

ORDERS FOR OCTOBER 7, 1991, THROUGH
FEBRUARY 24, 1992

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Dismissal Under Rule 46

No. 91-64. ESTELLE, WARDEN *v.* WASKO. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 944 F. 2d 910.

Certiorari Granted—Vacated and Remanded

No. 90-1639. UNITED STATES *v.* WIDDOWSON ET AL. C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Touby v. United States*, 500 U. S. 160 (1991). Reported below: 916 F. 2d 587.

No. 90-1853. NATIONWIDE CORP. ET AL. *v.* HOWING CO. ET AL. C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Virginia Bankshares, Inc. v. Sandberg*, 501 U. S. 1083 (1991). Reported below: 927 F. 2d 263.

No. 90-1864. NEW YORK STATE DEPARTMENT OF HEALTH *v.* ANDRULONIS, INDIVIDUALLY, AND AS CONSERVATOR OF THE PROPERTY OF ANDRULONIS, ET AL. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Gaubert*, 499 U. S. 315 (1991). Reported below: 924 F. 2d 1210.

No. 90-1936. PARKER SOLVENTS CO., INC. *v.* ROYAL INSURANCE COMPANIES OF AMERICA, FORMERLY ROYAL GLOBE INSURANCE CO. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Salve Regina College v. Russell*, 499 U. S. 225 (1991). Reported below: 938 F. 2d 185.

No. 90-7574. BUCKLEY *v.* FITZSIMMONS ET AL. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case re-

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manded for further consideration in light of *Burns v. Reed*, 500 U. S. 478 (1991). Reported below: 919 F. 2d 1230.

No. 90–8219. *RICHARD ET AL. v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 5th Cir. Motion of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Melkonyan v. Sullivan*, 501 U. S. 89 (1991). Reported below: 926 F. 2d 399.

No. 91–162. *INABA ET AL. v. SOONG ET AL.* Sup. Ct. Haw. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Siegert v. Gilley*, 500 U. S. 226 (1991). Reported below: 72 Haw. 607, 810 P. 2d 667.

Miscellaneous Orders

No. ———. *ALESSI v. PENNSYLVANIA ET AL.* Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. ———. *BURKE v. BEYER, SUPERINTENDENT, NEW JERSEY STATE PRISON, ET AL.* Motion to direct the Clerk to docket an appeal from the United States District Court for the District of New Jersey denied.

No. ———. *DAVID v. AT&T ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied. JUSTICE O’CONNOR took no part in the consideration or decision of this motion.

No. ———. *IN RE J. S.* Motion for leave to file petition for writ of certiorari under seal, or alternatively with portions deleted, denied.

No. ———. *LAWRENCE v. CALIFORNIA.* Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. ———. *IN RE APPLICATION OF SHAPIRO FOR READMISSION TO THE BAR OF THIS COURT.* Application for readmission to the Bar of this Court, presented to JUSTICE SCALIA, and by him referred to the Court, denied. [For earlier order herein, see, *e. g.*, 469 U. S. 978.]

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No. A-195. SOUTHERN LIFE & HEALTH INSURANCE CO. ET AL. *v.* TURNER. Sup. Ct. Ala. Application for stay, addressed to JUSTICE BLACKMUN and referred to the Court, denied.

No. D-1006. IN RE DISBARMENT OF SNEED. Disbarment entered. [For earlier order herein, see 501 U. S. 1203.]

No. D-1010. IN RE DISBARMENT OF BOLTON. George J. Bolton, of North Miami Beach, 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 June 17, 1991 [501 U. S. 1215], is hereby discharged.

No. D-1019. IN RE DISBARMENT OF TURNER. Disbarment entered. [For earlier order herein, see 501 U. S. 1228.]

No. D-1020. IN RE DISBARMENT OF DELLA-DONNA. Disbarment entered. [For earlier order herein, see 501 U. S. 1248.]

No. D-1022. IN RE DISBARMENT OF GELMAN. Disbarment entered. [For earlier order herein, see 501 U. S. 1268.]

No. D-1027. IN RE DISBARMENT OF SAGEN. Disbarment entered. [For earlier order herein, see 501 U. S. 1269.]

No. 65, Orig. TEXAS *v.* NEW MEXICO. Motion of the River Master for approval of fees and expenses granted, and the River Master is awarded \$10,705.20 for the period April 1 through June 30, 1991, to be paid equally by the parties. Motion of New Mexico to review the River Master's final report for Water Year 1990 denied. [For earlier order herein, see, *e. g.*, 500 U. S. 902.]

No. 90-209. CALIFORNIA *v.* SALGADO, 500 U. S. 901. Motion of respondent to retax costs denied.

No. 90-918. FRANKLIN *v.* GWINNETT COUNTY PUBLIC SCHOOLS ET AL. C. A. 11th Cir. [Certiorari granted, 501 U. S. 1204.] Motion of petitioner to dispense with printing the joint appendix granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

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. [Certiorari granted, 499 U. S.

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958.] Motions of Charles E. “Buddy” Roemer III, Governor of the State of Louisiana, et al. and Board of Trustees of the University of Alabama for leave to file briefs as *amici curiae* granted.

No. 90–1271. NORFOLK & WESTERN RAILWAY CO. *v.* ROBERTSON ET AL., 500 U. S. 916. Motion of respondents for attorney’s fees denied without prejudice to refiling in the United States Court of Appeals for the Fourth Circuit.

No. 90–1390. GENERAL MOTORS CORP. ET AL. *v.* ROMEIN ET AL. Sup. Ct. Mich. [Certiorari granted, 500 U. S. 915.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 90–1596. ROBERTSON, CHIEF, UNITED STATES FOREST SERVICE, ET AL. *v.* SEATTLE AUDUBON SOCIETY ET AL. C. A. 9th Cir. [Certiorari granted, 501 U. S. 1249.] Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted.

No. 90–1739. FUQUA INDUSTRIES, INC., ET AL. *v.* JANDRUCKO, 501 U. S. 1252. Motion of respondent for damages denied.

No. 90–1832. PESTRAK *v.* OHIO ELECTIONS COMMISSION ET AL.; and

No. 91–9. OHIO ELECTIONS COMMISSION ET AL. *v.* PESTRAK. C. A. 6th Cir. Motion of the parties to defer consideration of petitions for writs of certiorari granted for 60 days.

No. 90–1846. DENTON, DIRECTOR OF CORRECTIONS OF CALIFORNIA, ET AL. *v.* HERNANDEZ. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted.

No. 90–1861. GREENVILLE PUBLIC SCHOOL DISTRICT ET AL. *v.* WESTERN LINE CONSOLIDATED SCHOOL DISTRICT ET AL. Sup. Ct. Miss.;

No. 90–1897. UNITED ARTISTS COMMUNICATIONS, INC., ET AL. *v.* THE MOVIE 1 & 2. C. A. 9th Cir.;

No. 90–1918. KRAFT GENERAL FOODS, INC. *v.* IOWA DEPARTMENT OF REVENUE AND FINANCE. Sup. Ct. Iowa;

No. 90–1977. DUPREE ET AL. *v.* MOORE, ATTORNEY GENERAL OF MISSISSIPPI, ET AL. Appeal from D. C. S. D. Miss.; and

No. 91–4. INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL NO. 12, AFL–CIO *v.* WILSON ET AL. C. A. 9th Cir. The

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Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 90-7225. *IN RE DEMOS*. Motion of petitioner for reconsideration of denial of leave to proceed *in forma pauperis* [500 U. S. 16] denied.

No. 91-5050. *GOLUB v. UNIVERSITY OF CHICAGO ET AL.* C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until October 28, 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 BLACKMUN took no part in the consideration or decision of this motion.

JUSTICE STEVENS, 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*.

No. 91-5219. *BRENNAN v. BRENNAN*. Ct. App. Ohio, Cuyahoga County. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until October 28, 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 BLACKMUN 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. 91-5431. *FORREST v. OCCIDENTAL PETROLEUM CORP. ET AL.* Ct. App. Cal., 2d App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until October 28, 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.

No. 90-1874. *IN RE COURNOYER*. Super. Ct. R. I.; and

No. 91-5262. *IN RE NELSON*. Super. Ct. D. C. Petitions for writs of common-law certiorari denied.

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No. 91-5007. IN RE TAYLOR;
No. 91-5042. IN RE PEERNOCK;
No. 91-5110. IN RE PETERS;
No. 91-5259. IN RE EMBREY;
No. 91-5463. IN RE GREENLEES;
No. 91-5508. IN RE CHAPPELL; and
No. 91-5557. IN RE KNOWLES. Petitions for writs of habeas corpus denied.

No. 90-8103. IN RE MOSBY;
No. 90-8109. IN RE JONES;
No. 90-8178. IN RE BRUCHHAUSEN;
No. 90-8422. IN RE STICH;
No. 91-49. IN RE KARAPINKA;
No. 91-5185. IN RE GRIFFIN; and
No. 91-5434. IN RE BAEZ. Petitions for writs of mandamus denied.

No. 90-8032. IN RE COOPER ET UX.;
No. 90-8084. IN RE COOPER ET UX.;
No. 90-8341. IN RE THOMAS;
No. 90-8363. IN RE HERRERA ET AL.;
No. 91-5127. IN RE BROWN; and
No. 91-5129. IN RE BONNER. Petitions for writs of mandamus and/or prohibition denied.

No. 90-8417. IN RE SEARCY. Motion of petitioner to sanction counsel for respondent and other relief denied. Petition for writ of mandamus and/or prohibition denied.

No. 91-5176. IN RE ANTON; and
No. 91-5533. IN RE CYNTJE. Motions of petitioners to expedite consideration of petitions for writs of mandamus denied. Petitions for writs of mandamus denied.

No. 90-8117. IN RE WISE; and
No. 91-5344. IN RE RUBINS. Petitions for writs of prohibition denied.

Certiorari Granted

No. 90-1599. UNITED STATES *v.* FELIX. C. A. 10th Cir. Certiorari granted. Reported below: 926 F. 2d 1522.

No. 91-42. UNITED STATES *v.* BURKE ET AL. C. A. 6th Cir. Certiorari granted. Reported below: 929 F. 2d 1119.

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No. 91-72. FEDERAL TRADE COMMISSION *v.* TICOR TITLE INSURANCE CO. ET AL. C. A. 3d Cir. Certiorari granted. Reported below: 922 F. 2d 1122.

No. 91-126. WYATT *v.* COLE ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 928 F. 2d 718.

No. 91-159. BARNHILL *v.* JOHNSON, TRUSTEE. C. A. 10th Cir. Certiorari granted. Reported below: 931 F. 2d 689.

No. 91-164. UNITED STATES *v.* THOMPSON/CENTER ARMS CO. C. A. Fed. Cir. Certiorari granted. Reported below: 924 F. 2d 1041.

No. 90-1419. NATIONAL RAILROAD PASSENGER CORPORATION ET AL. *v.* BOSTON & MAINE CORP. ET AL.; and

No. 90-1769. INTERSTATE COMMERCE COMMISSION ET AL. *v.* BOSTON & MAINE CORP. ET AL. C. A. D. C. Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 286 U. S. App. D. C. 1, 911 F. 2d 743.

No. 90-1745. UNITED STATES *v.* WILSON. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 916 F. 2d 1115.

No. 90-1859. KEENEY, SUPERINTENDENT, OREGON STATE PENITENTIARY *v.* TAMAYO-REYES. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 926 F. 2d 1492.

No. 90-1912. NORDLINGER *v.* HAHN, IN HIS CAPACITY AS TAX ASSESSOR FOR LOS ANGELES COUNTY, ET AL. Ct. App. Cal., 2d App. Dist. Motion of William K. Rentz for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 225 Cal. App. 3d 1259, 275 Cal. Rptr. 684.

No. 90-8466. RIGGINS *v.* NEVADA. Sup. Ct. Nev. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 107 Nev. 178, 808 P. 2d 535.

No. 91-119. WISCONSIN DEPARTMENT OF REVENUE *v.* WILLIAM WRIGLEY, JR., CO. Sup. Ct. Wis. Certiorari granted and case set for oral argument in tandem with No. 91-194, *Quill Corp. v. North Dakota, by and Through its Tax Commissioner, Heit-*

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kamp, immediately *infra*. Reported below: 160 Wis. 2d 53, 465 N. W. 2d 800.

No. 91-194. *QUILL CORP. v. NORTH DAKOTA, BY AND THROUGH ITS TAX COMMISSIONER, HEITKAMP*. Sup. Ct. N. D. Certiorari granted limited to Question 1 presented by the petition and case set for oral argument in tandem with No. 91-119, *Wisconsin Department of Revenue v. William Wrigley, Jr., Co.*, immediately *supra*. Reported below: 470 N. W. 2d 203.

Certiorari Denied. (See also Nos. 90-1874 and 91-5262, *supra*.)

No. 90-1407. *PERRY v. AMERACE CORP.*; and

No. 90-1525. *PAC-TEC, INC. v. PERRY*. C. A. Fed. Cir. Certiorari denied. Reported below: 918 F. 2d 931.

No. 90-1428. *ERNEST v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 141 Ill. 2d 412, 566 N. E. 2d 231.

No. 90-1438. *KRAMER v. RAVELLA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 90-1482. *AIR LINE PILOTS ASSN., INTERNATIONAL, AFL-CIO v. SHUGRUE, AS CHAPTER 11 TRUSTEE FOR EASTERN AIR LINES, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 922 F. 2d 984.

No. 90-1564. *TERRITORIAL COURT OF THE VIRGIN ISLANDS v. ESTATE THOMAS MALL, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 923 F. 2d 258.

No. 90-1583. *DINO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 919 F. 2d 72.

No. 90-1598. *KORB v. LEHMAN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 919 F. 2d 243.

No. 90-1612. *JUNGHERR v. SAN FRANCISCO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 743.

No. 90-1620. *PEARSON ET AL. v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 581 A. 2d 347.

No. 90-1623. *S. E. JOHNSON CO. ET AL. v. ARTHUR S. LANGENDERFER, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 917 F. 2d 1413.

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No. 90-1624. *AUGER ET AL. v. TENEYCK ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 919 F. 2d 730.

No. 90-1626. *ABERCROMBIE ET AL. v. CLARKE, COMPTROLLER OF THE CURRENCY.* C. A. 7th Cir. Certiorari denied. Reported below: 920 F. 2d 1351.

No. 90-1630. *ON LEONG CHINESE MERCHANTS ASSOCIATION BUILDING ET AL. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 918 F. 2d 1289.

No. 90-1631. *WILSON ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 924 F. 2d 1064.

No. 90-1641. *EARGLE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 921 F. 2d 56.

No. 90-1649. *ROJAS v. ALEXANDER'S DEPARTMENT STORE, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 924 F. 2d 406.

