28, 1991

Dismissal Under Rule 46

No. 88-1938. *TOWNSLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 856 F. 2d 1189.

APRIL 1, 1991

Certiorari Granted—Vacated and Remanded

No. 90-404. *ILLINOIS STATE LABOR RELATIONS BOARD ET AL. v. ILLINOIS NURSES ASSN. ET AL.* App. Ct. Ill., 1st Dist. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the advisory opinion of the National Labor Relations Board in *Correctional Medical Systems, Inc.*, 299 N. L. R. B. 654 (1990). JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari and set case for oral argument. Reported below: 196 Ill. App. 3d 576, 554 N. E. 2d 404.

No. 90-731. *HAINES & CO., INC., ET AL. v. ILLINOIS BELL TELEPHONE CO.* C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Feist Publications, Inc. v. Rural Telephone Service Co.*, ante, p. 340. Reported below: 905 F. 2d 1081.

No. 90-1251. *PENNSYLVANIA v. OGBORNE*. Super. Ct. Pa. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Alabama v. White*, 496 U. S. 325 (1990). Reported below: 384 Pa. Super. 604, 559 A. 2d 931.

No. 90-6766. *BLACKMER v. UNITED STATES*. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Gozlon-Peretz v. United States*, 498 U. S. 395 (1991). Reported below: 909 F. 2d 66.

Miscellaneous Orders

No. — — —. *AYSISAYH v. DUGGER, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. — — —. *PUBLIC ADMINISTRATOR OF THE COUNTY OF NEW YORK, AS ADMINISTRATOR OF THE ESTATE OF MILAM v.*

499 U. S.

April 1, 1991

GIBSON & CUSHMAN OF NEW YORK, INC. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. A-707. RICHARDS, GOVERNOR OF TEXAS, ET AL. *v.* UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS (SHERIFF OF HARRIS COUNTY ET AL., REAL PARTIES IN INTEREST). Application for stay of a portion of the judgment of the United States District Court for the Southern District of Texas filed February 7, 1991, presented to JUSTICE SCALIA, and by him referred to the Court, denied, and the order heretofore entered by JUSTICE SCALIA on March 20, 1991, is vacated.

No. A-712. CITY OF YONKERS *v.* UNITED STATES ET AL. D. C. S. D. N. Y. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. A-716. WILLIAMS ET AL. *v.* CITY OF DALLAS. Application to vacate a stay order entered by the United States Court of Appeals for the Fifth Circuit, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

No. D-947. IN RE DISBARMENT OF PATTISON. Disbarment entered. [For earlier order herein, see 498 U. S. 956.]

No. D-962. IN RE DISBARMENT OF RUBIN. Disbarment entered. [For earlier order herein, see 498 U. S. 1044.]

No. D-967. IN RE DISBARMENT OF COSTIGAN. Disbarment entered. [For earlier order herein, see 498 U. S. 1065.]

No. D-988. IN RE DISBARMENT OF ANDERSON. It is ordered that Loretta B. Anderson, of Tampa, Fla., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-989. IN RE DISBARMENT OF MACH. It is ordered that William C. Mach, of Tucson, Ariz., 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-990. IN RE DISBARMENT OF MILLER. It is ordered that John Ross Miller, of Salem, Ore., be suspended from the

April 1, 1991

499 U. S.

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. 118, Orig. UNITED STATES *v.* ALASKA. Motion for leave to file bill of complaint granted, and defendant is allowed 60 days within which to file an answer.

No. 89-1895. ASTORIA FEDERAL SAVINGS & LOAN ASSN. *v.* SOLIMINO. C. A. 2d Cir. [Certiorari granted, 498 U. S. 1023.] Motion of the Solicitor General to permit Amy L. Wax, Esq., to present oral argument *pro hac vice* granted.

No. 90-769. RENNE, SAN FRANCISCO CITY ATTORNEY, ET AL. *v.* GEARY ET AL. C. A. 9th Cir. [Certiorari granted, 498 U. S. 1046.] Motion of California Democratic Party et al. for leave to participate in oral argument as *amici curiae* and for divided argument granted.

No. 90-1270. ALABAMA *v.* BROWN. Ct. Crim. App. Ala. Motion of respondent for leave to proceed *in forma pauperis* granted.

Certiorari Granted

No. 90-1090. IMMIGRATION AND NATURALIZATION SERVICE ET AL. *v.* NATIONAL CENTER FOR IMMIGRANTS' RIGHTS, INC., ET AL. C. A. 9th Cir. Certiorari granted limited to Question 2 presented by the petition. Reported below: 913 F. 2d 1350.

No. 90-1262. ARKANSAS ET AL. *v.* OKLAHOMA ET AL.; and

No. 90-1266. ENVIRONMENTAL PROTECTION AGENCY *v.* OKLAHOMA ET AL. C. A. 10th Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 908 F. 2d 595.

No. 90-5844. FOUCHA *v.* LOUISIANA. Sup. Ct. La. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 563 So. 2d 1138.

No. 90-6704. DAWSON *v.* DELAWARE. Sup. Ct. Del. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 581 A. 2d 1078.

Certiorari Denied

No. 90-321. CLARK ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 898 F. 2d 156.

499 U. S.

April 1, 1991

No. 90-719. *IANNACONE v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 90-733. *HAMM v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 121 N. J. 109, 577 A. 2d 1259.

No. 90-893. *NEW MEXICO v. WORK*. Sup. Ct. N. M. Certiorari denied. Reported below: 111 N. M. 145, 803 P. 2d 234.

No. 90-1058. *HARTMAN ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 915 F. 2d 854.

No. 90-1072. *RAMEY v. UNITED STATES GENERAL ACCOUNTING OFFICE ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 286 U. S. App. D. C. 288, 915 F. 2d 731.

No. 90-1081. *CUTTER ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 914 F. 2d 775.

No. 90-1087. *EASLEY v. UNIVERSITY OF MICHIGAN BOARD OF REGENTS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 906 F. 2d 1143.

No. 90-1093. *MARKS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 910 F. 2d 343.

No. 90-1108. *KAISER DEVELOPMENT CO., AKA KACOR DEVELOPMENT CO., ET AL. v. CITY AND COUNTY OF HONOLULU*. C. A. 9th Cir. Certiorari denied. Reported below: 898 F. 2d 112 and 913 F. 2d 573.

No. 90-1129. *SUMITOMO TRUST & BANKING CO. (U. S. A.) v. EDEN HANNON & CO.* C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 556.

No. 90-1179. *STATE FARM GENERAL INSURANCE CO. ET AL. v. KRASZEWSKI ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 1182.

No. 90-1196. *SIMNICK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 90-1243. *HUMPHREYS (CAYMAN) LTD. v. WILSON ET VIR.* C. A. 7th Cir. Certiorari denied. Reported below: 916 F. 2d 1239.

No. 90-1249. *R. R. DONNELLEY & SONS CO. v. PREVOST ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 915 F. 2d 787.

April 1, 1991

499 U. S.

No. 90-1250. *BURLINGTON NORTHERN RAILROAD CO. ET AL. v. WHITT, ADMINISTRATRIX OF THE ESTATE OF WHITT, DECEASED*. Sup. Ct. Ala. Certiorari denied. Reported below: 575 So. 2d 1011.

No. 90-1253. *FASSE ET AL. v. HODGSON*. Sup. Ct. Ga. Certiorari denied. Reported below: 260 Ga. XXIX, 397 S. E. 2d 710.

No. 90-1257. *CLEVELAND v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 58 Wash. App. 634, 794 P. 2d 546.

No. 90-1259. *REDMOND v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 196 Ill. App. 3d 1109, 582 N. E. 2d 776.

No. 90-1263. *YASKO v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 55 Wash. App. 1044.

No. 90-1267. *GENERAL MOTORS CORP. v. DUERR*. C. A. 6th Cir. Certiorari denied. Reported below: 911 F. 2d 732.

No. 90-1268. *SECORD v. VIRGINIA*. Ct. App. Va. Certiorari denied.

No. 90-1274. *WIELAND v. BROWN, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS*. C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 1305.

No. 90-1275. *SCOVEL v. NORFOLK SHIPBUILDING & DRYDOCK CO., INC.* Sup. Ct. Va. Certiorari denied. Reported below: 240 Va. 472, 397 S. E. 2d 884.

No. 90-1296. *REMINGTON ARMS Co., INC. v. KING*. Ct. App. Ky. Certiorari denied.

No. 90-1300. *DEAN WITTER REYNOLDS INC. ET AL. v. STROTZ*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 223 Cal. App. 3d 208, 272 Cal. Rptr. 680.

No. 90-1307. *TOMCSIK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 564.

No. 90-1308. *WATTS v. STONE, SECRETARY OF THE ARMY*. C. A. 11th Cir. Certiorari denied. Reported below: 908 F. 2d 979.

499 U. S.

April 1, 1991

No. 90-1323. *AGNIHOTRI ET AL. v. ARENSON*. C. A. 5th Cir. Certiorari denied. Reported below: 911 F. 2d 1124.

No. 90-1345. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 179.

No. 90-1346. *KING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 914 F. 2d 269.

No. 90-1347. *BABER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 918 F. 2d 176.

No. 90-1349. *WEBB v. REILLY, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY*. C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 1493.

No. 90-1350. *BEN-PORAT ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 908 F. 2d 976.

No. 90-1363. *LABORERS' LOCAL 332 v. NATIONAL LABOR RELATIONS BOARD*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 732.

No. 90-1364. *MANNA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 733.

No. 90-1375. *KASPAROFF v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 146.

No. 90-5204. *CAMPANERIA v. REID, SUPERINTENDENT, FISHKILL CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 891 F. 2d 1014.

No. 90-6303. *ZATKO v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 90-6409. *ZATKO v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 90-6432. *ZATKO v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

April 1, 1991

499 U. S.

No. 90-6433. *ZATKO v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 90-6456. *WASHINGTON v. RUCKER*. C. A. 11th Cir. Certiorari denied.

No. 90-6505. *SILVERBURG v. STEWART ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 179.

No. 90-6581. *ZATKO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 90-6582. *ZATKO v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 90-6583. *ZATKO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 90-6613. *STOTT v. CASPARI, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 915 F. 2d 1578.

No. 90-6664. *VALDES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 138.

No. 90-6698. *ZATKO v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 90-6719. *OSPINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 911 F. 2d 741.

No. 90-6727. *CHOTAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 913 F. 2d 897.

No. 90-6759. *MAGUIRE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 918 F. 2d 254.

No. 90-6761. *GRIFFITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 1305.

No. 90-6790. *ZATKO v. SUPERIOR COURT OF CALIFORNIA, DEL NORTE COUNTY*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

499 U. S.

April 1, 1991

No. 90-6796. *WENDT v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 157 Wis. 2d 815, 461 N. W. 2d 449.

No. 90-6878. *ZATKO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 90-6917. *PANDA v. NATIONAL LABOR RELATIONS BOARD*. C. A. 3d Cir. Certiorari denied.

No. 90-6969. *GRIDLEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 909 F. 2d 1486.

No. 90-6978. *CORIA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 907 F. 2d 158.

No. 90-6997. *ALLEN v. UNITED STATES POSTAL SERVICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 918 F. 2d 187.

No. 90-6999. *SIMMONS v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 90-7019. *CHILDS v. LISKEY*. C. A. 10th Cir. Certiorari denied.

No. 90-7024. *ORSO v. MISSOURI*. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 789 S. W. 2d 177.

No. 90-7025. *KELLER v. PETSOCK, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-7027. *MARTIN v. HUYETT*. C. A. 3d Cir. Certiorari denied.

No. 90-7031. *FISHER v. CHICAGO TRANSIT AUTHORITY ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 90-7033. *SHERRILLS v. GOLDBERGER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 90-7038. *BRAGG v. COLUMBUS CITY POLICE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 912 F. 2d 465.

No. 90-7039. *CROSS v. SAN MATEO COUNTY TRANSIT DISTRICT*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

April 1, 1991

499 U. S.

No. 90-7056. *SCOTT v. BUEHLER FOOD MARKETS, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 141.

No. 90-7058. *BENTLEY v. NEW YORK ET AL.* (two cases). C. A. 2d Cir. Certiorari denied.

No. 90-7062. *CHRISTIAN v. PACIFIC GAS & ELECTRIC CO.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 90-7063. *BARELA v. ARIZONA.* C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 27.

No. 90-7075. *NEAL v. BURTON, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 90-7077. *BROWNE v. ROBB.* Sup. Ct. Del. Certiorari denied. Reported below: 583 A. 2d 949.

No. 90-7081. *GRANT v. ZIMMERMAN ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-7082. *LIGHTS v. KELLY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 844.

No. 90-7083. *MARTIN v. FISHER ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-7085. *CUMMINGS v. PURKETT, SUPERINTENDENT, FARMINGTON CORRECTION CENTER.* C. A. 8th Cir. Certiorari denied.

No. 90-7110. *MCDANIEL v. ARIZONA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 280 and 966.

No. 90-7115. *GILLIAM v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 137.

No. 90-7123. *CAMMACK v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 919 F. 2d 737.

No. 90-7126. *BIGGS v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

499 U. S.

April 1, 1991

No. 90-7148. *GRAVES v. TATE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 957.

No. 90-7149. *RUSSELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 917 F. 2d 512.

No. 90-7157. *CASELLA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 733.

No. 90-7161. *JEFFERS v. CLARK, SUPERINTENDENT, INDIANA STATE PRISON, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 90-7172. *CATAULIN v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 915 F. 2d 1584.

No. 90-7180. *NAPOLI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 733.

No. 90-7189. *HENRY v. UNITED STATES DEPARTMENT OF THE INTERIOR*. C. A. Fed. Cir. Certiorari denied. Reported below: 923 F. 2d 869.

No. 90-7215. *LEIBOWITZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 919 F. 2d 482.

No. 90-7222. *JORDAN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 245, 920 F. 2d 1039.

No. 90-7224. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 920 F. 2d 1377.

No. 90-7235. *BIRCH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 925 F. 2d 1473.

No. 90-7236. *DELGADO-SERRANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 914 F. 2d 252.

No. 90-7237. *LAYTON v. SOUTH DAKOTA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 918 F. 2d 739.

No. 90-7238. *KIDD v. WILLIAMS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 922 F. 2d 836.

No. 90-7239. *LOWE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 181.

April 1, 1991

499 U. S.

No. 90-7240. *DEPARIAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 917 F. 2d 568.

No. 90-7241. *BALLARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 919 F. 2d 255.

No. 90-7242. *VANDERLAAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 921 F. 2d 257.

No. 90-7244. *WEEKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 919 F. 2d 248.

No. 90-7247. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 147.

No. 90-7291. *CHARLESTON v. MANN, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 594.

No. 89-6482. *COOEY v. OHIO*. Sup. Ct. Ohio;

No. 90-5414. *LEE v. LOUISIANA*. Sup. Ct. La.;

No. 90-6444. *BEASLEY v. PENNSYLVANIA*. Super. Ct. Pa.;

No. 90-6913. *JONES v. DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir.;

No. 90-7016. *HIGH v. ZANT, WARDEN*. C. A. 11th Cir.;

No. 90-7134. *STANKEWITZ v. CALIFORNIA*. Sup. Ct. Cal.;
and

No. 90-7199. *MADDEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: No. 89-6482, 46 Ohio St. 3d 20, 544 N. E. 2d 895; No. 90-5414, 559 So. 2d 1310; No. 90-6444, 395 Pa. Super. 649, 570 A. 2d 585; No. 90-6913, 923 F. 2d 860; No. 90-7016, 916 F. 2d 1507; No. 90-7134, 51 Cal. 3d 72, 793 P. 2d 23; No. 90-7199, 799 S. W. 2d 683.

JUSTICE MARSHALL, dissenting.

Adhering to my view 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, 231 (1976), I would grant certiorari and vacate the death sentences in these cases.

No. 90-1078. *LYMAN ET AL. v. CITY AND COUNTY OF HONOLULU*. C. A. 9th Cir. Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 898 F. 2d 112 and 913 F. 2d 573.

499 U. S.

April 1, 3, 12, 1991

No. 90-1242. BRIGNOLI & CURLEY, INC., ET AL. *v.* CURLEY ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 915 F. 2d 81.

No. 90-1269. FUNCTION JUNCTION, INC., ET AL. *v.* CROWE ET AL. C. A. 11th Cir. Motion of respondents for damages pursuant to this Court's Rule 42.2 denied. Certiorari denied. Reported below: 911 F. 2d 579.

Rehearing Denied

No. 90-5806. PARKER *v.* PARSONS, WARDEN, ET AL., 498 U. S. 1121;

No. 90-6229. MARTIN *v.* SUPREME COURT OF DELAWARE, 498 U. S. 1094;

No. 90-6301. SHAW *v.* PETERS, WARDEN, 498 U. S. 1071;

No. 90-6420. HUNZIKER ET AL. *v.* GERMAN-AMERICAN STATE BANK ET AL., 498 U. S. 1073;

No. 90-6421. IN RE HUNZIKER ET AL., 498 U. S. 1065; and

No. 90-6478. CRUICKSHANK *v.* AMERICAN HONDA, 498 U. S. 1097. Petitions for rehearing denied.