No. 90-1656. *NARAYAN v. SCULLY, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 594.

No. 90-1666. *BOYETT v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 923 F. 2d 378.

No. 90-1667. *SPERRY CORP. ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 925 F. 2d 399.

No. 90-1672. *HOFFMAN v. KIMPTON.* Sup. Ct. Mont. Certiorari denied. Reported below: 246 Mont. 52, 803 P. 2d 214.

No. 90-1674. *DENENBURG ET UX. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 920 F. 2d 301.

No. 90-1677. *STARNS ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 34.

No. 90-1686. *RODRIGUEZ-CARDONA v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 924 F. 2d 1148.

No. 90-1688. *RICHMOND, FREDERICKSBURG & POTOMAC RAILROAD CO. ET AL. v. DAINGERFIELD ISLAND PROTECTIVE SOCIETY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 101, 920 F. 2d 32.

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No. 90-1689. *GAMBINO ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 920 F. 2d 1108.

No. 90-1692. *GLECIER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 923 F. 2d 496.

No. 90-1695. *SCHWIMMER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 924 F. 2d 443.

No. 90-1704. *OYLER v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 15 Kan. App. 2d 84, 803 P. 2d 585.

No. 90-1707. *MARTIN COUNTY, FLORIDA v. EXECUTIVE 100, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 922 F. 2d 1536.

No. 90-1709. *JEHAN-DAS, INC. v. UNITED STATES ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 925 F. 2d 237.

No. 90-1715. *PHT, INC., DBA POLYNESIAN HOSPITALITY TOURS v. NATIONAL LABOR RELATIONS BOARD*. C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 140, 920 F. 2d 71.

No. 90-1721. *NEW YORK CITY PUBLIC UTILITY SERVICE v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.*;

No. 90-1725. *VERMONT DEPARTMENT OF PUBLIC SERVICE v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.*;

No. 90-1760. *COUNTY OF WESTCHESTER PUBLIC UTILITY SERVICE AGENCY v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.*; and

No. 90-1949. *O'NEIL, ATTORNEY GENERAL OF RHODE ISLAND, ET AL. v. NEW YORK CITY PUBLIC UTILITY SERVICE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 922 F. 2d 73.

No. 90-1722. *GOLDSTEIN v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 204 Ill. App. 3d 1041, 562 N. E. 2d 1183.

No. 90-1728. *INGRATI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 397.

No. 90-1733. *BROWN ET AL. v. STONE, SECRETARY OF THE ARMY, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 8, 918 F. 2d 214.

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No. 90-1738. *PACIFIC POWER & LIGHT CO. ET AL. v. MONTANA DEPARTMENT OF REVENUE ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 246 Mont. 398, 804 P. 2d 397.

No. 90-1740. *SAFIR v. NICKERSON, JUDGE, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK.* C. A. 2d Cir. Certiorari denied.

No. 90-1744. *RICHARDSON v. FLORIDA BAR.* Sup. Ct. Fla. Certiorari denied. Reported below: 574 So. 2d 60.

No. 90-1747. *DAVIS v. BEXAR COUNTY SHERIFF'S CIVIL SERVICE COMMISSION.* Sup. Ct. Tex. Certiorari denied. Reported below: 802 S. W. 2d 659.

No. 90-1748. *WILLIAMS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 928 F. 2d 145.

No. 90-1751. *SANTONI ROIG ET AL. v. IBERIA LINEAS AEREAS DE ESPANA.* C. A. 1st Cir. Certiorari denied.

No. 90-1752. *THOMAS v. BLISS & LAUGHLIN STEEL CO.* C. A. 7th Cir. Certiorari denied.

No. 90-1753. *MICHIGAN v. GONDER.* Ct. App. Mich. Certiorari denied.

No. 90-1755. *RABEN-PASTAL v. CITY OF COCONUT CREEK, FLORIDA, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 573 So. 2d 298.

No. 90-1759. *GESHWIND v. GARRICK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 594.

No. 90-1761. *MONROE ET AL. v. CITY OF WOODVILLE, MISSISSIPPI, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 697.

No. 90-1762. *WILLIAMS v. GARBAN LTD. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 909.

No. 90-1764. *INDEPENDENT FRUIT & PRODUCE CO. ET AL. v. CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 919 F. 2d 1343.

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No. 90-1765. *HOLEMAN v. ELLIOTT*, JUDGE, 311TH JUDICIAL DISTRICT COURT OF HARRIS COUNTY, TEXAS. C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 601.

No. 90-1766. *FEDERAL EXPRESS CORP. v. TENNESSEE PUBLIC SERVICE COMMISSION ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 962.

No. 90-1771. *CITY OF HENDERSON ET AL. v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA (NEVADA ENTERTAINMENT INDUSTRIES, INC., ET AL., REAL PARTIES IN INTEREST)*. C. A. 9th Cir. Certiorari denied.

No. 90-1773. *CORONATION SHIPPING CO. ET AL. v. CREPPEL*. Ct. App. La., 5th Cir. Certiorari denied. Reported below: 572 So. 2d 1051.

No. 90-1775. *GARY COMMUNITY MENTAL HEALTH CENTER, INC., ET AL. v. TRAVIS*. C. A. 7th Cir. Certiorari denied. Reported below: 921 F. 2d 108.

No. 90-1777. *LOMAX v. ARMONTROUT*, ASSISTANT DIRECTOR OF ADULT INSTITUTIONS, MISSOURI DEPARTMENT OF CORRECTIONS. C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 574.

No. 90-1779. *TELESAVER, INC., ET AL. v. UNITED STATES TRANSMISSION SYSTEMS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 849.

No. 90-1781. *ALFLEX CORP. v. UNDERWRITERS LABORATORIES, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 261.

No. 90-1782. *ALFLEX CORP. v. UNDERWRITERS LABORATORIES, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 175.

No. 90-1783. *WILLIAM PENN LIFE INSURANCE COMPANY OF NEW YORK v. CHASE*. Ct. App. N. Y. Certiorari denied. Reported below: 76 N. Y. 2d 999, 565 N. E. 2d 1265.

No. 90-1784. *POTTER v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 57 Ohio St. 3d 722, 568 N. E. 2d 1226.

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No. 90-1786. *BROWN ET AL. v. CITY OF DORAVILLE, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 922 F. 2d 848.

No. 90-1787. *LUDLOW PARK HOMEOWNERS ASSN., INC., ET AL. v. COUNTY OF WESTCHESTER, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 909.

No. 90-1788. *KUNKLE ET AL. v. FULTON COUNTY, OHIO, BOARD OF COMMISSIONERS, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 922 F. 2d 841.

No. 90-1789. *LEHTINEN v. S. J. & W. RANCH, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 913 F. 2d 1538 and 924 F. 2d 1555.

No. 90-1790. *SAVIC v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 918 F. 2d 696.

No. 90-1793. *AVON GROUP, INC. v. NEW YORK INSURANCE DEPARTMENT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 593.

No. 90-1794. *CHARRIA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 919 F. 2d 842.

No. 90-1795. *CHROMALLOY PHARMACEUTICAL, INC. v. BOYER, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF BOYER, DECEASED, ET AL.; and*

No. 90-1817. *TENNECO RESINS, INC. v. SIMMERS ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 394 Pa. Super. 464, 576 A. 2d 376.

No. 90-1796. *INTERNATIONAL LONGSHOREMEN'S ASSN., AFL-CIO, LOCAL UNION NO. 1937 v. LOWER LAKE DOCK CO. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 900.

No. 90-1797. *POLYAK v. BOSTON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 920 F. 2d 933.

No. 90-1798. *EBANKS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 924 F. 2d 753.

No. 90-1803. *BILZERIAN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 926 F. 2d 1285.

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No. 90-1804. *QUIRK ET UX. v. TOWN OF SANDWICH*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 409 Mass. 380, 566 N. E. 2d 614.

No. 90-1805. *LAUREL SAND & GRAVEL, INC. v. CSX TRANSPORTATION, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 924 F. 2d 539.

No. 90-1806. *PORT CLINTON ASSOCIATES v. BOARD OF SELECTMEN OF TOWN OF CLINTON*. Sup. Ct. Conn. Certiorari denied. Reported below: 217 Conn. 588, 587 A. 2d 126.

No. 90-1807. *SIMMONS v. CONNECTICUT ET AL.* App. Ct. Conn. Certiorari denied. Reported below: 24 Conn. App. 801, 584 A. 2d 484.

No. 90-1808. *PRICE v. DIGITAL EQUIPMENT CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 928 F. 2d 401.

No. 90-1809. *WHITMER v. CITY OF CHICAGO ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 199 Ill. App. 3d 1100, 585 N. E. 2d 646.

No. 90-1811. *MATEYKO ET UX. v. FELIX ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 924 F. 2d 824.

No. 90-1814. *PASKAVITCH v. REAGAN, FORMER PRESIDENT*. C. A. 2d Cir. Certiorari denied. Reported below: 916 F. 2d 708.

No. 90-1815. *MURPHY, DBA THOMAS M. MURPHY & ASSOCIATES v. PROVIDENT MUTUAL LIFE INSURANCE COMPANY OF PHILADELPHIA ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 923.

No. 90-1816. *MSM FARMS, INC. v. SPIRE, ATTORNEY GENERAL OF NEBRASKA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 330.

No. 90-1818. *WELSH v. DELOACH*. C. A. 10th Cir. Certiorari denied. Reported below: 922 F. 2d 618.

No. 90-1819. *ANDERSON v. ENVIRONMENTAL HEALTH DEPARTMENT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 861.

No. 90-1821. *JAMCO v. NATIONAL LABOR RELATIONS BOARD*. C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 614.

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No. 90-1822. *SANCHEZ v. CITY OF SANTA ANA, CALIFORNIA*; and

No. 90-1979. *CITY OF SANTA ANA v. SANCHEZ*. C. A. 9th Cir. Certiorari denied. Reported below: 915 F. 2d 424.

No. 90-1825. *NORTHWEST RACQUET SWIM & HEALTH CLUBS, INC. v. RESOLUTION TRUST CORPORATION ET AL.*; and

No. 90-1851. *ADAMS v. RESOLUTION TRUST CORPORATION ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: No. 90-1825, 927 F. 2d 355; No. 90-1851, 927 F. 2d 348.

No. 90-1826. *FLETCHER ET UX. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 495.

No. 90-1827. *PULLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 922 F. 2d 1283.

No. 90-1829. *701 PHARMACY CORP. ET AL. v. PERALES, COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 163.

No. 90-1830. *BOYD COUNTY BOARD OF EDUCATION v. UNITED STATES FIDELITY & GUARANTY Co.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 603.

No. 90-1831. *MITCHELL v. G. SERVICES, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 396.

No. 90-1833. *NEW YORK v. BLOUNT*. Ct. App. N. Y. Certiorari denied. Reported below: 77 N. Y. 2d 888, 571 N. E. 2d 78.

No. 90-1834. *WADE ET UX. v. SHOOK, TRUSTEE, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 90-1836. *MINNICKS, EXECUTRIX OF THE SUCCESSION OF MISTICH v. MISTICH ET AL.* Ct. App. La., 4th Cir. Certiorari denied.

No. 90-1838. *LUSKIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 926 F. 2d 372.

No. 90-1839. *MR. FURNITURE WAREHOUSE, INC., ET AL. v. BARCLAYS/AMERICAN COMMERCIAL, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 1517.

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No. 90-1840. *KNIGHT v. BELL*. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1470.

No. 90-1841. *WANAT v. OSSEN*. Sup. Ct. Conn. Certiorari denied. Reported below: 217 Conn. 313, 585 A. 2d 685.

No. 90-1842. *PENNSYLVANIA v. PENN.* Super. Ct. Pa. Certiorari denied. Reported below: 386 Pa. Super. 133, 562 A. 2d 833.

No. 90-1843. *BLUE CROSS & BLUE SHIELD OF MARYLAND v. WEINER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 925 F. 2d 81.

No. 90-1845. *FELKER v. HOULOOSE, CHIEF PROBATION OFFICER, PROBATION AND PAROLE DEPARTMENTS, 43RD JUDICIAL DISTRICT OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 90-1848. *KALE v. COMBINED INSURANCE COMPANY OF AMERICA*. C. A. 1st Cir. Certiorari denied. Reported below: 924 F. 2d 1161.

No. 90-1849. *McMACKIN, WARDEN v. HART*. C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 256.

No. 90-1850. *PERALES v. MABSTOA ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 845.

No. 90-1854. *CRUMLING v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 397.

No. 90-1856. *JUDICIAL RETIREMENT AND REMOVAL COMMISSION OF KENTUCKY v. COMBS, JUSTICE OF THE SUPREME COURT OF KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 803 S. W. 2d 953.

No. 90-1857. *CITY OF YONKERS, NEW YORK v. UNITED STATES ET AL.* (two cases). C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 85 (first case).

No. 90-1858. *BAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 99.

No. 90-1863. *CHANDLER ET AL. v. GEORGIA PUBLIC TELECOMMUNICATIONS COMMISSION ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 917 F. 2d 486.

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No. 90-1865. *HERMES v. SECRETARY OF HEALTH AND HUMAN SERVICES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 926 F. 2d 789.

No. 90-1866. *FAGONE v. FAGONE.* Sup. Ct. Ohio. Certiorari denied. Reported below: 55 Ohio St. 3d 720, 564 N. E. 2d 496.

No. 90-1868. *KERSEY v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 576 So. 2d 300.

No. 90-1869. *MARZOUCA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 910.

No. 90-1870. *WISHING WELL LIMITED PARTNERSHIP v. SECURITY PACIFIC BUSINESS FINANCE CO.* C. A. 11th Cir. Certiorari denied. Reported below: 929 F. 2d 706.

No. 90-1871. *AYOUB, INDEPENDENT EXECUTRIX OF THE ESTATE OF AYOUB v. TEXAS A & M UNIVERSITY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 834.

No. 90-1872. *EMPLOYERS INSURANCE OF WAUSAU ET AL. v. MISSISSIPPI STATE HIGHWAY COMMISSION ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 575 So. 2d 999.

No. 90-1873. *BINGHAM ET AL. v. NATIONAL CREDIT UNION ADMINISTRATION BOARD.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 282.

No. 90-1876. *MORRIS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 504.

No. 90-1877. *SINGAL v. GENERAL MOTORS CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 924 F. 2d 1059.

No. 90-1878. *UNITED VAN LINES, INC. v. WORKERS' COMPENSATION APPEALS BOARD OF CALIFORNIA ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 90-1879. *MISSOURI v. ZANCAUSKE.* Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 804 S. W. 2d 851.