No. 90-815. BLAINE *v.* MARMOR ET UX., 498 U. S. 1067. Motion of petitioner for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

APRIL 3, 1991

Dismissal Under Rule 46

No. 90-1052. GENENTECH, INC., ET AL. *v.* HORMONE RESEARCH FOUNDATION ET AL. C. A. Fed. Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 904 F. 2d 1558.

APRIL 12, 1991

Miscellaneous Order

No. A-770 (90-89). INTERNATIONAL PRIMATE PROTECTION LEAGUE ET AL. *v.* ADMINISTRATORS OF TULANE EDUCATIONAL FUND ET AL. C. A. 5th Cir. [Certiorari granted, 498 U. S. 980.] Application to recall and stay the mandate of the United States Court of Appeals for the Fifth Circuit and to reinstate the injunction of the United States District Court for the Eastern Dis-

April 12, 15, 1991

499 U. S.

trict of Louisiana, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. The order heretofore entered April 10, 1991, by JUSTICE KENNEDY is vacated. JUSTICE SCALIA took no part in the consideration or decision of this application.

APRIL 15, 1991

Appointment Order

It is ordered that William V. Gullickson be, and he is hereby, appointed Deputy Clerk of this Court, effective April 15, 1991.

Certiorari Granted—Vacated and Remanded

No. 90-1284. INTERCONTINENTAL LIFE INSURANCE CO. *v.* LINDBLOM. Sup. Ct. Ala. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, ante, p. 1. Reported below: 571 So. 2d 1092.

No. 90-6553. WOOD *v.* UNITED STATES POSTAL SERVICE. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Irwin v. Department of Veterans Affairs*, 498 U. S. 89 (1990). Reported below: 873 F. 2d 295.

Miscellaneous Orders

No. — — —. GRANDISON *v.* UNITED STATES. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. A-747. KIDDER, PEABODY & CO., INC. *v.* MAXUS ENERGY CORP. ET AL. C. A. 2d Cir. Application for stay, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

No. A-750 (90-1485). IN RE PERALES. Application for preliminary injunction and expedited hearing, addressed to JUSTICE MARSHALL and referred to the Court, denied.

No. D-933. IN RE DISBARMENT OF ROSS. Disbarment entered. [For earlier order herein, see 497 U. S. 1056.]

No. D-935. IN RE DISBARMENT OF ANTICO. Disbarment entered. [For earlier order herein, see 497 U. S. 1056.]

No. D-945. IN RE DISBARMENT OF HEAVY. Disbarment entered. [For earlier order herein, see 498 U. S. 918.]

499 U. S.

April 15, 1991

No. D-958. IN RE DISBARMENT OF NOBLE. Disbarment entered. [For earlier order herein, see 498 U. S. 1020.]

No. D-969. IN RE DISBARMENT OF FINKELSTEIN. Joseph J. Finkelstein, of Miami, Fla., 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 February 25, 1991 [498 U. S. 1117], is hereby discharged.

No. D-974. IN RE DISBARMENT OF BOWERS. Disbarment entered. [For earlier order herein, see *ante*, p. 902.]

No. D-991. IN RE DISBARMENT OF LELouis. It is ordered that Edward C. LeLouis, of Bakersfield, Cal., 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-992. IN RE DISBARMENT OF CROWLEY. It is ordered that Dennis D. Crowley, of Rye, N. Y., 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-993. IN RE DISBARMENT OF BERGER. It is ordered that Murray Berger, of Great Neck, N. Y., 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-994. IN RE DISBARMENT OF CROSLLEY. It is ordered that John Stephen Crosley, of La Selva Beach, Cal., 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. 90-813. HOUSTON LAWYERS' ASSN. ET AL. *v.* ATTORNEY GENERAL OF TEXAS ET AL.; and

No. 90-974. LEAGUE OF UNITED LATIN AMERICAN CITIZENS ET AL. *v.* ATTORNEY GENERAL OF TEXAS ET AL. C. A. 5th Cir. [Certiorari granted, 498 U. S. 1060.] Motion of Florida Conference of Circuit Judges et al. for leave to file a brief as *amici curiae* granted. Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* in No. 90-974 granted.

April 15, 1991

499 U. S.

No. 90-848. *HILTON v. SOUTH CAROLINA PUBLIC RAILWAYS COMMISSION*. Sup. Ct. S. C. [Certiorari granted, 498 U. S. 1081.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 90-7160. *MILLS v. UNITED STATES*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until May 6, 1991, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court.

JUSTICE MARSHALL and JUSTICE STEVENS, dissenting.

For the reasons expressed in *Brown v. Herald Co.*, 464 U. S. 928 (1983), we would deny the petition for writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

No. 90-7386. *IN RE GAMBLE*. Petition for writ of habeas corpus denied.

Certiorari Granted

No. 90-1056. *BURSON, ATTORNEY GENERAL AND REPORTER FOR TENNESSEE v. FREEMAN*. Sup. Ct. Tenn. Certiorari granted. Reported below: 802 S. W. 2d 210.

No. 90-1279. *COLLINS v. CITY OF HARKER HEIGHTS, TEXAS*. C. A. 5th Cir. Certiorari granted. Reported below: 916 F. 2d 284.

No. 90-1205. *UNITED STATES v. MABUS, GOVERNOR OF MISSISSIPPI, ET AL.*; and

No. 90-6588. *AYERS ET AL. v. MABUS, GOVERNOR OF MISSISSIPPI, ET AL.* C. A. 5th Cir. Motions of NAACP Legal Defense and Educational Fund, Inc., and 17 Afro-American students who formerly attended University of Mississippi for leave to file briefs as *amici curiae* granted. Motion of petitioners in No. 90-6588 for leave to proceed *in forma pauperis* granted. Certiorari granted in No. 90-1205. Certiorari granted in No. 90-6588 limited to Questions 1 and 2 presented by the petition. Cases consolidated and a total of one hour allotted for oral argument. Reported below: 914 F. 2d 676.

No. 90-6531. *HUDSON v. McMILLIAN ET AL.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 929 F. 2d 1014.

499 U. S.

April 15, 1991

Certiorari Denied

No. 90-910. WHITCOMBE *v.* WEYERHAEUSER CORP. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 907 F. 2d 155.

No. 90-976. ANCLOTE MANOR HOSPITAL, INC., ET AL. *v.* LEWIS. C. A. 11th Cir. Certiorari denied. Reported below: 912 F. 2d 1468.

No. 90-1068. NATIONAL RIFLE ASSN. ET AL. *v.* BRADY, SECRETARY OF TREASURY, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 475.

No. 90-1073. MCMAHON *v.* TRUMP ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 248.

No. 90-1076. CHAMBERS *v.* UNITED STATES DEPARTMENT OF THE ARMY ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 525.

No. 90-1080. BRADAC ET UX. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 910 F. 2d 439.

No. 90-1106. DEGEURIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 913 F. 2d 1118.

No. 90-1127. RAILWAY LABOR EXECUTIVES' ASSN. ET AL. *v.* INTERSTATE COMMERCE COMMISSION ET AL. (two cases). C. A. D. C. Cir. Certiorari denied. Reported below: 286 U. S. App. D. C. 220, 914 F. 2d 276 (first case); 286 U. S. App. D. C. 348, 917 F. 2d 62 (second case).

No. 90-1143. PRECISE CASTINGS, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. Certiorari denied. Reported below: 915 F. 2d 1160.

No. 90-1151. VEST ET AL. *v.* ZIAEE ET AL.; and
No. 90-1331. ZIAEE ET AL. *v.* VEST ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 916 F. 2d 1204.

No. 90-1157. TODD PACIFIC SHIPYARDS CORP. ET AL. *v.* DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 911 F. 2d 247.

April 15, 1991

499 U. S.

No. 90-1197. *FITZ v. COMMUNICATIONS WORKERS OF AMERICA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 286 U. S. App. D. C. 348, 917 F. 2d 62.

No. 90-1217. *KEARING v. TEEL, JUDGE, UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 90-1286. *JENKINS, AKA MCGANN v. BARNETT BANK OF PENSACOLA ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 843.

No. 90-1288. *THOMANN v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 197 Ill. App. 3d 516, 554 N. E. 2d 755.

No. 90-1289. *THOMANN v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 197 Ill. App. 3d 488, 554 N. E. 2d 748.

No. 90-1294. *CHICAGO & NORTH WESTERN TRANSPORTATION CO. v. BYRON, JUDGE, CIRCUIT COURT OF MADISON COUNTY, ILLINOIS.* Sup. Ct. Ill. Certiorari denied.

No. 90-1295. *COHN v. SHANKMAN.* Ct. App. Tenn. Certiorari denied.

No. 90-1298. *AL-ZUBAIDI v. IJAZ ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 1347.

No. 90-1299. *CITY OF MILWAUKEE v. CEMENT DIVISION, NATIONAL GYPSUM CO., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 915 F. 2d 1154.

No. 90-1301. *HADGES v. YONKERS RACING CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 918 F. 2d 1079.

No. 90-1302. *COLORADO v. IDARADO MINING CO. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 916 F. 2d 1486.

No. 90-1303. *MASSEY v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 60 Wash. App. 131, 803 P. 2d 340.

No. 90-1304. *CORIZ, BY AND THROUGH NEXT FRIENDS, CORIZ ET UX. v. MARTINEZ ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 915 F. 2d 1469.

499 U. S.

April 15, 1991

No. 90-1305. BERGER, PERSONAL REPRESENTATIVE OF THE ESTATE OF BERGER *v.* PERSONAL PRODUCTS, INC., AKA OR MERGED WITH JOHNSON & JOHNSON BABY PRODUCTS, ET AL. Sup. Ct. Wash. Certiorari denied. Reported below: 115 Wash. 2d 267, 797 P. 2d 1148.

No. 90-1309. GENERAL ELECTRIC CO. ET AL. *v.* KNIGHT ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 916 F. 2d 829.

No. 90-1314. WARNER *v.* OHIO; and SCHIEBEL *v.* OHIO. Sup. Ct. Ohio. Certiorari denied. Reported below: 55 Ohio St. 3d 31, 564 N. E. 2d 18 (first case); 55 Ohio St. 3d 71, 564 N. E. 2d 54 (second case).

No. 90-1315. FLETCHER ET UX. *v.* DISTRICT BOARD, UNITED PENTECOSTAL CHURCH-Texas DISTRICT, ET AL. Ct. App. Tex., 9th Dist. Certiorari denied.

No. 90-1317. HOPE EVANGELICAL LUTHERAN CHURCH *v.* IOWA DEPARTMENT OF REVENUE AND FINANCE. Sup. Ct. Iowa. Certiorari denied. Reported below: 463 N. W. 2d 76.

No. 90-1318. HOOVER *v.* ARMCO, INC. C. A. 8th Cir. Certiorari denied. Reported below: 915 F. 2d 355.

No. 90-1319. ST. LOUIS SOUTHWESTERN RAILWAY CO. *v.* QUALLS. Sup. Ct. Mo. Certiorari denied. Reported below: 799 S. W. 2d 84.

No. 90-1322. SNOW MOUNTAIN PINE CO. *v.* PUBLIC UTILITY COMMISSION OF OREGON ET AL. Ct. App. Ore. Certiorari denied. Reported below: 102 Ore. App. 687, 795 P. 2d 611.

No. 90-1325. UNELKO CORP. ET AL. *v.* ROONEY ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 1049.

No. 90-1326. WASHBURN *v.* ILLINOIS. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 197 Ill. App. 3d 655, 554 N. E. 2d 973.

No. 90-1328. GRAFF TRUCKING CO., INC. *v.* KELLEY, ATTORNEY GENERAL OF MICHIGAN, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 914 F. 2d 256.

No. 90-1329. HANJIN CONTAINER LINES, INC. *v.* TOKIO MARINE & FIRE INSURANCE CO., LTD., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 601.

April 15, 1991

499 U. S.

No. 90-1332. *COHEN v. BERGER*. Ct. App. N. Y. Certiorari denied. Reported below: 76 N. Y. 2d 971, 565 N. E. 2d 514.

No. 90-1334. *WALSH v. VIRGINIA* (two cases). Ct. App. Va. Certiorari denied.

No. 90-1335. *NOLAN, ADMINISTRATOR OF THE ESTATE OF JOHNSON, ET AL. v. BOEING CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 919 F. 2d 1058.

No. 90-1339. *VULCAN EQUIPMENT CO. LTD. v. CENTURY WRECKER CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 923 F. 2d 870.

No. 90-1343. *BOND v. ST. JOSEPH'S HOSPITAL, INC., ET AL.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 90-1348. *SMITH v. TOWN OF EATON, INDIANA, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 910 F. 2d 1469.

No. 90-1358. *ODEN ET AL. v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 857.

No. 90-1374. *TRESHMAN v. TEXAS.* Ct. App. Tex., 11th Dist. Certiorari denied.

No. 90-1383. *VERDUGO v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 90-1392. *CURRIER ET AL. v. BALDRIDGE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 914 F. 2d 993.

No. 90-1393. *KUNTZ v. CITY OF DAYTON, OHIO, ET AL.* (two cases). Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 90-1426. *TURNAGE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 1305.

No. 90-1439. *DIMYAN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 593.

No. 90-1453. *DESCISCIO v. UNITED STATES; DERRICO v. UNITED STATES; and DANIELLO v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 733.

499 U. S.

April 15, 1991

No. 90-5946. *HINCHEY v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 165 Ariz. 432, 799 P. 2d 352.

No. 90-6179. *CANDELAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 911 F. 2d 728.

No. 90-6328. *LEIBOWITZ v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 914 F. 2d 256.

No. 90-6406. *PUGH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 914 F. 2d 1499.

No. 90-6423. *MOORE v. UNITED STATES*; and
No. 90-6460. *MORSE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 215.

No. 90-6463. *MABERY v. SENKOWSKI, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 22.

No. 90-6511. *TATE v. MORRIS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 909 F. 2d 1485.

No. 90-6615. *SHERMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 744.

No. 90-6655. *DEMOS v. GARDNER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-6674. *MILLER v. VASQUEZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 469.

No. 90-6749. *ELLERY v. GROSSMONT UNION HIGH SCHOOL DISTRICT ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 90-6769. *MOODY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 90-6803. *CROSSFIELD v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 284 U. S. App. D. C. 258, 904 F. 2d 78.

No. 90-6849. *SAHHR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 1197.

No. 90-7043. *FORD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

April 15, 1991

499 U. S.

No. 90-7051. *LJACHIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 733.

No. 90-7090. *WEATHERFORD v. BROWN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 1305.

No. 90-7101. *LUCARELLI v. SINICROPI ET AL.* C. A. 2d Cir. Certiorari denied.

No. 90-7103. *WATTS v. WILDER, GOVERNOR OF VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 23.

No. 90-7105. *STEVENS ET AL. v. JOHNSON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 1492.

No. 90-7107. *READ ET UX. v. DUCK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 843.

No. 90-7108. *ZATKO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 90-7112. *LASKARIS v. MORGAN, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-7113. *BROOKS v. MARYLAND*. C. A. 4th Cir. Certiorari denied. Reported below: 922 F. 2d 835.

No. 90-7118. *THOMAS v. NEW JERSEY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 137.

No. 90-7121. *SPICY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 90-7127. *ENGLAND v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied.

No. 90-7136. *FORD v. ARMONTROUT, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 916 F. 2d 457.

No. 90-7137. *PACULA v. OHIO*. Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 90-7139. *SCOTT v. DAHLBERG, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 916 F. 2d 713.

499 U. S.

April 15, 1991

No. 90-7141. *SILVERBRAND v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 220 Cal. App. 3d 1621, 270 Cal. Rptr. 261.

No. 90-7143. *WILSON v. CLARKE, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 90-7145. *BETTISTEA v. MICHIGAN*. Ct. App. Mich. Certiorari denied. Reported below: 181 Mich. App. 194, 448 N. W. 2d 781.

No. 90-7146. *CHANDLER v. CHANDLER ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 923 F. 2d 869.

No. 90-7153. *SHEMONSKY v. CAMDEN COUNTY PROBATION*. C. A. 3d Cir. Certiorari denied.

No. 90-7154. *SHEMONSKY v. OFFICE OF THRIFT SUPERVISION*. C. A. 3d Cir. Certiorari denied. Reported below: 922 F. 2d 833.

No. 90-7156. *VENKATESAN v. WHITE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 846.

No. 90-7158. *ANDREWS v. NEVADA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-7164. *LYONS v. HOLMES INTERNATIONAL, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 914 F. 2d 257.

No. 90-7169. *GRIMM v. MURRAY, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 90-7170. *ABDULRAHMAN v. WARNSLEY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 25.

No. 90-7174. *HOFF v. KELLY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 845.

No. 90-7177. *HENDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 920 F. 2d 938.

No. 90-7184. *CLAYTON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 90-7186. *ZATKO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

April 15, 1991

499 U. S.

No. 90-7194. *SMITH v. CALGON CARBON CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 917 F. 2d 1338.