No. 90-1882. *ESTATE OF CARTER, THROUGH ITS DATIVE TESTAMENTARY EXECUTOR, TAGGART v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 921 F. 2d 63.

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No. 90-1884. PRUDENTIAL INSURANCE COMPANY OF AMERICA *v.* BROWN. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 90-1885. SOBERON *v.* UNITED STATES; and
No. 90-8081. PENA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 929 F. 2d 935.

No. 90-1886. RICHARDSON'S JEWELLRY (LLOYDMINSTER) LTD. *v.* SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE (ORAN ET AL., REAL PARTIES IN INTEREST). Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 90-1888. FOSTER MCGAW HOSPITAL OF LOYOLA UNIVERSITY OF CHICAGO ET AL. *v.* BUILDING MATERIAL CHAUFFEURS, TEAMSTERS & HELPERS WELFARE FUND OF CHICAGO, LOCAL 786. C. A. 7th Cir. Certiorari denied. Reported below: 925 F. 2d 1023.

No. 90-1889. FLUENT, INDIVIDUALLY AND AS A REPRESENTATIVE OF THE CLASS OF SALAMANCA LESSEES, ET AL. *v.* SALAMANCA INDIAN LEASE AUTHORITY ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 542.

No. 90-1890. CLARK *v.* MERRILL LYNCH, PIERCE, FENNER & SMITH, INC., ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 924 F. 2d 550.

No. 90-1891. KALISH ET AL. *v.* FRANKLIN ADVISERS, INC., ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 590.

No. 90-1892. UNION OIL COMPANY OF CALIFORNIA *v.* O'RILEY. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 226 Cal. App. 3d 199, 276 Cal. Rptr. 483.

No. 90-1893. HIRSH *v.* CITY OF ATLANTA. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 22, 401 S. E. 2d 530.

No. 90-1894. BYRD *v.* NEW JERSEY. Super. Ct. N. J., App. Div. Certiorari denied.

No. 90-1895. BERGNA *v.* FINKELSTEIN. C. A. 9th Cir. Certiorari denied. Reported below: 924 F. 2d 1449.

No. 90-1896. CITIZENS ACTION COALITION OF INDIANA, INC., ET AL. *v.* PSI ENERGY, INC., ET AL. Sup. Ct. Ind. Certiorari denied.

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No. 90-1898. *ABBOTT LABORATORIES v. KESSLER, COMMISSIONER, FOOD AND DRUG ADMINISTRATION*. C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 190, 920 F. 2d 984.

No. 90-1899. *GULF STATES UTILITIES CO. v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 345, 922 F. 2d 873.

No. 90-1900. *11126 BALTIMORE BOULEVARD, INC., T/A WARWICK BOOKS v. PRINCE GEORGE'S COUNTY, MARYLAND*. C. A. 4th Cir. Certiorari denied. Reported below: 924 F. 2d 557.

No. 90-1901. *HAYES v. BYER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 144.

No. 90-1904. *INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA, AFL-CIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 648.

No. 90-1905. *MARINE ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 280.

No. 90-1906. *GRACEY v. REIGLE*. C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 50.

No. 90-1907. *DELUXE SHEET METAL, INC., ET AL. v. PLYMOUTH PLASTICS, INC.* Ct. App. Ind. Certiorari denied. Reported below: 555 N. E. 2d 1296.

No. 90-1908. *CEDAR BROOK SERVICE STATION, INC., ET AL. v. CHEVRON U. S. A., INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 908.

No. 90-1909. *WHITE, AKA CASCIO v. MINNESOTA*. Ct. App. Minn. Certiorari denied. Reported below: 464 N. W. 2d 585.

No. 90-1910. *ROSEN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 929 F. 2d 839.

No. 90-1911. *LOEBER ET VIR, INDIVIDUALLY AND ON BEHALF OF THEIR MINOR DAUGHTER, LOEBER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 924 F. 2d 1340.

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No. 90-1913. *YELLOW FREIGHT SYSTEM, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 3d Cir. Certiorari denied. Reported below: 930 F. 2d 316.

No. 90-1914. *OPDAHL ET UX. v. VON HOFF INTERNATIONAL, INC., ET AL.* Sup. Ct. S. D. Certiorari denied. Reported below: 467 N. W. 2d 927.

No. 90-1916. *DEAN v. DEAN*. Sup. Ct. Va. Certiorari denied.

No. 90-1917. *WHITCOMBE ET UX. v. UNITED STATES DEPARTMENT OF THE TREASURY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 922 F. 2d 846.

No. 90-1919. *KRAIN v. HICKS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 60.

No. 90-1920. *DIERSCHE ET UX. v. O'CHESKEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 600.

No. 90-1921. *SEXTON, AN UNMARRIED INFANT, BY AND THROUGH HIS MOTHER AND NATURAL GUARDIAN, SEXTON v. BELL HELMETS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 926 F. 2d 331.

No. 90-1923. *FEDERAL ELECTION COMMISSION v. KEEFER ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 928 F. 2d 468.

No. 90-1924. *BALLAY ET AL. v. LEGG MASON WOOD WALKER, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 682.

No. 90-1925. *BEDI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 923.

No. 90-1926. *ARIZONA v. BUCCINI*. Sup. Ct. Ariz. Certiorari denied. Reported below: 167 Ariz. 550, 810 P. 2d 178.

No. 90-1927. *KORNAFEL v. STEWART, ASSISTANT DISTRICT ATTORNEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 417.

No. 90-1928. *RUSSO ET AL. v. MASSULLO ET AL.*; and

No. 91-118. *POHLMAN v. RUSSO ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 605.

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No. 90-1929. *PENNSYLVANIA POWER CO. v. PENNSYLVANIA PUBLIC UTILITY COMMISSION ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 526 Pa. 453, 587 A. 2d 312.

No. 90-1930. *COLON v. UNITED STATES.* Ct. Mil. App. Certiorari denied. Reported below: 32 M. J. 473.

No. 90-1932. *MOODY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 923 F. 2d 341.

No. 90-1933. *MOSES ET AL. v. BUSINESS CARD EXPRESS, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 1131.

No. 90-1934. *TRIUMPH TANKERS LTD. v. KERR-MCGEE REFINING CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 924 F. 2d 467.

No. 90-1935. *WILLIAMS ET AL. v. VERMONT ET AL.* Sup. Ct. Vt. Certiorari denied. Reported below: 156 Vt. 42, 589 A. 2d 840.

No. 90-1938. *NEW YORK TIMES CO. v. RAGIN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 995.

No. 90-1939. *CARTER ET UX. v. DIRECTOR OF REVENUE OF MISSOURI.* Sup. Ct. Mo. Certiorari denied. Reported below: 805 S. W. 2d 154.

No. 90-1940. *TRAPPER MINING INC. ET AL. v. LUJAN, SECRETARY OF THE INTERIOR, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 923 F. 2d 774.

No. 90-1942. *SHIPP ET UX. v. BYERLEIN.* Ct. App. Mich. Certiorari denied. Reported below: 182 Mich. App. 39, 451 N. W. 2d 565.

No. 90-1943. *PSS STEAMSHIP CO., INC. v. OFFICIAL COMMITTEE OF UNSECURED CREDITORS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 565.

No. 90-1944. *KRUGER ET AL. v. EASTERN AIR LINES, INC.* C. A. 2d Cir. Certiorari denied.

No. 90-1945. *KING v. BOARD OF REGENTS OF THE UNIVERSITY OF GEORGIA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 925 F. 2d 1475.

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No. 90-1948. *RAM v. MASSACHUSETTS DEPARTMENT OF TRANSPORTATION ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 409 Mass. 481, 567 N. E. 2d 208.

No. 90-1950. *RICHARDSON v. JONES ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 259, 925 F. 2d 490.

No. 90-1951. *HASKETT v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 210, 801 P. 2d 323.

No. 90-1952. *FINI v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 929 F. 2d 765.

No. 90-1954. *2 TUDOR CITY PLACE ASSOCIATES ET AL. v. 2 TUDOR CITY TENANTS CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 924 F. 2d 1247.

No. 90-1955. *PABON v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 577 So. 2d 953.

No. 90-1956. *GARRISON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 920.

No. 90-1957. *McMANUS v. IOWA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 185.

No. 90-1958. *WALKER v. SUBURBAN HOSPITAL ASSN. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 400.

No. 90-1959. *WINDSOR HOUSE, INC. v. THORNTON, FKA ALEXANDER GRANT & Co.* Sup. Ct. Ohio. Certiorari denied. Reported below: 57 Ohio St. 3d 158, 566 N. E. 2d 1220.

No. 90-1960. *WRENN v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL.* C. A. 2d Cir. Certiorari denied.

No. 90-1961. *WRENN v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 90-1962. *PYRAMID SECURITIES LTD. v. IB RESOLUTION, INC.* C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 157, 924 F. 2d 1114.

No. 90-1963. *DAMER v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO (STERNS ET AL., REAL PARTIES IN INTEREST).* Ct. App. Cal., 1st App. Dist. Certiorari denied.

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No. 90-1964. COLORADO DEPARTMENT OF SOCIAL SERVICES *v.* DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 928 F. 2d 961.

No. 90-1965. BORMAN'S, INC. *v.* MICHIGAN PROPERTY & CASUALTY GUARANTY ASSN. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 160.

No. 90-1966. LARRY HARMON PICTURES CORP. *v.* WILLIAMS RESTAURANT CORP. C. A. Fed. Cir. Certiorari denied. Reported below: 929 F. 2d 662.

No. 90-1967. CORBITT *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 924 F. 2d 1362.

No. 90-1968. CROSS *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 1136.

No. 90-1969. WALTON *v.* COWIN EQUIPMENT Co., INC. C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 924.

No. 90-1971. FEDERAL INSURANCE Co. *v.* SUSQUEHANNA BROADCASTING Co. C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 1131.

No. 90-1973. ERBAUER CONSTRUCTION CORP. *v.* PAN AMERICAN LIFE INSURANCE Co. Sup. Ct. Tex. Certiorari denied. Reported below: 805 S. W. 2d 395.

No. 90-1975. LATTARULO *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 124, 401 S. E. 2d 516.

No. 90-1976. CENTRAL STATES MOTOR FREIGHT BUREAU, INC., ET AL. *v.* UNITED STATES ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 142, 924 F. 2d 1099.

No. 90-1978. ROY *v.* AMOCO OIL Co. C. A. 11th Cir. Certiorari denied. Reported below: 925 F. 2d 1475.

No. 90-1980. TOWERS WORLD AIRWAYS, INC., ET AL. *v.* PHH AVIATION SYSTEMS, INC., ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 933 F. 2d 174.

No. 90-1981. AGUIRRE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 922 F. 2d 602.

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No. 90-1982. JONES, MOTHER AND GUARDIAN ON BEHALF OF JONES, AN INCOMPETENT, ET AL. *v.* DAYTON BOARD OF EDUCATION ET AL. Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 90-1983. PAYNE *v.* UNITED STATES; and MEDRANO-PEREZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 925 F. 2d 1460.

No. 90-1984. GORMAN, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF GORMAN, DECEASED *v.* LIFE INSURANCE COMPANY OF NORTH AMERICA ET AL. Sup. Ct. Tex. Certiorari denied. Reported below: 811 S. W. 2d 542.

No. 90-1986. JENSEN *v.* HAWES ET AL. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 90-6888. LOWE *v.* JUVENILE COURT IN AND FOR THE CITY AND COUNTY OF DENVER ET AL. Sup. Ct. Colo. Certiorari denied.

No. 90-7054. EATON *v.* VIRGINIA. Sup. Ct. Va. Certiorari denied. Reported below: 240 Va. 236, 397 S. E. 2d 385.

No. 90-7135. SMALL *v.* GOVERNMENT OF THE VIRGIN ISLANDS. C. A. 3d Cir. Certiorari denied. Reported below: 922 F. 2d 831.

No. 90-7173. THOMAS *v.* ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 201 Ill. App. 3d 255, 559 N. E. 2d 262.

No. 90-7286. PINKERTON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 922 F. 2d 845.

No. 90-7305. BRYANT *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 202 Ill. App. 3d 290, 559 N. E. 2d 930.

No. 90-7318. ANDERSON *v.* ILLINOIS. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 201 Ill. App. 3d 75, 559 N. E. 2d 267.

No. 90-7348. PHILAGIOS *v.* COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 921 F. 2d 275.

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No. 90-7381. *BLAIR v. ARMONTROUT, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 916 F. 2d 1310.

No. 90-7414. *YOUNG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 909 F. 2d 442.

No. 90-7416. *FOLEY v. WHITLEY, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 923 F. 2d 853.

No. 90-7439. *WATERMAN, AKA GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 909 F. 2d 1490.

No. 90-7504. *MAHURIN ET AL. v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 799 S. W. 2d 840.

No. 90-7522. *HARRIGAN v. GOVERNMENT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. Reported below: 922 F. 2d 831.

No. 90-7526. *CONTRERAS v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 90-7567. *JONES v. DUCHARME, SUPERINTENDENT, WASHINGTON STATE REFORMATORY*. C. A. 9th Cir. Certiorari denied. Reported below: 920 F. 2d 936.

No. 90-7571. *CAHILL v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 572 So. 2d 915.

No. 90-7599. *GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 921 F. 2d 59.

No. 90-7603. *LAVERNIA v. UNITED STATES BUREAU OF PRISONS*. C. A. 11th Cir. Certiorari denied. Reported below: 925 F. 2d 1475.

No. 90-7628. *MEGAR v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 90-7633. *FLOWERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 923 F. 2d 866.

No. 90-7643. *DANIELS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 924 F. 2d 1053.

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No. 90-7654. *GEISLER v. OHIO*. Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 90-7669. *DEEMER v. POUNDS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 90-7682. *WILLIAMS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 922 F. 2d 834.

No. 90-7691. *WILSON v. LANE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 416.

No. 90-7693. *RUS ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 922 F. 2d 842.

No. 90-7695. *DULUC DEL ROSARIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 920 F. 2d 167.

No. 90-7698. *YARTER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 90-7702. *GHASHIYAH, AKA CASTEEL v. CIRCUIT COURT FOR DANE COUNTY ET AL.* Sup. Ct. Wis. Certiorari denied. Reported below: 157 Wis. 2d lii, 464 N. W. 2d 425.

No. 90-7718. *THOMAS v. CHENEY, SECRETARY OF DEFENSE, ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 925 F. 2d 1407.

No. 90-7722. *CENATUS, AKA REMY v. SCHROEDER ET AL.* C. A. 10th Cir. Certiorari denied.

No. 90-7730. *MOON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 922 F. 2d 842.

No. 90-7732. *RILEY v. FEDERAL DEPOSIT INSURANCE CORPORATION*. C. A. 5th Cir. Certiorari denied. Reported below: 923 F. 2d 852.