No. 90-7195. *SAKSEK v. CLYMER, DEPUTY COMMISSIONER, EASTERN REGION, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-7196. *SASSOWER v. NEW YORK.* C. A. 2d Cir. Certiorari denied.

No. 90-7201. *BORROTO ET AL. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 915 F. 2d 696.

No. 90-7202. *BLAKE v. CALIFORNIA.* App. Dept., Super. Ct. Cal., County of Los Angeles. Certiorari denied.

No. 90-7205. *CREEL v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 90-7206. *MAHAN v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 90-7209. *SOUTHERLAND v. CROCKER.* C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 739.

No. 90-7212. *LANE v. SUPREME COURT OF TEXAS.* Sup. Ct. Tex. Certiorari denied.

No. 90-7213. *HAMPTON v. DAVIES ET AL.* C. A. 7th Cir. Certiorari denied.

No. 90-7223. *BARELA v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied.

No. 90-7230. *WAGNER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 90-7231. *ELRICH v. UNION DIME SAVINGS BANK ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 918 F. 2d 178.

No. 90-7234. *VETERE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 918 F. 2d 174.

No. 90-7250. *RUSSELL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 140.

499 U. S.

April 15, 1991

No. 90-7251. *STUART v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 607.

No. 90-7257. *CARTER v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 77 N. Y. 2d 95, 566 N. E. 2d 119.

No. 90-7260. *BALL v. TEXAS*. Ct. App. Tex., 10th Dist. Certiorari denied.

No. 90-7262. *SIMMONS v. MARSH, SECRETARY OF THE ARMY*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 23.

No. 90-7263. *CULLIVER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 743.

No. 90-7265. *WAYNO v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 181.

No. 90-7266. *GONZALEZ-FERNANDEZ ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 90-7267. *SAVAGE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 920 F. 2d 938.

No. 90-7270. *PAYTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 738.

No. 90-7271. *QUINONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 842.

No. 90-7274. *MELTON v. UNITED STATES POSTAL SERVICE*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 845.

No. 90-7277. *HAYES v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 139 Ill. 2d 89, 564 N. E. 2d 803.

No. 90-7278. *GARCIA-ROJAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 922 F. 2d 838.

No. 90-7280. *ESPERIQUETA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 921 F. 2d 274.

No. 90-7285. *ROBINSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 919 F. 2d 734.

No. 90-7300. *CORREA DE JESUS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 923 F. 2d 840.

April 15, 1991

499 U. S.

No. 90-7301. CUETO *v.* UNITED STATES. C. A. 11th Cir.
Certiorari denied. Reported below: 921 F. 2d 284.

No. 90-7302. GROSS *v.* UNITED STATES. C. A. 4th Cir.
Certiorari denied. Reported below: 917 F. 2d 23.

No. 90-7307. SMITH *v.* UNITED STATES. C. A. 8th Cir.
Certiorari denied. Reported below: 923 F. 2d 1293.

No. 90-7308. THORNTON *v.* UNITED STATES. C. A. 11th Cir.
Certiorari denied. Reported below: 921 F. 2d 284.

No. 90-7311. DELGADILLO *v.* BUNTING ET AL. C. A. 5th Cir.
Certiorari denied. Reported below: 924 F. 2d 1055.

No. 90-7313. GILLIS *v.* UNITED STATES. C. A. 4th Cir.
Certiorari denied. Reported below: 917 F. 2d 23.

No. 90-7314. MCGEE *v.* REDMAN, WARDEN. C. A. 6th Cir.
Certiorari denied. Reported below: 914 F. 2d 257.

No. 90-7316. GONGORA *v.* UNITED STATES. C. A. 11th Cir.
Certiorari denied. Reported below: 921 F. 2d 285.

No. 90-7326. PROVOST *v.* UNITED STATES. C. A. 8th Cir.
Certiorari denied. Reported below: 921 F. 2d 163.

No. 90-7328. ZUNIGA *v.* UNITED STATES. C. A. 11th Cir.
Certiorari denied. Reported below: 921 F. 2d 284.

No. 90-7329. BOWMAN *v.* HARLESTON, WARDEN, ET AL.
C. A. 4th Cir. Certiorari denied. Reported below: 920 F. 2d
926.

No. 90-7335. CASAREZ *v.* UNITED STATES. C. A. 9th Cir.
Certiorari denied. Reported below: 919 F. 2d 146.

No. 90-7341. TELESFORD *v.* UNITED STATES. C. A. 3d Cir.
Certiorari denied. Reported below: 928 F. 2d 398.

No. 90-7342. WHITT *v.* UNITED STATES. C. A. 5th Cir.
Certiorari denied. Reported below: 923 F. 2d 853.

No. 90-7346. VASQUEZ *v.* UNITED STATES. C. A. 3d Cir.
Certiorari denied. Reported below: 918 F. 2d 1129.

No. 90-7352. WILLIAMS *v.* UNITED STATES. C. A. 10th Cir.
Certiorari denied. Reported below: 919 F. 2d 1451.

499 U. S.

April 15, 1991

No. 90-7354. *WILLIAMS v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 90-7357. *COELLO-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 922 F. 2d 838.

No. 90-7359. *DIAZ-LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 741.

No. 90-7363. *HANCOCK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 922 F. 2d 838.

No. 90-7364. *KICKLIGHTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 864.

No. 90-7366. *HOGAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 90-7369. *CECIL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 923 F. 2d 855.

No. 90-7379. *DEMPSEY v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 30 Mass. App. 1102, 566 N. E. 2d 117.

No. 90-7383. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 285.

No. 90-7387. *MICHEL v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 90-7388. *HUBBARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 919 F. 2d 734.

No. 90-7391. *KHAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 920 F. 2d 1100.

No. 90-7402. *MCQUARIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 743.

No. 90-802. *KUNSTLER v. BRITT ET AL.*;

No. 90-807. *PITTS v. BRITT ET AL.*; and

No. 90-1094. *NAKELL v. BRITT ET AL.* C. A. 4th Cir. Motions of Washington Legal Foundation et al. and North Carolina

April 15, 1991

499 U. S.

Trial Lawyers for leave to file briefs as *amici curiae* granted. Motions of Benjamin R. Civiletti et al. and Louis Nizer et al. for leave to file briefs as *amici curiae* in No. 90-802 granted. Motion of National Council of Churches of Christ et al. for leave to file a brief as *amici curiae* in No. 90-807 granted. Certiorari denied. Reported below: 914 F. 2d 505.

No. 90-1282. AMER ET VIR *v.* DEPARTMENT OF SOCIAL SERVICES ET AL. Ct. App. Mich. Motion of respondent minor children for leave to proceed *in forma pauperis* without an affidavit of indigency granted. Certiorari denied.

No. 90-1293. SCROGGY, WARDEN *v.* KORDENBROCK. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 919 F. 2d 1091.

No. 90-6614. RODDEN *v.* MISSOURI. Sup. Ct. Mo.; and

No. 90-7116. ROBINS *v.* NEVADA. Sup. Ct. Nev. Certiorari denied. Reported below: No. 90-6614, 795 S. W. 2d 393; No. 90-7116, 106 Nev. 611, 798 P. 2d 558.

JUSTICE MARSHALL, dissenting.

Adhering to my view 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, 231 (1976), I would grant certiorari and vacate the death sentences in these cases.

No. 90-7080. HUMMER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 916 F. 2d 186.

Rehearing Denied

No. 90-901. ALEXANDER *v.* EVANS & DIXON LAW FIRM ET AL., 498 U. S. 1086;

No. 90-1057. MCINTIRE *v.* MINNESOTA ET AL., 498 U. S. 1090;

No. 90-1085. GIUFFRIDA *v.* UNITED STATES, 498 U. S. 1090;

No. 90-1103. BEAUCOUDRAY ET VIR, INDIVIDUALLY AND ON BEHALF OF THEIR MINOR CHILD, KELTY *v.* GREEN ET AL., 498 U. S. 1090;

No. 90-6012. DOLPHIN *v.* PHIPPS ET AL., 498 U. S. 1031;

No. 90-6048. WARE *v.* MISSOURI, 498 U. S. 1092;

499 U. S.

April 15, 22, 1991

- No. 90-6120. MARYLAND *v.* HUFFMAN, WARDEN, ET AL., 498 U. S. 1093;
- No. 90-6127. TAYLOR *v.* T. K. INTERNATIONAL, INC., ET AL., 498 U. S. 1033;
- No. 90-6128. WORD *v.* UNITED STATES, 498 U. S. 1121;
- No. 90-6266. MARSHALL *v.* CALIFORNIA, 498 U. S. 1110;
- No. 90-6515. STEVENSON *v.* MARYLAND, 498 U. S. 1098;
- No. 90-6544. PETERSON *v.* NORTH CAROLINA PAROLE COMMISSION ET AL., 498 U. S. 1100;
- No. 90-6593. COWART *v.* TEXAS, 498 U. S. 1102;
- No. 90-6605. MACKEY *v.* MICHIGAN ET AL., 498 U. S. 1102;
- No. 90-6634. IN RE KLEINSCHMIDT, 498 U. S. 1081;
- No. 90-6663. RAMIREZ *v.* CALIFORNIA, 498 U. S. 1110;
- No. 90-6668. ROBINSON *v.* ARIZONA, 498 U. S. 1110;
- No. 90-6686. HAWKINS *v.* COLUMBIA FIRST FEDERAL SAVINGS & LOAN ASSN., 498 U. S. 1105;
- No. 90-6711. LANDRUM *v.* OHIO, 498 U. S. 1127;
- No. 90-6722. BYRNE *v.* UNITED STATES, 498 U. S. 1106;
- No. 90-6724. TURNER *v.* FALK, DIRECTOR, HAWAII DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 909;
- No. 90-6765. BROWN *v.* KOEHLER, *ante*, p. 909;
- No. 90-6801. ARIGBEDE *v.* UNITED STATES, 498 U. S. 1124;
- No. 90-6884. CLEMONS *v.* ARVONIO, 498 U. S. 1125;
- No. 90-6944. FULLER *v.* WARDEN, MARYLAND PENITENTIARY, *ante*, p. 928; and
- No. 90-7036. WELKY *v.* PRELESNIK, WARDEN, *ante*, p. 912. Petitions for rehearing denied.

APRIL 22, 1991

Certiorari Granted—Vacated and Remanded

No. 88-7301. GORMAN *v.* MARYLAND. Ct. App. Md. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Powers v. Ohio*, *ante*, p. 400. Reported below: 315 Md. 402, 554 A. 2d 1203.

No. 89-6271. BUI *v.* ALABAMA. Sup. Ct. Ala. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Powers v. Ohio*, *ante*, p. 400. Reported below: 551 So. 2d 1125.

April 22, 1991

499 U. S.

No. 90-213. LARAIA *v.* PENNSYLVANIA. Super. Ct. Pa. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Powers v. Ohio*, *ante*, p. 400. Reported below: 387 Pa. Super. 649, 559 A. 2d 963.

No. 90-904. MIAMI HERALD PUBLISHING CO. ET AL. *v.* DEPARTMENT OF REVENUE ET AL. Sup. Ct. Fla. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Leathers v. Medlock*, *ante*, p. 439. Reported below: 565 So. 2d 1304.

No. 90-1222. CARNIVAL CRUISE LINES, INC. *v.* SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES (WILLIAMS ET AL., REAL PARTIES IN INTEREST). Ct. App. Cal., 2d App. Dist. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Carnival Cruise Lines, Inc. v. Shute*, *ante*, p. 585. Reported below: 222 Cal. App. 3d 1548, 272 Cal. Rptr. 515.

No. 90-1369. AMCA INTERNATIONAL FINANCE CO. ET AL. *v.* HILGEDICK ET AL. Ct. App. Cal., 1st App. Dist. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pacific Mut. Life Ins. Co. v. Haslip*, *ante*, p. 1.

No. 90-1371. STEPHENSON *v.* MCLEAN CONTRACTING CO., INC. C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *McDermott Int'l, Inc. v. Wilander*, 498 U. S. 337 (1991). Reported below: 919 F. 2d 139.

No. 90-5491. CONGDON *v.* GEORGIA. Sup. Ct. Ga. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Powers v. Ohio*, *ante*, p. 400. Reported below: 260 Ga. 173, 391 S. E. 2d 402.

Miscellaneous Orders

No. A-751. GEORGIU *v.* GAUTHIER. Sup. Ct. Ill. Application for stay, addressed to JUSTICE BLACKMUN and referred to the Court, denied.

No. A-771. JOUBERT *v.* MCKERNAN, GOVERNOR OF MAINE, ET AL. Application for stay of mandate of the Supreme Judicial Court of Maine, addressed to JUSTICE MARSHALL and referred to the Court, denied.

499 U. S.

April 22, 1991

No. D-964. *IN RE DISBARMENT OF LEVINE*. Disbarment entered. [For earlier order herein, see 498 U. S. 1044.]

No. D-968. *IN RE DISBARMENT OF CANNON*. Disbarment entered. [For earlier order herein, see 498 U. S. 1065.]

No. D-995. *IN RE DISBARMENT OF TUCKER*. It is ordered that James Russell Tucker, of Dallas, 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-996. *IN RE DISBARMENT OF BERGMANN*. It is ordered that Glenn Arnold Bergmann, of Denver, Colo., 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. 90-456. *REILLY, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY, ET AL. v. DELANEY ET AL.*, 498 U. S. 998. Motion of respondents for attorney's fees denied without prejudice to refile in the United States Court of Appeals for the Ninth Circuit.

No. 90-516. *KAMEN v. KEMPER FINANCIAL SERVICES, INC., ET AL.* C. A. 7th Cir. [Certiorari granted, 498 U. S. 997.] Motion of respondent Kemper Financial Services, Inc., for leave to file a supplemental brief after argument granted.

No. 90-681. *HAFER v. MELO ET AL.* C. A. 3d Cir. [Certiorari granted, 498 U. S. 1118.] Motion of National Association of Counties et al. for leave to file a brief as *amici curiae* granted.

No. 90-1167. *BOARD OF PUBLIC EDUCATION AND ORPHANAGE FOR BIBB COUNTY ET AL. v. LUCAS ET AL.* C. A. 11th Cir.; and

No. 90-1173. *PUBLIC SERVICE COMPANY OF COLORADO ET AL. v. THOMPSON*. Sup. Ct. Colo. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 90-6297. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. [Certiorari granted, *ante*, p. 918.] Motion for appointment of counsel granted, and it is ordered that Kenneth H. Hanson, Esq., of Chicago, Ill., be appointed to serve as counsel for petitioner in this case.

April 22, 1991

499 U. S.

No. 90-6669. ZINK *v.* CALIFORNIA STATE BOARD OF EQUALIZATION. Ct. App. Cal., 2d App. Dist. Motion of petitioner for reconsideration of denial of motion for leave to proceed *in forma pauperis* [*ante*, p. 903] denied.

No. 90-7536. IN RE ADAMS. Petition for writ of habeas corpus denied.

No. 90-6890. IN RE LOPEZ; and

No. 90-7128. IN RE BROWN. Petitions for writs of mandamus denied.

No. 90-7117. IN RE SILVERBURG. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 90-1156. NEW ORLEANS PUBLIC SERVICE INC. *v.* COUNCIL OF THE CITY OF NEW ORLEANS ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 911 F. 2d 993.

No. 90-727. HOLMES *v.* SECURITIES INVESTOR PROTECTION CORPORATION ET AL. C. A. 9th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 908 F. 2d 1461.

No. 90-1124. JACOBSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari granted limited to Question 3 presented by the petition. Reported below: 916 F. 2d 467.

No. 90-6861. MCCARTHY *v.* MADIGAN ET AL. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 914 F. 2d 1411.

Certiorari Denied

No. 89-1927. UNITED STATES *v.* RESOLUTION TRUST CORPORATION. C. A. 5th Cir. Certiorari denied. Reported below: 887 F. 2d 593.

No. 89-1928. COMMISSIONER OF INTERNAL REVENUE *v.* SAN ANTONIO SAVINGS ASSN. ET AL. (RESOLUTION TRUST CORPORATION, RECEIVER). C. A. 5th Cir. Certiorari denied. Reported below: 887 F. 2d 577.

No. 89-1987. COMMISSIONER OF INTERNAL REVENUE *v.* FEDERAL NATIONAL MORTGAGE ASSN. C. A. D. C. Cir. Certiorari denied. Reported below: 283 U. S. App. D. C. 53, 896 F. 2d 580.

499 U. S.

April 22, 1991

No. 89-7588. *KAMEKONA v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 90-582. *BENTON, BENTON & BENTON v. LOUISIANA PUBLIC FACILITIES AUTHORITY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 897 F. 2d 198.

No. 90-726. *MITCHELL'S FORMAL WEAR, INC. v. KENTUCKY OAKS MALL CO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 53 Ohio St. 3d 73, 559 N. E. 2d 477.

No. 90-829. *CITY OF FAITH MEDICAL AND RESEARCH CENTER v. CREECH*. C. A. 6th Cir. Certiorari denied. Reported below: 908 F. 2d 75.