No. 90-7740. *NEEDLER v. VALLEY NATIONAL BANK OF ARIZONA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 922 F. 2d 1438.

No. 90-7759. *KORDOSKY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 921 F. 2d 722.

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No. 90-7769. *DUNN v. ARIZONA*. Ct. App. Ariz. Certiorari denied. Reported below: 166 Ariz. 506, 803 P. 2d 917.

No. 90-7777. *DERDEN v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 575 So. 2d 1003.

No. 90-7778. *SAUNDERS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 398.

No. 90-7781. *TWITTY v. MAASS, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 181.

No. 90-7784. *AURELIO v. LOUISIANA STEVEDORES, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 924 F. 2d 1055.

No. 90-7790. *MAYO v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 893 F. 2d 683 and 920 F. 2d 251.

No. 90-7800. *BROWNLEE v. ABBEVILLE SHERIFF DEPARTMENT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 691.

No. 90-7822. *ROMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 922 F. 2d 834.

No. 90-7832. *KANE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 420.

No. 90-7836. *LAZARCHIK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 924 F. 2d 211.

No. 90-7847. *POFF v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 926 F. 2d 588.

No. 90-7857. *ROUNDY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1530.

No. 90-7860. *DONALD v. RAST ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 379.

No. 90-7864. *CLIFTON v. CRAIG*. C. A. 10th Cir. Certiorari denied. Reported below: 924 F. 2d 182.

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No. 90-7865. *MOORE v. WINEBRENNER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 1312.

No. 90-7866. *HARRIS v. BURGESS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 848.

No. 90-7880. *MYLES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 925 F. 2d 1473.

No. 90-7888. *JACKSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 924 F. 2d 1059.

No. 90-7894. *DYE v. LEE, ATTORNEY GENERAL OF NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 924 F. 2d 1051.

No. 90-7896. *JACKSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 928 F. 2d 245.

No. 90-7898. *KING v. PENNSYLVANIA BOARD OF PROBATION AND PAROLE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 417.

No. 90-7903. *ASHFORD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 924 F. 2d 1416.

No. 90-7908. *ORTEGA v. TANSY, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 90-7913. *FULTON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 57 Ohio St. 3d 120, 566 N. E. 2d 1195.

No. 90-7923. *BOYD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 924 F. 2d 945.

No. 90-7929. *WEAVER v. PUNG, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS*. C. A. 8th Cir. Certiorari denied. Reported below: 925 F. 2d 1097.

No. 90-7930. *RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 864.

No. 90-7950. *MURCHU, AKA MURPHY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 926 F. 2d 50.

No. 90-7955. *DAVENPORT v. DUCKWORTH, SUPERINTENDENT, INDIANA STATE REFORMATORY, ET AL.* C. A. 7th Cir. Certiorari denied.

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No. 90-7963. *DEPASQUALE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 106 Nev. 843, 803 P. 2d 218.

No. 90-7965. *ROBERTS v. UNITED STATES*;

No. 90-8094. *LAVIN v. UNITED STATES*;

No. 90-8113. *DOYHARZABAL v. UNITED STATES*;

No. 90-8339. *COLLADO v. UNITED STATES*;

No. 90-8364. *DIAZ LORIGA v. UNITED STATES*; and

No. 91-5165. *BEALE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1412.

No. 90-7972. *MASON v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 202 Ill. App. 3d 1111, 593 N. E. 2d 1176.

No. 90-7976. *MEIROVITZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 918 F. 2d 1376.

No. 90-7977. *CLIFTON v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied.

No. 90-7983. *COOPER ET UX. v. MERRILL LYNCH EQUITY ACCESS INC.* App. Ct. Conn. Certiorari denied.

No. 90-7987. *PARKER v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 304 Ark. xxiv.

No. 90-7988. *DOWNES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 572 So. 2d 895.

No. 90-7994. *WRIGHT v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 90-7996. *COULTER v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 304 Ark. 527, 804 S. W. 2d 348.

No. 90-7999. *HENDRICKS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 204 Ill. App. 3d 1104, 598 N. E. 2d 504.

No. 90-8000. *MARSH v. SKINNER, SECRETARY OF TRANSPORTATION, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 922 F. 2d 112.

No. 90-8002. *JACOBS v. DALLMAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 924 F. 2d 1058.

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No. 90-8003. *KUKES v. SUPERIOR COURT OF CALIFORNIA, SACRAMENTO COUNTY (ALLSTATE INSURANCE CO., REAL PARTY IN INTEREST)*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 90-8004. *COOPER v. NASH ET AL.* C. A. 8th Cir. Certiorari denied.

No. 90-8006. *BURTON v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 90-8008. *TURNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 926 F. 2d 883.

No. 90-8010. *RUIZ-RAVELO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 924 F. 2d 1056.

No. 90-8011. *GRANT v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 90-8012. *WINDBUSH v. PERALES ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 163 App. Div. 2d 480, 559 N. Y. S. 2d 670.

No. 90-8016. *TIGNER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 203 Ill. App. 3d 1104, 597 N. E. 2d 304.

No. 90-8017. *RILEY v. PLANTIER, SUPERINTENDENT, ADULT DIAGNOSTIC AND TREATMENT CENTER*. C. A. 3d Cir. Certiorari denied.

No. 90-8020. *COSNER v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied.

No. 90-8022. *STEWART v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 922 F. 2d 842.

No. 90-8026. *MORGAN v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 418.

No. 90-8027. *JORDAN v. BARNETT, SUPERINTENDENT, EASTERN CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 924 F. 2d 1052.

No. 90-8028. *LUCAS ET AL. v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 923 F. 2d 852.

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No. 90-8031. *LINDGREN v. MCGINNIS, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS*. C. A. 7th Cir. Certiorari denied. Reported below: 925 F. 2d 198.

No. 90-8033. *COOPER ET AL. v. FRANK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 593.

No. 90-8034. *RAHMING v. KELLY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 907 F. 2d 144.

No. 90-8035. *THOMPSON v. MOORE ET AL.* C. A. 8th Cir. Certiorari denied.

No. 90-8037. *MEEKS v. O'LEARY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 90-8039. *WOLLERMANN v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 159 Wis. 2d 431, 464 N. W. 2d 680.

No. 90-8041. *JOHNSON v. ARMONTROUT, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 107.

No. 90-8044. *CARCAISE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1523.

No. 90-8046. *DOTTA v. KEENEY*. C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 861.

No. 90-8050. *ROBINSON v. YELLOW FREIGHT SYSTEM*. C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 849.

No. 90-8051. *WILLIAMS v. WELLS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1467.

No. 90-8054. *WINSTEAD v. CLARK ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-8055. *ZACZEK v. SHERIFF, FAUQUIER COUNTY, VIRGINIA*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 695.

No. 90-8059. *SANDERS v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 801 S. W. 2d 665.

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No. 90-8060. *HUNT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 893 F. 2d 1028 and 925 F. 2d 1181.

No. 90-8061. *JONES v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 260 Ga. 794, 401 S. E. 2d 1.

No. 90-8063. *CARMONA v. ZAMORA*. C. A. 5th Cir. Certiorari denied. Reported below: 925 F. 2d 1459.

No. 90-8066. *WASHINGTON v. TRIPPETT, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 930 F. 2d 919.

No. 90-8067. *STEPHENS v. MUNCY, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 920 F. 2d 927.

No. 90-8069. *RINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 902.

No. 90-8070. *PERKINS v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 546 N. E. 2d 127.

No. 90-8072. *PHILLIPS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1466.

No. 90-8073. *SANCHEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 925 F. 2d 1468.

No. 90-8075. *DEMOS v. COURT OF APPEALS OF WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 90-8076. *THOMAS v. NEW YORK CITY POLICE DEPARTMENT ET AL.* C. A. 2d Cir. Certiorari denied.

No. 90-8078. *WILDER v. CHAIRMAN OF THE CENTRAL CLASSIFICATION BOARD ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 926 F. 2d 367.

No. 90-8079. *WALKER v. REDMOND ET AL.* C. A. 5th Cir. Certiorari denied.

No. 90-8080. *WILEY v. O'CONNOR ET AL.* C. A. 7th Cir. Certiorari denied.

No. 90-8082. *CAICEDO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 914 F. 2d 268.

No. 90-8083. *ANDERSON v. ALCOA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 415.

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No. 90-8085. *CHRISPEN v. TAUBE ET AL.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 573 So. 2d 6.

No. 90-8086. *CHRISPEN v. ROBINSON, JUDGE, CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 575 So. 2d 662.

No. 90-8091. *GLENN v. OHIO.* Ct. App. Ohio, Portage County. Certiorari denied.

No. 90-8095. *MAYES v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 925 F. 2d 1458.

No. 90-8098. *BROWN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 109.

No. 90-8100. *MILLER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 925 F. 2d 695.

No. 90-8101. *MCALLISTER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 927 F. 2d 136.

No. 90-8104. *NOLASCO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 926 F. 2d 869.

No. 90-8108. *MOORE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 90-8110. *LOCKHART v. ALASKA SALES & SERVICES Co., INC., ET AL.* Sup. Ct. Alaska. Certiorari denied.

No. 90-8111. *HUSKY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 924 F. 2d 223.

No. 90-8114. *TYE v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 141 Ill. 2d 1, 565 N. E. 2d 931.

No. 90-8118. *WEATHERBY v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 420.

No. 90-8121. *AHFEROM v. MICHIGAN BUREAU OF WORKERS DISABILITY COMPENSATION, DIRECTOR, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 603.

No. 90-8123. *ARTHUR v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 601.

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No. 90-8124. *BRUNO v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 574 So. 2d 76.

No. 90-8125. *CARR ET AL. v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 932 F. 2d 67.

No. 90-8127. *TIMMONS v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 576 So. 2d 302.

No. 90-8128. *SHELEY v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 613.

No. 90-8129. *QUESINBERRY v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 241 Va. 364, 402 S. E. 2d 218.

No. 90-8130. *WRIGHT v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 367, 802 P. 2d 221.

No. 90-8134. *SMITH v. DOUGHERTY ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 59 Wash. App. 1020.

No. 90-8135. *AZIZ v. ST. LOUIS COUNTY ET AL.* C. A. 8th Cir. Certiorari denied.

No. 90-8136. *BRANTLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 920 F. 2d 938.

No. 90-8138. *FOWLER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 917.

No. 90-8139. *FRESCAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 857.

No. 90-8141. *ALLEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 911 F. 2d 739.

No. 90-8143. *ANDERSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 574 So. 2d 87.

No. 90-8144. *EVANS v. GODINAS, WARDEN*. Sup. Ct. Nev. Certiorari denied. Reported below: 107 Nev. 1119, 838 P. 2d 940.

No. 90-8145. *BEYAH v. LAIDLAW ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 845.

No. 90-8146. *FISH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 185.

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No. 90-8147. *CARBALLEA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 929 F. 2d 705.

No. 90-8149. *RAINEY v. KERBY, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 34.

No. 90-8150. *SMITH v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied.

No. 90-8152. *TAPIA v. TANSY, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 926 F. 2d 1554.

No. 90-8153. *PERKINS v. JAMAICA WATER SUPPLY CO.* C. A. 2d Cir. Certiorari denied.

No. 90-8154. *BURGESS v. EVATT, COMMISSIONER, SOUTH CAROLINA DEPARTMENT OF CORRECTION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 691.

No. 90-8157. *PRETENCIO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 930 F. 2d 38.

No. 90-8158. *WALKER v. DEEDS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-8160. *STANO v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1125.

No. 90-8161. *SHELBY v. BLACK, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 90-8163. *GONZALEZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 51 Cal. 3d 1179, 800 P. 2d 1159.

No. 90-8164. *HUNT v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 321 Md. 387, 583 A. 2d 218.

No. 90-8165. *JACKSON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 57 Ohio St. 3d 29, 565 N. E. 2d 549.

No. 90-8169. *NORMAN, AKA KETCHUM v. DUNKLEBURG ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 600.

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No. 90-8171. *MARTIN v. OHIO*. Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 90-8173. *HOLSEY v. SMITH*. C. A. 4th Cir. Certiorari denied. Reported below: 924 F. 2d 1052.

No. 90-8174. *GODFREE v. FEDERAL TRADE COMMISSION*. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 609.

No. 90-8176. *RAEL v. TANSY, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 34.

No. 90-8177. *BRUCHHAUSEN v. CLARK, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 700.

No. 90-8179. *MILLSON v. WALKER, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 907 F. 2d 144.

No. 90-8180. *LEPISCOPO v. TANSY, WARDEN*. Dist. Ct. N. M., 1st Jud. Dist. Certiorari denied.

No. 90-8181. *HELZER v. LAMBLE*. Ct. App. Mich. Certiorari denied.

No. 90-8183. *LOCKHART v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 35.

No. 90-8185. *SINDRAM v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 90-8186. *BYNUM, AKA MARTIN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 205 Ill. App. 3d 1104, 600 N. E. 2d 932.

No. 90-8187. *FRIGARD v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied.

No. 90-8188. *PLAIR v. OHIO*. Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 90-8189. *HUGHES v. KERBY, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 33.

No. 90-8190. *HAYNES v. ARMONTROUT, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 184.

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No. 90-8192. *MARTIN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 343, 926 F. 2d 1216.

No. 90-8193. *MARSHALL v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 85 Md. App. 803.

No. 90-8195. *AMUNTHAIYAKUL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 845.

No. 90-8196. *GATES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 611.

No. 90-8197. *WILLIAM v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 248 Kan. 389, 807 P. 2d 1292.

No. 90-8199. *VENERI v. JACOBS ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-8201. *KAURISH v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 648, 802 P. 2d 278.

No. 90-8202. *McCOURT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1229.

No. 90-8203. *LUJAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 611.

No. 90-8204. *JEFFERSON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 90-8205. *JIMINEZ v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 90-8206. *HILL v. CITY OF EUGENE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-8207. *JOHNSON v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 575 So. 2d 665.

No. 90-8210. *ADAMS v. MARTIN, SECRETARY OF LABOR*. C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 771.

No. 90-8213. *J. R. v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 567 So. 2d 1370.

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No. 90-8214. *WATSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 850.

No. 90-8216. *REYNOLDS-MARSHALL v. HALLUM*. Sup. Jud. Ct. Me. Certiorari denied.

No. 90-8217. *WELSH v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 932 F. 2d 981.

No. 90-8218. *SOTOLONGO v. PROSPECT INDUSTRIES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 51.

No. 90-8220. *WALKER v. DEROSALIA ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 910.

No. 90-8222. *COLBERT v. UNITED STATES* (two cases). C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 397.

No. 90-8223. *D'SOUZA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 926 F. 2d 128.