No. 90-871. *CONNECTICUT ET AL. v. MASHANTUCKET PEQUOT TRIBE*. C. A. 2d Cir. Certiorari denied. Reported below: 913 F. 2d 1024.

No. 90-1011. *NEVIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 470.

No. 90-1055. *BORUFF v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 909 F. 2d 111.

No. 90-1086. *CALIFORNIA ASSOCIATION OF THE PHYSICALLY HANDICAPPED, INC. v. FEDERAL COMMUNICATIONS COMMISSION*. C. A. 9th Cir. Certiorari denied. Reported below: 905 F. 2d 1540.

No. 90-1174. *STOSSIER v. STOSSIER*. Ct. App. Va. Certiorari denied.

No. 90-1213. *MCMAHON, DIRECTOR, CALIFORNIA DEPARTMENT OF SOCIAL SERVICES, ET AL. v. GRIMESY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 876 F. 2d 738.

No. 90-1215. *HEINEMEYER v. O'DONNELL*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 90-1218. *BAILEY ET AL. v. MARTIN, SECRETARY OF LABOR*. C. A. 5th Cir. Certiorari denied.

No. 90-1229. *ENVIRONMENTAL WASTE CONTROL, INC., DBA FOUR COUNTY LANDFILL, ET AL. v. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 917 F. 2d 327.

April 22, 1991

499 U. S.

No. 90-1273. *TITAN CAPITAL CORP. v. HOLLINGER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 1564.

No. 90-1351. *JUDICE ET UX. v. PARICH ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 919 F. 2d 906.

No. 90-1353. *SWEPTSON ET AL. v. SNELL ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 920 F. 2d 673.

No. 90-1354. *E. W. SCRIPPS CO. ET AL. v. BALL.* Sup. Ct. Ky. Certiorari denied. Reported below: 801 S. W. 2d 684.

No. 90-1359. *GOODACRE ET AL. v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 166 App. Div. 2d 264, 560 N. Y. S. 2d 639.

No. 90-1366. *WALLACE INTERNATIONAL SILVERSMITHS, INC. v. GODINGER SILVER ART CO., INC.* C. A. 2d Cir. Certiorari denied. Reported below: 916 F. 2d 76.

No. 90-1367. *KAISER CEMENT CORP. v. LAKE ASBESTOS OF QUEBEC, LTD., ET AL.;*

No. 90-1368. *W. R. GRACE & CO. ET AL. v. BARNWELL SCHOOL DISTRICT NO. 45 ET AL.;* and

No. 90-1378. *UNITED STATES GYPSUM CO. ET AL. v. BARNWELL SCHOOL DISTRICT NO. 45 ET AL.;* and *UNITED STATES GYPSUM CO. ET AL. v. SCHOOL DISTRICT OF LANCASTER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: No. 90-1367, 921 F. 2d 1330; No. 90-1368, 921 F. 2d 1338; No. 90-1378, 921 F. 2d 1310 (first case) and 1330 (second case).

No. 90-1373. *CITY OF ALBUQUERQUE ET AL. v. RIGGS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 916 F. 2d 582.

No. 90-1376. *ST. JOHN'S HOSPITAL ET AL. v. HENRY, BY HER MOTHER AND NEXT FRIEND, HENRY.* Sup. Ct. Ill. Certiorari denied. Reported below: 138 Ill. 2d 533, 563 N. E. 2d 410.

No. 90-1377. *HALVORSEN v. HALVORSEN.* Sup. Ct. Wash. Certiorari denied.

No. 90-1381. *FINNEGAN v. CAMPEAU CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 915 F. 2d 824.

499 U. S.

April 22, 1991

No. 90-1387. SERBIAN EASTERN ORTHODOX DIOCESE FOR THE UNITED STATES AND CANADA ET AL. *v.* ST. SAVA MISSION CORP. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 223 Cal. App. 3d 1354, 273 Cal. Rptr. 340.

No. 90-1404. SCOTT *v.* ESTATE OF BARNETT ET AL. Ct. App. Ohio, Franklin County. Certiorari denied.

No. 90-1411. BIBBS ET AL. *v.* MATANUSKA-SUSITNA BOROUGH, INC., ET AL. Sup. Ct. Alaska. Certiorari denied.

No. 90-1452. LEAR SIEGLER, INC. *v.* KIRBY. C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 858.

No. 90-1455. CITY OF BRIDGE CITY, TEXAS *v.* CITY OF PORT ARTHUR, TEXAS, ET AL. Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 792 S. W. 2d 217.

No. 90-1459. WRENN *v.* SECRETARY, DEPARTMENT OF VETERANS AFFAIRS, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 918 F. 2d 1073.

No. 90-1481. SANCHEZ ET AL. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 917 F. 2d 607.

No. 90-1495. CAMERON ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 909 F. 2d 1489 and 1490.

No. 90-5987. CARTER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 914 F. 2d 245.

No. 90-6471. VILLEGAS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 911 F. 2d 623.

No. 90-6508. TORRES-GARCIA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 905 F. 2d 1541.

No. 90-6559. AUSTIN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 915 F. 2d 363.

No. 90-6562. FEBLES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 911 F. 2d 727.

No. 90-6609. CRUZ-ROSARIO *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 914 F. 2d 20.

April 22, 1991

499 U. S.

No. 90-6610. *SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 1355.

No. 90-6705. *SCOTT v. JONES, SUPERINTENDENT, MISSOURI TRAINING CENTER FOR MEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 915 F. 2d 1188.

No. 90-6756. *SCEIFERS v. DUCKWORTH, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 90-6806. *KOVANKIAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 912 F. 2d 1469.

No. 90-6825. *PAREZ v. GENERAL ATOMICS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 280.

No. 90-6839. *LASKARIS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 525 Pa. 663, 583 A. 2d 792.

No. 90-6896. *JV-108162 v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 90-6899. *WALKER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 90-6901. *SMITH v. UNITED STATES*; and

No. 90-7013. *KELLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 916 F. 2d 628.

No. 90-6907. *CARTER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 910 F. 2d 1524.

No. 90-6984. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 916 F. 2d 720.

No. 90-7048. *SANCHEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 917 F. 2d 558.

No. 90-7065. *TILLMAN v. SHARP, CHIEF JUDGE, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF INDIANA*. C. A. 7th Cir. Certiorari denied. Reported below: 922 F. 2d 843.

No. 90-7120. *POPE v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 923 F. 2d 870.

No. 90-7140. *SILVERBURG v. CORDERY ET AL.* C. A. 6th Cir. Certiorari denied.

499 U. S.

April 22, 1991

No. 90-7152. *PINTO VELASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 918 F. 2d 175.

No. 90-7214. *JORDAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 915 F. 2d 622.

No. 90-7219. *WILLIAMS v. WEST VIRGINIA*. Cir. Ct. Greenbrier County, W. Va. Certiorari denied.

No. 90-7232. *DEAN v. KAISER, WARDEN, ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 90-7233. *FLEMING v. COLORADO*. Sup. Ct. Colo. Certiorari denied.

No. 90-7243. *BETTS v. ALLIED CEMENTING CO., INC., ET AL.*; and *BETTS v. AGRI TECH SERVICES, INC.* C. A. 10th Cir. Certiorari denied.

No. 90-7245. *WILLIAMS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 139 Ill. 2d 1, 563 N. E. 2d 431.

No. 90-7248. *OLIM v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 90-7249. *COOPER v. HESS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 917 F. 2d 568.

No. 90-7252. *TERROVONA v. KINCHELOE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 1176.

No. 90-7253. *SERNA ET AL. v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 196 Ill. App. 3d 1103, 582 N. E. 2d 772.

No. 90-7254. *KUKES v. RAMSEY ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-7256. *SCHELTZER v. WORKERS' COMPENSATION BOARD OF CALIFORNIA ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 90-7268. *CORRELL v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-7281. *KINNELL v. MILLER, CHIEF JUSTICE, SUPREME COURT OF KANSAS, ET AL.* C. A. 10th Cir. Certiorari denied.

April 22, 1991

499 U. S.

No. 90-7292. *CUMBER v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 90-7330. *BROWN ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 915 F. 2d 1573.

No. 90-7333. *THAKKAR v. DEBEVOISE*. C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 420.

No. 90-7349. *SCOTT v. FRANK, POSTMASTER GENERAL*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 189.

No. 90-7355. *ZERVAS v. RICE, SECRETARY OF THE AIR FORCE*. C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 379, 923 F. 2d 202.

No. 90-7361. *HARRISON v. BEYER, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 135.

No. 90-7376. *MIERES-BORGES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 652.