No. 90-8224. *TAPIA v. SUPERINTENDENT, OSSINING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 957.

No. 90-8226. *JONES v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 90-8228. *DOWNES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 611.

No. 90-8232. *DEAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 605.

No. 90-8234. *WRIGHT v. NIX, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 928 F. 2d 270.

No. 90-8235. *REDD v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 90-8236. *EDMOND v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 17, 924 F. 2d 261.

No. 90-8237. *ROWLAND v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1021.

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No. 90-8238. *PIERCE v. NEWHART ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 693.

No. 90-8239. *SIMON v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 915 F. 2d 1557.

No. 90-8240. *CHENAULT v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO, ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 90-8241. *AIKEN v. BLODGETT, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 214.

No. 90-8242. *AVERITT v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 926 F. 2d 387.

No. 90-8243. *ENGLEHART v. READER, JUDGE, COURT OF COMMON PLEAS, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1463.

No. 90-8244. *BORDERS v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 90-8245. *GRIGSBY v. ESTELLE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-8246. *BETTS v. RICHARDS ET AL.* Ct. App. Kan. Certiorari denied.

No. 90-8247. *DURHAM v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 52.

No. 90-8248. *ALLEN v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 206 Ill. App. 3d 1108, 602 N. E. 2d 996.

No. 90-8249. *KRISHNAN v. DEPARTMENT OF THE ARMY.* C. A. Fed. Cir. Certiorari denied.

No. 90-8250. *JACKSON v. CLEVELAND STATE UNIVERSITY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 924 F. 2d 1058.

No. 90-8251. *JELICIC v. HARTFORD INSURANCE GROUP.* C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 1307.

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No. 90-8253. *MUNDY v. VIRGINIA*. Ct. App. Va. Certiorari denied. Reported below: 11 Va. App. 461, 399 S. E. 2d 29.

No. 90-8254. *HARRIS v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 580 So. 2d 33.

No. 90-8255. *MEADOWS v. GRAMLEY, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 929 F. 2d 703.

No. 90-8256. *MILLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 597.

No. 90-8257. *INGRAM v. NESBITT ET AL.* Sup. Ct. S. C. Certiorari denied.

No. 90-8258. *THOMAS v. UNITED STATES*; and

No. 91-5017. *THOMAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 52.

No. 90-8259. *WESCOTT v. AMERIFIRST FEDERAL SAVINGS & LOAN ASSN. ET AL.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 564 So. 2d 166.

No. 90-8260. *SATTERFIELD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 976.

No. 90-8261. *RAMOS SANTIAGO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 925 F. 2d 15.

No. 90-8262. *RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 612.

No. 90-8263. *STONER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 927 F. 2d 45.

No. 90-8264. *EICHER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 605.

No. 90-8265. *SIMMONDS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 685.

No. 90-8266. *RED BLANKET v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 90-8267. *ARIAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 1387.

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No. 90-8268. *RUFOLLO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 911.

No. 90-8269. *BANKS, AKA BISHOP v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 920.

No. 90-8270. *RISTAU v. THALACKER, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 186.

No. 90-8271. *UPFALOW v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 846.

No. 90-8272. *SCOTT v. DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 90-8273. *WILKINS v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 802 S. W. 2d 491.

No. 90-8274. *BATES v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 804 S. W. 2d 868.

No. 90-8275. *ALLEN v. DAVIS, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 929 F. 2d 706.

No. 90-8276. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 76.

No. 90-8277. *ROBINSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 574 So. 2d 108.

No. 90-8278. *FROSCHAUER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 927 F. 2d 607.

No. 90-8279. *FRIEND v. WILLIAMS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 140.

No. 90-8280. *BONNETT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 63.

No. 90-8281. *BROWN v. LUNGREN, ATTORNEY GENERAL OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 90-8282. *RODRIGUEZ DIAZ v. FLORIDA BOARD OF BAR EXAMINERS ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 581 So. 2d 1309.

No. 90-8283. *SPRADLEY v. COMBS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 925 F. 2d 1473.

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No. 90-8284. *RICHARDSON v. WITKOWSKI, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 399.

No. 90-8285. *SHERMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 324.

No. 90-8286. *PRESCOTT v. EVATT, COMMISSIONER, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 399.

No. 90-8287. *WEISS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 185.

No. 90-8288. *WILLIAMS v. GEORGIA PUBLIC TELECOMMUNICATIONS COMMISSION*. C. A. 11th Cir. Certiorari denied.

No. 90-8289. *RAY v. PACIFIC MISSILE TEST CENTER AGENCY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 925 F. 2d 1459.

No. 90-8290. *AUBIN v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 100 N. C. App. 628, 397 S. E. 2d 653.

No. 90-8291. *SINGH v. MISSOURI DEPARTMENT OF MENTAL HEALTH*. C. A. 8th Cir. Certiorari denied.

No. 90-8292. *DUPARD v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 90-8293. *PALLAIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 921 F. 2d 684.

No. 90-8295. *KELLY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 51 Cal. 3d 931, 800 P. 2d 516.

No. 90-8296. *JETER v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 90-8297. *HALEY v. ARMONTROUT, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 924 F. 2d 735.

No. 90-8298. *McKEE v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 90-8299. *MAUK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 611.

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No. 90-8300. *MOSBY v. GAMBLE ET AL.* C. A. 8th Cir. Certiorari denied.

No. 90-8301. *LONG v. UNITED STATES POSTAL SERVICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 930 F. 2d 38.

No. 90-8302. *MONTGOMERY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 601.

No. 90-8303. *KIRKSEY v. ARMONTROUT, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 184.

No. 90-8304. *ARGENTINA v. UNITED STATES DEPARTMENT OF JUSTICE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 415.

No. 90-8305. *GUNSBY v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 574 So. 2d 1085.

No. 90-8306. *DOLCE v. DUGGER, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 923.

No. 90-8307. *DOUGLAS v. GOMEZ.* Sup. Ct. Cal. Certiorari denied.

No. 90-8308. *TAYLOR v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 719, 801 P. 2d 1142.

No. 90-8309. *TOLEDO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 929 F. 2d 705.

No. 90-8310. *FLAGG v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 923.

No. 90-8311. *GAYDEN v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 584 A. 2d 578.

No. 90-8312. *GONZALEZ v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 512.

No. 90-8313. *WEBER v. GORENFELD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 409.

No. 90-8314. *CROSBY v. KEENE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 965.

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No. 90-8315. *GIPSON v. CASTLE ROCK POLICE DEPARTMENT ET AL.* C. A. 10th Cir. Certiorari denied.

No. 90-8316. *ROBERTS v. MANSON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 186.

No. 90-8317. *CHAPEL v. CHAPEL.* Sup. Ct. Ore. Certiorari denied.

No. 90-8318. *WILLIAMS v. FOLTZ, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 90-8319. *HOUCHINS v. LOVE, HORRY COUNTY, SOUTH CAROLINA, ADMINISTRATOR.* C. A. 4th Cir. Certiorari denied. Reported below: 920 F. 2d 926.

No. 90-8320. *JONES v. GEORGIA.* Ct. App. Ga. Certiorari denied.

No. 90-8321. *NYBERG v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 409.

No. 90-8322. *O'BRIEN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 696.

No. 90-8323. *MILLER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 929 F. 2d 364.

No. 90-8324. *MORRIS ET AL. v. DONREY OF NEVADA, INC., ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 90-8326. *MOORE ET AL. v. MABUS, GOVERNOR OF MISSISSIPPI, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 890.

No. 90-8327. *FOUT v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 170.

No. 90-8328. *GUTIERREZ v. MORIARTY, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 922 F. 2d 1464.

No. 90-8329. *SKAGGS v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied. Reported below: 803 S. W. 2d 573.

No. 90-8330. *COWDEN v. O'CONNOR, JUDGE, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS.* C. A. 10th Cir. Certiorari denied.

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No. 90-8333. *BROOKS ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 1403.

No. 90-8334. *FIELDS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 51 Cal. 3d 1063, 800 P. 2d 862.

No. 90-8335. *FOUNTAIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 923.

No. 90-8336. *DAVIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 405.

No. 90-8337. *EZEALA v. ESTES, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 921 F. 2d 275.

No. 90-8338. *YOUNGER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 343, 926 F. 2d 1216.

No. 90-8340. *ALVARADO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 409.

No. 90-8342. *BERKOWITZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 927 F. 2d 1376.

No. 90-8343. *STANLEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 575.

No. 90-8344. *TYLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 929 F. 2d 451.

No. 90-8345. *WARREN v. RISON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 282.

No. 90-8346. *MANTILLA CASTRO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 697.

No. 90-8347. *ALEXANDER v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 599.

No. 90-8348. *ROSAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 409.

No. 90-8349. *SANDERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 928 F. 2d 940.

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No. 90-8350. *SANDERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 929 F. 2d 1466.

No. 90-8351. *BENNETT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 35.

No. 90-8352. *BRADLEY v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 236 Neb. 371, 461 N. W. 2d 524.

No. 90-8353. *BOLTZ v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 806 P. 2d 1117.

No. 90-8354. *BAXENDALE v. UNITED STATES*; and
No. 90-8355. *SIMMERMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 697.

No. 90-8356. *THOMPSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1020.

No. 90-8357. *BROOKS v. ZIMMERMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT WAYMART, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-8358. *BLACK ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 1361.

No. 90-8359. *AGUIRRE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 696.

No. 90-8360. *ARMENTEROS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 924.

No. 90-8361. *CLARK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 733.

No. 90-8362. *DANIELS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 815, 802 P. 2d 906.

No. 90-8365. *JOHNSON v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 90-8366. *MONTEON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 90-8367. *McLAUGHLIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 701.

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No. 90-8368. *HAYDEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 607.

No. 90-8369. *JOHNSON v. MCKINNA, SUPERINTENDENT, FREMONT CORRECTIONAL FACILITY, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 33.

No. 90-8371. *COX v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 90-8372. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 929 F. 2d 1453.

No. 90-8373. *MACKLIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 1272.

No. 90-8375. *GILSTRAP v. DERWINSKI, SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 90-8376. *RODRIGUEZ v. HOKE, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY*. Ct. App. N. Y. Certiorari denied. Reported below: 77 N. Y. 2d 804, 569 N. E. 2d 1026.

No. 90-8377. *PERRY v. SESSIONS, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION*. C. A. 9th Cir. Certiorari denied.

No. 90-8378. *GREEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 927 F. 2d 1005.

No. 90-8379. *DIXON v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 90-8380. *PHILLIPS v. TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 90-8381. *BOEHM v. BIRRANE*. Ct. Sp. App. Md. Certiorari denied.

No. 90-8382. *HEDRICK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 922 F. 2d 396.

No. 90-8383. *DEMOS v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 90-8384. *ANDERSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 453, 801 P. 2d 1107.

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No. 90-8385. *MCALLISTER v. MURRAY*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 596.

No. 90-8386. *SCHMIDT v. MEDLEY*, JUDGE. C. A. 10th Cir. Certiorari denied. Reported below: 935 F. 2d 278.

No. 90-8387. *TENORIO ALVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 697.

No. 90-8388. *ADKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 400.

No. 90-8389. *CLARK v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 169 App. Div. 2d 848, 564 N. Y. S. 2d 567.

No. 90-8390. *MARINKOVIC v. CASEY, GERRY, CASEY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 914 F. 2d 263.

No. 90-8391. *MOBLEY v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 929 F. 2d 705.

No. 90-8392. *LAGER v. HUTCHERSON ET AL.* C. A. 8th Cir. Certiorari denied.

No. 90-8393. *MILLER v. COUNTY OF LOS ANGELES PROBATION DEPARTMENT ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 90-8395. *MAIER v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 226 Cal. App. 3d 1670, 277 Cal. Rptr. 667.

No. 90-8396. *MAROUN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 30.

No. 90-8397. *MORRIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 61.

No. 90-8399. *SOTELO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 1138.

No. 90-8400. *CHAPMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 601.

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No. 90-8401. *JURAS v. AMAN COLLECTION SERVICE, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-8402. *HALL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 902.

No. 90-8403. *MCINTOSH v. ESTELLE, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 90-8404. *MCCALLA v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 185.

No. 90-8406. *HESTER v. PUCKETT, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY AT PARCHMAN.* C. A. 5th Cir. Certiorari denied.

No. 90-8408. *RUIZ v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 932 F. 2d 1174.

No. 90-8409. *AUSTIN v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 586 A. 2d 701.

No. 90-8410. *HICKS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 918 F. 2d 1501.

No. 90-8411. *LOPEZ-MEDINA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 1138.

No. 90-8412. *BRYANT v. MAFFUCCI ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 979.

No. 90-8413. *PERRY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 925 F. 2d 1077.

No. 90-8414. *LAIRD v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 526 Pa. 578, 587 A. 2d 1367.

No. 90-8415. *VEY v. SANTIAGO.* C. A. 3d Cir. Certiorari denied.

No. 90-8416. *PILLERSDORF, AS APPOINTED COUNSEL FOR CURTIS v. STORY, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 924 F. 2d 1057.

No. 90-8418. *MONTANO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 614.

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No. 90-8419. *LAPIDES v. CONNECTICUT APPELLATE COURT*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 909.

No. 90-8420. *NYBERG v. BRIERTON ET AL.* C. A. 11th Cir. Certiorari denied.

No. 90-8421. *SAGER v. MAASS, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 145.

No. 90-8423. *WELCH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 928 F. 2d 915.

No. 90-8424. *HOLSEY v. COLLINS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 595.

No. 90-8425. *SMITH v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 697.

No. 90-8426. *DAVIS v. OHIO*. Ct. App. Ohio, Morrow County. Certiorari denied.

No. 90-8427. *CONOVER v. SHOVLIN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 395.

No. 90-8428. *BOLDER v. ARMONTROUT, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 921 F. 2d 1359.

No. 90-8429. *CHAPA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 29.

No. 90-8430. *ODOFIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 929 F. 2d 56.

No. 90-8431. *O'DUSKY, AKA NEAL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 977.

No. 90-8432. *STEPHENS v. MUNCY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 925 F. 2d 1457.

No. 90-8433. *WILSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 922 F. 2d 1336.

No. 90-8434. *RUIZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1021.

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No. 90-8435. *PROWS v. WARDEN, FEDERAL CORRECTIONAL INSTITUTION, ENGLEWOOD, COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 34.

No. 90-8436. *RAMEL v. ALLEN ET AL.* C. A. 8th Cir. Certiorari denied.

No. 90-8438. *SIMMS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 695.

No. 90-8439. *SMITH v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 55.

No. 90-8440. *SPROUSE v. McMACKIN, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 1133.

No. 90-8441. *MATEO v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 924 F. 2d 1061.

No. 90-8442. *COX v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1471.

No. 90-8444. *WARD v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 90-8445. *GRICE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 1137.

No. 90-8447. *VALLANTYNE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 916.

No. 90-8448. *ANGULO-CARDENAS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 1137.

No. 90-8451. *CASALE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1523.

No. 90-8452. *ALDRETE v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 35.

No. 90-8453. *JOHN v. IMMIGRATION AND NATURALIZATION SERVICE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 90-8454. *VELLARO v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 52.

No. 90-8455. *FORCELLEDO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 146.

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No. 90-8456. *DOWNS v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 90-8457. *CARYL v. MCCORMICK, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1469.

No. 90-8458. *BLISSETT v. LEFEVRE, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 924 F. 2d 434.

No. 90-8459. *GARCIA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 970.

No. 90-8460. *GOMEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 409.

No. 90-8461. *GLOVER v. MARSH, SECRETARY OF THE ARMY*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 692.

No. 90-8462. *WILLIAMS v. DAVIS, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 90-8463. *CLOFER v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 90-8464. *CARTER v. JONES, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 1132.

No. 90-8465. *DERRYBERRY v. BOWLES*. C. A. 5th Cir. Certiorari denied.

No. 90-8467. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 740.

No. 90-8468. *ERICKSON v. SUPREME COURT OF MISSOURI*. Sup. Ct. Mo. Certiorari denied.

No. 90-8469. *BROADNAX v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 90-8470. *FERGUSON v. RJR NABISCO, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 595.

No. 90-8471. *CUMMINGS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 1133.

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No. 90-8472. *COLEMAN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 342, 926 F. 2d 1215.

No. 90-8473. *FOORE v. MARRA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 922 F. 2d 830.

No. 90-8474. *STEIDL v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 142 Ill. 2d 204, 568 N. E. 2d 837.

No. 90-8476. *CARSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 35.

No. 90-8477. *BLAGMOND v. MURPHY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 691.

No. 90-8478. *BOYD v. COOLEY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 691.

No. 90-8479. *DERRICK v. PETERSON, SUPERINTENDENT, OREGON STATE CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 924 F. 2d 813.

No. 90-8480. *EBKER v. TAN JAY INTERNATIONAL ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 909.

No. 90-8481. *ADESANYA v. THORNBURGH, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 279.

No. 90-8482. *STEWART v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 141 Ill. 2d 107, 565 N. E. 2d 968.

No. 90-8483. *LLOYD-EL ET AL. v. MEYER*. C. A. 7th Cir. Certiorari denied.

No. 90-8484. *HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 697.

No. 90-8485. *MONROE v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 923.

No. 90-8486. *LOPEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 613.

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No. 90-8487. *NEWMAN v. UNITED STATES*; and
No. 91-5283. *NEWMAN v. UNITED STATES*. C. A. 6th Cir.
Certiorari denied. Reported below: 931 F. 2d 57.

No. 90-8488. *McKENZIE ET AL. v. UNITED STATES*. C. A. 7th
Cir. Certiorari denied. Reported below: 922 F. 2d 1323.

No. 90-8489. *MIDDLETON v. SOUTH CAROLINA*. Ct. Common
Pleas, Charleston County, S. C. Certiorari denied.

No. 90-8490. *BARELA v. MUNIZ*. C. A. 10th Cir. Certiorari
denied. Reported below: 930 F. 2d 32.

No. 90-8491. *MOORE v. UNITED STATES*. C. A. 6th Cir. Cer-
tiorari denied. Reported below: 928 F. 2d 1134.

No. 90-8492. *LOERA v. UNITED STATES*. C. A. 9th Cir. Cer-
tiorari denied. Reported below: 923 F. 2d 725.

No. 90-8493. *NIXON v. FLORIDA*. Sup. Ct. Fla. Certiorari
denied. Reported below: 572 So. 2d 1336.

No. 90-8494. *McMEANS v. TOWNSHIP OF WATERFORD ET AL.*
C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 417.

No. 90-8496. *HARRINGTON v. UNITED STATES*. C. A. 9th Cir.
Certiorari denied. Reported below: 923 F. 2d 1371.

No. 90-8497. *JIMENEZ v. UNITED STATES*. C. A. 10th Cir.
Certiorari denied. Reported below: 928 F. 2d 356.

No. 90-8499. *LONEDOG v. UNITED STATES*. C. A. 10th Cir.
Certiorari denied. Reported below: 929 F. 2d 568.

No. 90-8500. *BRANCOVEANU v. BRANCOVEANU*. App. Div.,
Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported
below: 145 App. Div. 2d 395, 535 N. Y. S. 2d 86.

No. 90-8501. *GIBSON v. NIX, WARDEN, ET AL.* C. A. 8th Cir.
Certiorari denied.

No. 90-8503. *GARTRELL v. UNITED STATES*. C. A. 4th Cir.
Certiorari denied. Reported below: 933 F. 2d 1002.

No. 90-8504. *DUGAN v. OHIO*. Ct. App. Ohio, Wayne County.
Certiorari denied.

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No. 90-8505. *STENSTROM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 903.

No. 90-8506. *SANDLIN v. LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 90-8507. *QUINTERO-HOYOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 915.

No. 90-8509. *CHRISTENSON v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 80, 402 S. E. 2d 41.

No. 90-8510. *ROBINSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1291.

No. 90-8511. *KRAUSE v. GODINEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 90-8512. *JUDD v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 90-8513. *COREAS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 585 A. 2d 1376.

No. 90-8514. *MILES v. ESTELLE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-1. *PHILLIPS PETROLEUM CO. ET AL. v. UNITED STATES*; and

No. 91-34. *PENNZOIL CO. ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 923 F. 2d 830.

No. 91-2. *TRANSPORTES AEREOS MERCANTILES PAN AMERICANOS, S. A., AKA TAMPA AIRLINES v. INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 924 F. 2d 1005.

No. 91-3. *PELLETIER ET AL. v. ZWEIFEL*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1465.

No. 91-5. *CAMACHO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 29.

No. 91-6. *G. A. B. SERVICES, INC. v. COOPER ET AL.* C. A. 10th Cir. Certiorari denied.

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No. 91-8. UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, LOCAL 376 *v.* OLIVETTI OFFICE U.S.A., INC., ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 926 F. 2d 181.

No. 91-11. KING *v.* PRUDENTIAL-BACHE SECURITIES, INC., ET AL. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 226 Cal. App. 3d 749, 277 Cal. Rptr. 214.

No. 91-12. MCINTYRE *v.* DEPARTMENT OF THE ARMY. C. A. Fed. Cir. Certiorari denied. Reported below: 925 F. 2d 1479.

No. 91-13. GENETICS INSTITUTE, INC., ET AL. *v.* AMGEN, INC. C. A. Fed. Cir. Certiorari denied. Reported below: 927 F. 2d 1200.

No. 91-14. NORTHERN NATURAL GAS CO. *v.* FEDERAL ENERGY REGULATORY COMMISSION. C. A. 8th Cir. Certiorari denied. Reported below: 929 F. 2d 1261.

No. 91-15. RIESBECK FOOD MARKETS, INC., ET AL. *v.* UNITED FOOD & COMMERCIAL WORKERS, LOCAL UNION 23, ET AL. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 185 W. Va. 12, 404 S. E. 2d 404.

No. 91-16. STEWART *v.* FORT WAYNE COMMUNITY SCHOOLS. Sup. Ct. Ind. Certiorari denied. Reported below: 564 N. E. 2d 274.

No. 91-18. SHARPE ET AL. *v.* ROTH ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 397.

No. 91-20. STATE TAX COMMISSION OF MISSOURI ET AL. *v.* TRAILER TRAIN CO. ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 929 F. 2d 1300.

No. 91-21. OVERNITE TRANSPORTATION CO. *v.* TIANI, COMMISSIONER OF LABOR OF CONNECTICUT. C. A. 2d Cir. Certiorari denied. Reported below: 926 F. 2d 220.

No. 91-22. BELCHER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 1182.

No. 91-23. GRAY ET AL. *v.* TOWN OF DARIEN ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 69.

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No. 91-24. *BANK OF COUSHATTA ET AL. v. FEDERAL DEPOSIT INSURANCE CORPORATION*. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 1122.

No. 91-25. *SANBORN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1466.

No. 91-26. *AVANTI SERVICES, INC. v. GLENDEL DRILLING CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 898 F. 2d 1083.

No. 91-27. *MOORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 245.

No. 91-28. *THOMAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 930 F. 2d 526.

No. 91-30. *IMPERIAL IRRIGATION DISTRICT v. STATE WATER RESOURCES CONTROL BOARD*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 225 Cal. App. 3d 548, 275 Cal. Rptr. 250.

No. 91-33. *CASTIGLIONE ET AL. v. HARRIS*. C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 408.

No. 91-35. *ECKEL v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied.

No. 91-37. *CLEMENCE ET AL. v. CLEMENCE, PERSONAL REPRESENTATIVE OF THE ESTATE OF CLEMENCE, DECEASED, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 32.

No. 91-39. *CIULLA v. UNITED STATES*. Ct. Mil. App. Certiorari denied. Reported below: 32 M. J. 186.

No. 91-40. *BRUSCO v. NEW YORK STATE DIVISION OF HOUSING & COMMUNITY RENEWAL*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 170 App. Div. 2d 184, 565 N. Y. S. 2d 86.

No. 91-41. *GARGALLO v. GARGALLO*. Ct. App. Ohio, Franklin County. Certiorari denied.

No. 91-43. *COOK v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 941 F. 2d 734.

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No. 91-44. *RADLOFF ET UX. v. FIRST AMERICAN NATIONAL BANK OF ST. CLOUD, N. A., ET AL.* Ct. App. Minn. Certiorari denied.

No. 91-45. *GIRARD ET AL. v. AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 738.

No. 91-46. *INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS, AFL-CIO v. NATIONAL MEDIATION BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 289 U. S. App. D. C. 160, 930 F. 2d 45.

No. 91-47. *FORSMAN ET UX. v. DISTRICT OF COLUMBIA.* Ct. App. D. C. Certiorari denied. Reported below: 580 A. 2d 1314.

No. 91-50. *WRIGHT ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 928 F. 2d 411.

No. 91-51. *HALL v. NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 593.

No. 91-52. *MIDDLETON v. PERALES, COMMISSIONER, NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES, ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 160 App. Div. 2d 800, 554 N. Y. S. 2d 71.

No. 91-53. *ROBINSON v. ENGLAND.* C. A. 11th Cir. Certiorari denied.

No. 91-54. *BEACHBOARD v. TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK.* Ct. App. N. Y. Certiorari denied. Reported below: 77 N. Y. 2d 834, 567 N. E. 2d 982.

No. 91-55. *FITZSIMMONS ET AL. v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 605.

No. 91-56. *MARYLAND CHAPTER OF THE AMERICAN MASSAGE THERAPY ASSN., INC. v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 399.

No. 91-57. *WOFFORD v. DEPARTMENT OF PUBLIC SOCIAL SERVICES, COUNTY OF LOS ANGELES, CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 91-58. SKLODOWSKI, ADMINISTRATOR OF THE ESTATE OF SKLODOWSKI, DECEASED *v.* SCOTT PAPER CO. ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 51.

No. 91-60. SMALIS *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. Reported below: 527 Pa. 375, 592 A. 2d 669.

No. 91-62. BARNETT, BY HIS PARENTS AND NEXT FRIENDS, BARNETT ET AL. *v.* FAIRFAX COUNTY SCHOOL BOARD. C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 146.

No. 91-63. MILLER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 702.

No. 91-65. COMBS *v.* ROCKWELL INTERNATIONAL CORP. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 486.

No. 91-66. STEPHENS *v.* ALABAMA. Sup. Ct. Ala. Certiorari denied. Reported below: 580 So. 2d 26.

No. 91-67. CSX TRANSPORTATION, INC., ET AL. *v.* TILLMAN. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 1023.

No. 91-68. GROCHOWSKI *v.* DEWITT-RICKARDS. C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 399.

No. 91-69. BAILEY *v.* CITY OF NATIONAL CITY, CALIFORNIA, ET AL. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 226 Cal. App. 3d 1319, 277 Cal. Rptr. 427.

No. 91-70. BLUE FLAME, INC. *v.* METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA. Ct. App. Ind. Certiorari denied. Reported below: 560 N. E. 2d 120.

No. 91-73. DAVIS ET AL. *v.* MORGAN GUARANTY TRUST CO. OF NEW YORK ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 889.

No. 91-74. O'SHEA *v.* COMMERCIAL CREDIT CORP. C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 358.

No. 91-76. LOUISVILLE EDIBLE OIL PRODUCTS, INC., ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 926 F. 2d 584.

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No. 91-77. *RYAN v. COLORADO*. Sup. Ct. Colo. Certiorari denied. Reported below: 806 P. 2d 935.

No. 91-78. *VOGEL v. FRANK, POSTMASTER GENERAL OF THE UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 930 F. 2d 919.

No. 91-79. *BLUE ET VIR v. GENESEE MEMORIAL HOSPITAL, INC., ET AL.* Ct. App. Mich. Certiorari denied.

No. 91-80. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1530.

No. 91-82. *JONES, TRUSTEE v. ATCHISON*. C. A. 7th Cir. Certiorari denied. Reported below: 925 F. 2d 209.

No. 91-84. *BELCASTRO-BOWEN ET AL. v. DELTA AIR LINES, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 920 and 921.

No. 91-86. *COX ET UX., DBA PIXY PALS KENNEL v. UNITED STATES DEPARTMENT OF AGRICULTURE*. C. A. 8th Cir. Certiorari denied. Reported below: 925 F. 2d 1102.

No. 91-89. *CALIFORNIA ENERGY CO., INC. v. PUBLIC UTILITIES COMMISSION OF CALIFORNIA ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 91-90. *MEYER ET AL. v. UNITED STATES*;

No. 91-161. *WILMOT v. UNITED STATES*; and

No. 91-264. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 1256.

No. 91-91. *EUERLE FARMS, INC., ET AL. v. FARM CREDIT SERVICES OF ST. PAUL ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 928 F. 2d 274.

No. 91-92. *CAERNARVON TOWNSHIP ET AL. v. MORGANTOWN PROPERTIES*. Sup. Ct. Pa. Certiorari denied. Reported below: 527 Pa. 226, 590 A. 2d 274.

No. 91-93. *RISSE ET AL. v. THOMPSON, GOVERNOR OF WISCONSIN*. C. A. 7th Cir. Certiorari denied. Reported below: 930 F. 2d 549.

No. 91-94. *LAMBERT v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 928 F. 2d 410.

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No. 91-96. *LUPO ET AL. v. COHEN*. C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 363.