No. 90-7380. *DIGREGORIO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 137.

No. 90-7390. *MYERS v. JOHNSON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 920 F. 2d 927.

No. 90-7401. *FRYE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 920 F. 2d 934.

No. 90-7406. *ANDERSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 923 F. 2d 450.

No. 90-7412. *CATCHINGS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 922 F. 2d 777.

No. 90-7415. *CURTIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 281.

No. 90-7417. *NG WAH v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 245, 920 F. 2d 1039.

499 U. S.

April 22, 1991

No. 90-7420. *JAMES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 911 F. 2d 725.

No. 90-7423. *MOSBY v. MATTHEWS*. C. A. 8th Cir. Certiorari denied.

No. 90-7433. *HOLMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 920 F. 2d 12.

No. 90-7434. *TATE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 282.

No. 90-7437. *BASCARO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 922 F. 2d 830.

No. 90-7445. *FRYAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 920 F. 2d 252.

No. 90-7448. *EVANS v. HENMAN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 925 F. 2d 1468.

No. 90-7451. *AZAR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 732.

No. 90-7454. *NELSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 922 F. 2d 311.

No. 90-7455. *KELLY v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 23 Conn. App. 160, 580 A. 2d 520.

No. 90-7459. *OCHOA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 284.

No. 90-7466. *WOLLMAN ET UX. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 912 F. 2d 1468.

No. 90-7468. *SAVINOVICH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 147.

No. 90-7475. *BUNN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 863.

No. 90-7479. *RUDDOCK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 922 F. 2d 834.

No. 90-7481. *WEBBER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1472.

April 22, 1991

499 U. S.

No. 90-7482. *ROGAT ET UX. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 924 F. 2d 983.

No. 90-7487. *SNEAD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 733.

No. 90-7492. *ESTUPINAN-PAREDES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 918 F. 2d 979.

No. 90-7505. *TOPPI, AKA FISKE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 920 F. 2d 11.

No. 90-7511. *GONZALEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 918 F. 2d 1129.

No. 90-7514. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 922 F. 2d 578.

No. 90-7521. *HENDERSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 397.

No. 90-7533. *SHEPARD v. BORGERT, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1465.

No. 88-1037. *ARIZONA v. NASTRO, JUDGE, SUPERIOR COURT OF ARIZONA, COUNTY OF MARICOPA*. Sup. Ct. Ariz. Motion of respondent Elden Gardner for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 157 Ariz. 541, 760 P. 2d 541.

No. 88-6833. *MOON v. GEORGIA*. Sup. Ct. Ga.;

No. 90-7093. *MOORE v. CALIFORNIA*. Sup. Ct. Cal.;

No. 90-7155. *BASSETTE v. THOMPSON, WARDEN*. C. A. 4th Cir.; and

No. 90-7411. *COLE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: No. 88-6833, 258 Ga. 748, 375 S. E. 2d 442; No. 90-7155, 915 F. 2d 932; No. 90-7411, 795 S. W. 2d 207.

JUSTICE MARSHALL, dissenting.

Adhering to my view 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,

499 U. S.

April 22, 1991

231 (1976), I would grant certiorari and vacate the death sentences in these cases.

No. 90-273. COMMISSIONER OF REVENUE OF TENNESSEE *v.* NEWSWEEK, INC.; and COMMISSIONER OF REVENUE OF TENNESSEE *v.* SOUTHERN LIVING, INC., ET AL. Sup. Ct. Tenn. Certiorari denied. JUSTICE BLACKMUN would grant certiorari. Reported below: 789 S. W. 2d 247 (first case) and 251 (second case).

No. 90-1118. HEARST CORP. *v.* IOWA DEPARTMENT OF REVENUE AND FINANCE. Sup. Ct. Iowa. Certiorari denied. JUSTICE BLACKMUN would grant certiorari. Reported below: 461 N. W. 2d 295.

No. 90-1192. CITY OF LOCKPORT, NEW YORK, ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 916 F. 2d 890.

No. 90-1255. NUTRASWEET CO. *v.* STADT CORP. ET AL. C. A. 7th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 917 F. 2d 1024.

No. 90-1226. HOPE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE MARSHALL would grant certiorari. Reported below: 906 F. 2d 254.

No. 90-6595. SEIDEL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE MARSHALL would grant certiorari. Reported below: 914 F. 2d 1493.

No. 90-6829. MELENDEZ *v.* CALIFORNIA. Ct. App. Cal., 6th App. Dist. Certiorari denied. JUSTICE WHITE and JUSTICE MARSHALL would grant certiorari.

No. 90-1338. GULF STATES UTILITIES CO. *v.* COALITION OF CITIES FOR AFFORDABLE UTILITY RATES ET AL. Sup. Ct. Tex. Motion of Edison Electric Institute for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 798 S. W. 2d 560.

No. 90-1398. XEROX CORP. *v.* TOLLIVER ET AL. C. A. 2d Cir. Motion of Equal Employment Advisory Council for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 918 F. 2d 1052.

April 22, 23, 1991

499 U. S.

No. 90-1405. ALABAMA *v.* HARRELL. Ct. Crim. App. Ala. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 571 So. 2d 1269.

No. 90-1425. TEXAS *v.* REEVES. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 806 S. W. 2d 540.

Rehearing Denied

No. 90-787. FARR *v.* FEDERAL DEPOSIT INSURANCE CORPORATION ET AL., 498 U. S. 1119;

No. 90-1040. PENA ET AL. *v.* TEXAS, 498 U. S. 1120;

No. 90-1178. OYOLA *v.* UNITED STATES, 498 U. S. 1121;

No. 90-6445. SILAGY *v.* PETERS, WARDEN, 498 U. S. 1110;

No. 90-6578. WASHINGTON *v.* ARIZONA, 498 U. S. 1127;

No. 90-6620. DAY *v.* GAF CORP. ET AL., *ante*, p. 924;

No. 90-6682. THOMAS *v.* ILLINOIS, 498 U. S. 1127;

No. 90-6723. SWEATT *v.* NEWS WORLD COMMUNICATIONS, INC., 498 U. S. 1106;

No. 90-6728. DIXON *v.* DUCKWORTH, WARDEN, *ante*, p. 909;

No. 90-6742. MACKEY *v.* MACKEY, *ante*, p. 909;

No. 90-6791. PETERSON *v.* GRANNIS ET AL., *ante*, p. 925;

No. 90-6848. DAY *v.* BARKETT, JUSTICE, FLORIDA SUPREME COURT, ET AL., *ante*, p. 926;

No. 90-6872. TAMAYO-CARIBALLO *v.* UNITED STATES, 498 U. S. 1125;

No. 90-6877. TILLMAN *v.* DUCKWORTH ET AL., *ante*, p. 927;

No. 90-6891. IN RE MASON, *ante*, p. 918;

No. 90-6909. NORRIS *v.* FEDERAL BUREAU OF INVESTIGATION, *ante*, p. 910; and

No. 90-6936. METOYER *v.* KAISER, WARDEN, ET AL., *ante*, p. 928. Petitions for rehearing denied.

No. 87-746. MICHAEL H. ET AL. *v.* GERALD D., 491 U. S. 110 and 492 U. S. 937. Motion of appellants for leave to file second petition for rehearing denied. JUSTICE SCALIA and JUSTICE SOUTER took no part in the consideration or decision of this motion.

APRIL 23, 1991

Certiorari Denied

No. 90-7785 (A-799). HARICH *v.* DUGGER, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Applica-

499 U. S.

April 23, 1991

tion for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

JUSTICE MARSHALL, dissenting.

Adhering to my view 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, 231 (1976), I would grant the application for stay of execution and the petition for writ of certiorari and would vacate the death sentence in this case.

No. 90-7789 (A-801). HARICH *v.* FLORIDA. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 573 So. 2d 303.

JUSTICE MARSHALL, dissenting.

Adhering to my view 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, 231 (1976), I would grant the application for stay of execution and the petition for writ of certiorari and would vacate the death sentence in this case.

APPEALS

1930

1. In the case of *United States v. ...* the court held that the defendant was not liable for the offense charged.

No. 90-1000. *United States v. ...* The court affirmed the conviction of the defendant for the offense charged.

No. 90-1001. *United States v. ...* The court reversed the conviction of the defendant for the offense charged.

No. 90-1002. *United States v. ...* The court affirmed the conviction of the defendant for the offense charged.

No. 90-1003. *United States v. ...* The court affirmed the conviction of the defendant for the offense charged.

No. 90-1004. *United States v. ...* The court affirmed the conviction of the defendant for the offense charged.

APPEALS

No. 90-1005. *United States v. ...* The court affirmed the conviction of the defendant for the offense charged.