No. 91-97. *STOUT v. UNITED STATES* (two cases). C. A. 3d Cir. Certiorari denied. Reported below: 932 F. 2d 962.

No. 91-98. *WHITE BUDD VAN NESS PARTNERSHIP v. MAJOR-GLADYS DRIVE JOINT VENTURE*. Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 798 S. W. 2d 805.

No. 91-100. *ROPER v. CONSURVE, INC., DBA BANKAMERICARD CENTER, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 965.

No. 91-102. *STUDIO 21, LTD., ET AL. v. VIDEO VIEWS, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 925 F. 2d 1010.

No. 91-103. *INDIANA v. DOWELL*. Ct. App. Ind. Certiorari denied. Reported below: 557 N. E. 2d 1063.

No. 91-104. *WEBSTER v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 911 F. 2d 679.

No. 91-105. *VILLANUEVA v. WELLESLEY COLLEGE*. C. A. 1st Cir. Certiorari denied. Reported below: 930 F. 2d 124.

No. 91-106. *LOCUS v. FAYETTEVILLE STATE UNIVERSITY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 922 F. 2d 836.

No. 91-107. *MANCUSI v. AL-JUNDI, AKA DEANE, ET AL.*; and
No. 91-115. *OSWALD, VOLUNTARY ADMINISTRATOR OF THE ESTATE OF OSWALD, DECEASED v. AL-JUNDI, AKA DEANE, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 926 F. 2d 235.

No. 91-108. *DIPILLA ET AL. v. AMSOUTH BANK N. A. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-109. *CLAY v. METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY*. Ct. App. Tenn. Certiorari denied.

No. 91-111. *BERNARDSVILLE QUARRY, INC. v. BOROUGH OF BERNARDSVILLE*. C. A. 3d Cir. Certiorari denied. Reported below: 929 F. 2d 927.

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No. 91-113. *A/S DAMPSKIBSSELSKABET TORM v. BANQUE PARIBAS (SUISSE) S. A., GENEVA*. C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 713.

No. 91-114. *WINN v. KOMPKOFF*. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 226 Cal. App. 3d 655, 276 Cal. Rptr. 619.

No. 91-116. *CARROLL ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1469.

No. 91-117. *BLY v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 85 Md. App. 787.

No. 91-121. *BECKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 929 F. 2d 442.

No. 91-123. *WILSON v. STATE FARM FIRE & CASUALTY CO.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 202 Ill. App. 3d 1109, 593 N. E. 2d 1175.

No. 91-127. *PIRES ET UX. v. FROTA OCEANICA BRASILEIRA S. A. ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 161 App. Div. 2d 129, 554 N. Y. S. 2d 855.

No. 91-128. *ADLER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 26.

No. 91-131. *PADGET ET AL. v. GRAPHIC COMMUNICATIONS INTERNATIONAL UNION ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 930 F. 2d 1178.

No. 91-134. *RIVERA-MARTINEZ, AKA EL MEN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 931 F. 2d 148.

No. 91-135. *ASSOCIATION OF AMERICAN MEDICAL COLLEGES v. CUOMO, GOVERNOR OF THE STATE OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 519.

No. 91-136. *CAPIZZI, DISTRICT ATTORNEY FOR COUNTY OF ORANGE v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 91-137. *BEARD ET UX. v. SOUTH CAROLINA COASTAL COUNCIL ET AL.* Sup. Ct. S. C. Certiorari denied. Reported below: 304 S. C. 205, 403 S. E. 2d 620.

No. 91-138. *MAHMOODIAN v. UNITED HOSPITAL CENTER, INC., ET AL.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 185 W. Va. 59, 404 S. E. 2d 750.

No. 91-139. *CONTROL ELECTRONICS CO. ET AL. v. ACOUSTICAL DESIGN, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 932 F. 2d 939.

No. 91-140. *BARBER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1282.

No. 91-144. *SISKA v. THE TRAVELERS.* Ct. App. Wis. Certiorari denied. Reported below: 161 Wis. 2d 14, 467 N. W. 2d 174.

No. 91-145. *CHARD v. COLORADO.* Sup. Ct. Colo. Certiorari denied. Reported below: 808 P. 2d 351.

No. 91-146. *MONONGAHELA POWER CO. v. MILLER.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 184 W. Va. 663, 403 S. E. 2d 406.

No. 91-147. *GORE ET AL. v. LOUISIANA ET AL.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 574 So. 2d 455.

No. 91-148. *LATIMER ET AL. v. STAINER, TRUSTEE.* C. A. 10th Cir. Certiorari denied. Reported below: 918 F. 2d 136.

No. 91-149. *HOLDING, DBA CLARENCE H. HOLDING & CO. v. SECURITIES DIVISION, STATE CORPORATION COMMISSION OF VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 91-150. *LOCKHART v. KENOPS, FOREST SUPERVISOR, BLACK HILLS NATIONAL FOREST, UNITED STATES FOREST SERVICE, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 1028.

No. 91-154. *UNITED FARM WORKERS OF AMERICA, AFL-CIO v. MAGGIO, INC.* Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 227 Cal. App. 3d 847, 278 Cal. Rptr. 250.

No. 91-156. *JONES, INDIVIDUALLY AND AS WARDEN, ET AL. v. LONG ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 1111.

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No. 91-157. *TANDON CORP. v. QUANTUM CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 935 F. 2d 279.

No. 91-158. *HARRY WOLSKY, INC., AKA HARRY WOLSKY STAIR BUILDERS, INC. v. INDUSTRIAL COMMISSION OF OHIO ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 58 Ohio St. 3d 222, 569 N. E. 2d 900.

No. 91-160. *FIRST FEDERAL SAVINGS BANK & TRUST ET AL. v. DIRECTOR, OFFICE OF THRIFT SUPERVISION, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 1345.

No. 91-163. *GOODALL, AN INFANT, BY HIS FATHER AND NEXT FRIEND, GOODALL, ET AL. v. STAFFORD COUNTY SCHOOL BOARD.* C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 363.

No. 91-165. *LIN v. PRUDENTIAL-BACHE SECURITIES, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 1137.

No. 91-166. *VARNISHUNG v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 925 F. 2d 120 and 930 F. 2d 394.

No. 91-167. *PEREGOY ET AL. v. AMOCO PRODUCTION CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 196.

No. 91-170. *HILL v. MISSISSIPPI STATE EMPLOYMENT SERVICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 918 F. 2d 1233.

No. 91-171. *NEIL v. DISTRICT COURT IN AND FOR CITY AND COUNTY OF DENVER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 900.

No. 91-172. *MAGNANO v. NEW YORK.* Ct. App. N. Y. Certiorari denied. Reported below: 77 N. Y. 2d 941, 573 N. E. 2d 572.

No. 91-173. *HARNISCHFEGER CORP. v. HARBOR INSURANCE CO.* C. A. 7th Cir. Certiorari denied. Reported below: 927 F. 2d 974.

No. 91-174. *CENTENNIAL ET AL. v. PLACER DOME U. S., INC.* Sup. Ct. Nev. Certiorari denied. Reported below: 107 Nev. 1117, 838 P. 2d 938.

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No. 91-175. *BURCHE v. DEGUSSA CARBON BLACK CO. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 404.

No. 91-178. *MELANSON v. UNITED AIR LINES, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 558.

No. 91-179. *ENRIGHT v. CALIFORNIA STATE UNIVERSITY.* C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 59.

No. 91-180. *HILL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 56.

No. 91-182. *WARD v. ROY H. PARK BROADCASTING Co., INC., ET AL.* Ct. App. N. C. Certiorari denied. Reported below: 101 N. C. App. 576, 400 S. E. 2d 779.

No. 91-183. *BOYD v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 893.

No. 91-187. *WILLIAMS ET UX. v. BOARD OF TRUSTEES OF MOUNT JEZREEL BAPTIST CHURCH ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 589 A. 2d 901.

No. 91-188. *ABSHIRE v. GNOTS-RESERVE, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 1073.

No. 91-189. *HEMME v. KANSAS.* Ct. App. Kan. Certiorari denied. Reported below: 15 Kan. App. 2d 198, 806 P. 2d 472.

No. 91-190. *HEFFERNAN v. OFFICE OF DISCIPLINARY COUNSEL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 58 Ohio St. 3d 260, 569 N. E. 2d 1027.

No. 91-191. *MURPHY ET AL. v. I. S. K. CON. OF NEW ENGLAND, INC.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 409 Mass. 842, 571 N. E. 2d 340.

No. 91-192. *PLASENCIA ET AL. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1557.

No. 91-193. *KELLY v. HOLIDAY INN OF BLYTHEVILLE.* Ct. App. Ark. Certiorari denied. Reported below: 34 Ark. App. xvii.

No. 91-196. *VENET v. OREGON.* Ct. App. Ore. Certiorari denied. Reported below: 103 Ore. App. 363, 797 P. 2d 1055.

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No. 91-198. *HARRIS TRUST & SAVINGS BANK, AS TRUSTEE, ET AL. v. E-II HOLDINGS, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 926 F. 2d 636.

No. 91-201. *SPUDICH v. SUPERVISOR OF LIQUOR CONTROL OF MISSOURI.* C. A. 8th Cir. Certiorari denied. Reported below: 931 F. 2d 1278.

No. 91-203. *NEWTON v. NATIONAL BROADCASTING Co., INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 662.

No. 91-204. *HARRIS COUNTY, TEXAS v. WALSWEER.* Ct. App. Tex., 11th Dist. Certiorari denied. Reported below: 796 S. W. 2d 269.

No. 91-209. *GILBERT ET AL. v. CITY OF CAMBRIDGE ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 932 F. 2d 51.

No. 91-210. *ABC, INC., DBA ABC BOOKS, INC., ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 952 F. 2d 155.

No. 91-211. *DiPETTO ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 936 F. 2d 96.

No. 91-214. *TEMPLE OF THE LOST SHEEP, INC., AKA ACTION COMMITTEE TO HELP THE HOMELESS NOW, ET AL. v. ABRAMS, ATTORNEY GENERAL OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 178.

No. 91-215. *FARIAS v. BEXAR COUNTY BOARD OF TRUSTEES FOR MENTAL HEALTH MENTAL RETARDATION SERVICES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 925 F. 2d 866.

No. 91-218. *DECLARA v. METROPOLITAN TRANSPORTATION AUTHORITY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 911.

No. 91-219. *POWELL ET AL. v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES (CALIFORNIA, REAL PARTY IN INTEREST).* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-220. *BARLETTA v. VACCA.* C. A. 1st Cir. Certiorari denied. Reported below: 933 F. 2d 31.

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No. 91-222. *HAWAII v. KIPU*. Sup. Ct. Haw. Certiorari denied. Reported below: 72 Haw. 164, 811 P. 2d 815.

No. 91-223. *DHALIWAL v. WOODS DIVISION, HESSTON CORP., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 930 F. 2d 547 and 931 F. 2d 58.

No. 91-224. *SPARKS v. KENTUCKIANA FOOTBALL OFFICIALS ASSN. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 702.

No. 91-225. *RUBIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 567.

No. 91-227. *KLAPPER v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1278.

No. 91-228. *BURRIS ET AL. v. FIRST FINANCIAL CORP. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 928 F. 2d 797.

No. 91-230. *WIGLE v. CITY OF DETROIT ET AL.* Ct. App. Mich. Certiorari denied.

No. 91-232. *WOOLSEY v. HUNT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 555.

No. 91-234. *DAVENPORT v. WHITE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 603.

No. 91-235. *MCCRACKIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 695.

No. 91-236. *MUHAMMAD, ADMINISTRATRIX OF THE ESTATE OF MUHAMMAD, ET AL. v. STRASSBURGER, MCKENNA, MESSER, SHILOBOD & GUTNICK ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 526 Pa. 541, 587 A. 2d 1346.

No. 91-237. *BARRON ET AL. v. PENNSYLVANIA DEPARTMENT OF TRANSPORTATION*. Sup. Ct. Pa. Certiorari denied. Reported below: 526 Pa. 539, 587 A. 2d 727.

No. 91-238. *RIGGS v. SCRIVNER, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 927 F. 2d 1146.

No. 91-239. *PATTERSON v. BOLAND*. Ct. App. Ohio, Greene County. Certiorari denied.

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No. 91-241. *DI IORIO v. GIBSON & CUSHMAN DREDGING CORP. ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 167 App. Div. 2d 267, 561 N. Y. S. 2d 767.

No. 91-242. *TUNICA-BILOXI TRIBE v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 935 F. 2d 280.

No. 91-243. *ENRIGHT, AN INFANT, BY ENRIGHT, HER MOTHER AND NATURAL GUARDIAN v. ELI LILLY & Co. ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 77 N. Y. 2d 377, 570 N. E. 2d 198.

No. 91-247. *LOCAL UNION 375, PLUMBERS INTERNATIONAL UNION OF AMERICA, AFL-CIO, ET AL. v. MARTIN, SECRETARY OF LABOR, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 921 F. 2d 969.

No. 91-249. *CLAPP v. GREENE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 912.

No. 91-252. *LONGO v. GLIME, DBA PERRI AUTO SALES, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 405.

No. 91-253. *YIP v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 142.

No. 91-254. *ATRAQCHI ET VIR v. UNKNOWN NAMED AGENTS OF THE FEDERAL BUREAU OF INVESTIGATION ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 189.

No. 91-258. *BORG, WARDEN v. ROBINSON.* C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 1387.

No. 91-262. *GUIBERSON OIL TOOLS DIVISION OF DRESSER INDUSTRIES, INC. v. RHODES.* C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 876.

No. 91-267. *REED v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 91-268. *DAY v. TEXTRON CORP.* Ct. App. Ark. Certiorari denied. Reported below: 34 Ark. App. xv.

No. 91-275. *HUNTER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 1442.

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No. 91-279. *CAPLETTE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 29.

No. 91-289. *BURRELL INDUSTRIES, INC. v. CONTRACTORS SUPPLY CORP.* Sup. Ct. App. W. Va. Certiorari denied.

No. 91-290. *24TH STREET PARTNERS v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 935 F. 2d 279.

No. 91-297. *SHAKUR, AKA TYLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 1210.

No. 91-305. *WEICHERT v. ROBERTS*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 580 So. 2d 766.

No. 91-309. *STRAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 276.

No. 91-322. *COON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 405.

No. 91-326. *HAMRICK ET AL. v. FRANKLIN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 931 F. 2d 1209.

No. 91-330. *CARDERIN v. PUNG, COMMISSIONER OF CORRECTIONS*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 189.

No. 91-331. *ZAMAN v. SOUTH CAROLINA BOARD OF MEDICAL EXAMINERS*. Sup. Ct. S. C. Certiorari denied. Reported below: 305 S. C. 281, 408 S. E. 2d 213.

No. 91-332. *SAUCEDO-MESA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1261.

No. 91-336. *SCOTT v. UNITED STATES*. Ct. Mil. App. Certiorari denied. Reported below: 33 M. J. 177.

No. 91-343. *ELLIS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 935 F. 2d 385.

No. 91-350. *DOE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 940 F. 2d 199.

No. 91-351. *MITHUN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 933 F. 2d 631.

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No. 91-5001. *BLOOM v. EHRLICH*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 585 A. 2d 809.

No. 91-5002. *DANIELS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 128.

No. 91-5003. *GAGER v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 259, 925 F. 2d 490.

No. 91-5004. *BULLOCK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 932 F. 2d 961.

No. 91-5008. *PERKINS v. HOGAN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 928 F. 2d 1135.

No. 91-5009. *COLLYMORE v. HOKE, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1278.

No. 91-5010. *TURNER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 805 S. W. 2d 423.

No. 91-5011. *RILEY v. WATSON, SUPERINTENDENT, LAWTEY CORRECTIONAL INSTITUTION, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 902.

No. 91-5012. *DIAZ-REGUERA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 586.

No. 91-5014. *EGEDE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1022.

No. 91-5016. *TAORMINA v. TRIPPETT, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 56.

No. 91-5018. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 916.

No. 91-5019. *CHRISPEN v. PARTAIN ET UX*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 577 So. 2d 951.

No. 91-5020. *DUARTE v. UNITED STATES*; and

No. 91-5043. *KERRICK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 924 F. 2d 209.

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No. 91-5022. *DONAGHE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 924 F. 2d 940.

No. 91-5024. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 36.

No. 91-5026. *PITSONBARGER v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 142 Ill. 2d 353, 568 N. E. 2d 783.

No. 91-5027. *BROWN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 965.

No. 91-5028. *PULIDO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 911.

No. 91-5029. *BUTLER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 167, 924 F. 2d 1124.

No. 91-5030. *GARCIA v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 91-5033. *MOORE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 825.

No. 91-5034. *HUMPHREY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 930 F. 2d 919.

No. 91-5035. *ORGAIN v. UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT*. C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 55.

No. 91-5037. *KORFF v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 567 N. E. 2d 1146.

No. 91-5038. *HUBBARD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 929 F. 2d 307.

No. 91-5039. *MELROSE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 928 F. 2d 402.

No. 91-5040. *LEWIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 702.

No. 91-5041. *SIX v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 805 S. W. 2d 159.

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No. 91-5044. *JAMES v. KINDT, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 91-5045. *NAVARRO-DOMINGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 30.

No. 91-5046. *MCCULLEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 929 F. 2d 703.

No. 91-5048. *O'NEAL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 599.

No. 91-5049. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 695.

No. 91-5051. *RESPITO v. DERWINSKI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 932 F. 2d 981.

No. 91-5053. *PORTER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 205 Ill. App. 3d 1106, 600 N. E. 2d 933.

No. 91-5054. *STEVENS ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 920 F. 2d 887.

No. 91-5055. *SNYDER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 902.

No. 91-5056. *WILSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 930 F. 2d 616.

No. 91-5057. *WILLARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 606.

No. 91-5058. *SOLOMON v. LONG ISLAND HOSPITAL*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 956.

No. 91-5059. *ATHENS v. EVANSTON HOSPITAL ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 205 Ill. App. 3d 1104, 600 N. E. 2d 931.

No. 91-5060. *CHAIDEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 919 F. 2d 1193.

No. 91-5061. *WILLIAMS v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

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No. 91-5062. *BOYER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 931 F. 2d 1201.

No. 91-5063. *BROWN v. BROWN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 920 F. 2d 932 and 929 F. 2d 700.

No. 91-5064. *GASSAWAY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 91-5065. *CHRISTOPHER v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 91-5066. *A'GIZA v. SAN BERNARDINO WEST SIDE COMMUNITY DEVELOPMENT CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1469.

No. 91-5067. *GARCIA v. FREY ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 91-5068. *GENNINGER v. BUTLER, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTE, NORFOLK*. C. A. 1st Cir. Certiorari denied.

No. 91-5069. *JETER v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 160 Wis. 2d 333, 466 N. W. 2d 211.

No. 91-5070. *TROIANI v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 91-5071. *DEPEW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 932 F. 2d 324.

No. 91-5072. *BREWSTER v. DERWINSKI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 935 F. 2d 280.

No. 91-5073. *MILLAN-ESQUER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 898.

No. 91-5074. *THOMPSON v. ARMONTROUT, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 1209.

No. 91-5075. *DAVIS v. CITY OF COLUMBUS, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 404.

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No. 91-5076. *PIERSON v. POWERS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 91-5077. *CAGE v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 583 So. 2d 1125.

No. 91-5078. *CHASE v. OREGON COURT OF APPEALS.* Sup. Ct. Ore. Certiorari denied.

No. 91-5079. *MARSHALL v. WOOD, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 188.

No. 91-5080. *HARRIS v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-5081. *MARTINEZ-LOYDE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 889.

No. 91-5083. *BERRIEN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 902.

No. 91-5085. *GOMEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1003.

No. 91-5086. *ELDRIDGE v. BERNET.* Ct. App. D. C. Certiorari denied.

No. 91-5088. *BARGINEAR ET AL. v. TIDEMANSON ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-5089. *TOUSSAINT ET AL. v. MCCARTHY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 926 F. 2d 800.

No. 91-5090. *PARKS v. SAFFLE, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 925 F. 2d 366.

No. 91-5091. *WILLIAMS v. LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 374.

No. 91-5092. *BONES v. JOHNSON, SUPERINTENDENT, ORLEANS CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 956.

No. 91-5094. *VAUGHN v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied.

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No. 91-5095. *VELA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 197.

No. 91-5096. *SERNA v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 167 Ariz. 373, 807 P. 2d 1109.

No. 91-5097. *SANTOS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 932 F. 2d 962.

No. 91-5101. *DICKERSON v. GUSTE, ATTORNEY GENERAL OF LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 1142.

No. 91-5102. *SMITH v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied. Reported below: 797 S. W. 2d 243.

No. 91-5103. *TELEPO v. PLANTIER, SUPERINTENDENT, ADULT DIAGNOSTIC AND TREATMENT CENTER, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-5105. *PULLINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 978.

No. 91-5106. *SCARPA v. DRUG ENFORCEMENT ADMINISTRATION ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 940 F. 2d 646.

No. 91-5107. *RIVALTA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 925 F. 2d 596.

No. 91-5108. *STREET v. JABE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1465.

No. 91-5109. *WILLIAMS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 581 So. 2d 1312.

No. 91-5112. *BARUTH v. O'TOOLE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 594.

No. 91-5113. *MCLESTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1466.

No. 91-5114. *JONES v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 928 F. 2d 1020.

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No. 91-5115. *LAWS v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 328 N. C. 550, 402 S. E. 2d 573.

No. 91-5116. *NEWTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 978.

No. 91-5117. *LITZENBERG v. MURPHY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 693.

No. 91-5119. *HARVEY v. ZIMMERMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT WAYMART, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-5120. *LOGAN v. SOUTH CAROLINA*. Ct. Common Pleas of Georgetown County, S. C. Certiorari denied.

No. 91-5121. *LATORRE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 922 F. 2d 1.

No. 91-5122. *GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 1387.

No. 91-5123. *GOULD v. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*. C. A. Fed. Cir. Certiorari denied. Reported below: 930 F. 2d 38.

No. 91-5124. *BROWN v. OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES*. Ct. App. Ohio, Franklin County. Certiorari denied. Reported below: 70 Ohio App. 3d 72, 590 N. E. 2d 404.

No. 91-5125. *CLARK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 584.

No. 91-5126. *BUFFINGTON v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied. Reported below: 801 S. W. 2d 151.

No. 91-5128. *COPE v. LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 91-5131. *CONLEY v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 305 Ark. 422, 808 S. W. 2d 745.

No. 91-5132. *FOX v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 820.

No. 91-5133. *BOARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 694.

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No. 91-5134. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 890.

No. 91-5135. *BROWN v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 91-5136. *LESTER v. BLANKENSHIP, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 887.

No. 91-5137. *MOORE v. JARVIS, SHERIFF OF DEKALB COUNTY, GEORGIA*. C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 614.

No. 91-5138. *MARTIN-PORTILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 889.

No. 91-5139. *MONTGOMERY v. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1278.

No. 91-5140. *JONES v. WILSON ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-5143. *MABRY v. NEW YORK*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 911.

No. 91-5144. *DARNELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 933 F. 2d 1002.

No. 91-5145. *PRESTEMON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 929 F. 2d 1275.

No. 91-5146. *OLIVER v. CLEVELAND TRINIDAD PAVING CO. ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 57 Ohio St. 3d 708, 566 N. E. 2d 680.

No. 91-5147. *HASSAN v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 91-5148. *JACKSON v. LOVE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-5149. *JEWELL v. JEWELL, NKA INGLE*. Ct. App. Minn. Certiorari denied.

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No. 91-5150. *JONES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 207 Ill. App. 3d 30, 565 N. E. 2d 240.

No. 91-5151. *JONES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 580 So. 2d 143.

No. 91-5152. *HAYWOOD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 978.

No. 91-5153. *McHENRY v. AETNA LIFE & CASUALTY INSURANCE CO.* C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 34.

No. 91-5154. *LAWSON v. CONNECTICUT ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-5155. *MENDEZ-HERNANDEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 956.

No. 91-5156. *RUSSELL v. MISSISSIPPI*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1260.

No. 91-5157. *RICHARDSON v. STALDER, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 91-5158. *FELDER v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 107 Nev. 237, 810 P. 2d 755.

No. 91-5159. *WARD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 406.

No. 91-5160. *GAONA-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 890.

No. 91-5161. *GRIFFIN v. DAVIES, SECRETARY, KANSAS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 929 F. 2d 550.

No. 91-5162. *WADE v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 977.

No. 91-5164. *DAWSON v. KEOHANE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 395.

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No. 91-5168. *TAYLOR v. HESSE, SUPERINTENDENT, ARROW-HEAD CORRECTIONAL CENTER, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 900.

No. 91-5169. *COMMITO ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 918 F. 2d 95.

No. 91-5171. *CRAWFORD v. MICHIGAN.* Sup. Ct. Mich. Certiorari denied. Reported below: 437 Mich. 856, 462 N. W. 2d 368.

No. 91-5172. *CARGO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 573.

No. 91-5173. *GONZALES v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 795.

No. 91-5175. *ALEXANDER v. CITY AND COUNTY OF SAN FRANCISCO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 144.

No. 91-5177. *DUNNING v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 929 F. 2d 579.

No. 91-5178. *MASON v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 909, 802 P. 2d 950.

No. 91-5179. *CARTER v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 576 So. 2d 1291.

No. 91-5181. *DONLEY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 891.

No. 91-5182. *PALACIOS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 965.

No. 91-5183. *SMITH v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 1450.

No. 91-5186. *RODRIGUEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 890.

No. 91-5187. *PITTSLEY, A MINOR, BY HER MOTHER, PITTSLEY v. WARISH ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 927 F. 2d 3.

No. 91-5188. *HARRIS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 186.

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No. 91-5189. *MILNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 976.

No. 91-5190. *McKENZIE v. DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION*. Ct. App. D. C. Certiorari denied.

No. 91-5192. *CANNADY v. LIFE OF GEORGIA INSURANCE CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 848.

No. 91-5195. *TALJ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 956.

No. 91-5196. *EAGLE HORSE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 188.

No. 91-5197. *MUMFORD ET AL. v. WEIDNER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 932 F. 2d 960.

No. 91-5198. *FIGGANS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 695.

No. 91-5199. *ZELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 902.

No. 91-5200. *DOBSON v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTION*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 977.

No. 91-5201. *BRENNON v. HAWAII*. Sup. Ct. Haw. Certiorari denied. Reported below: 72 Haw. 608, 810 P. 2d 667.

No. 91-5202. *SETIEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 929 F. 2d 610.

No. 91-5203. *WALLACE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 978.

No. 91-5204. *HOKE v. THOMPSON, WARDEN*. Sup. Ct. Va. Certiorari denied.

No. 91-5207. *HAYNIE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 91-5208. *LOPEZ v. METROPOLITAN LIFE INSURANCE CO.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 157.

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No. 91-5209. *JOHNPOLL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 956.

No. 91-5210. *LEWIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 890.

No. 91-5211. *OLLOH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 927 F. 2d 1.

No. 91-5212. *MELGOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 891.

No. 91-5213. *ALBRITTON v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 902.

No. 91-5214. *ALDRIDGE v. CALIFORNIA*. App. Dept., Super. Ct. Cal., San Diego County. Certiorari denied.

No. 91-5215. *CURTIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 1011.

No. 91-5217. *CLAY v. ARMONTROUT, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 185.

No. 91-5220. *BRUCE v. JOHNSON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 886.

No. 91-5221. *FRANKLIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 926 F. 2d 734.

No. 91-5222. *TURNER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 928 F. 2d 956.

No. 91-5223. *WOOD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 933 F. 2d 1019.

No. 91-5224. *ADAMS v. BUENA VISTA CITY SCHOOL BOARD ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 691.

No. 91-5225. *TAYLOR v. CUMBERLAND COUNTY DISTRICT ATTORNEY'S OFFICE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 849.

No. 91-5227. *THOMAS v. BLANKENSHIP, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 694.

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No. 91-5228. *GOODGAME, AKA TUCKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 977.

No. 91-5229. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 977.

No. 91-5230. *BANKS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 703.

No. 91-5231. *SNYDER ET AL. v. ASHKENAZY ENTERPRISES, INC.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-5232. *WALKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 890.

No. 91-5233. *PARRISH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 57.

No. 91-5234. *RUIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1260.

No. 91-5235. *FERDIK v. RICHARDSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 59.

No. 91-5236. *HENDERSON v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 142 Ill. 2d 258, 568 N. E. 2d 1234.

No. 91-5237. *PYLE v. CITY OF TUCSON ET AL.* Ct. App. Ariz. Certiorari denied.

No. 91-5238. *CRANDALL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 184.

No. 91-5239. *FANT v. HOOKS*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 692.

No. 91-5241. *BROUSSARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 916.

No. 91-5242. *HOWARD v. KELLY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 956.

No. 91-5243. *MADDALENA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 57.

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No. 91-5245. *McKINNEY v. MONTANO ET AL.* Ct. App. Ariz. Certiorari denied.

No. 91-5247. *HEGGE v. ALEF ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 909 F. 2d 1488.

No. 91-5248. *HARWIN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 977.

No. 91-5249. *HAMILTON v. KESTELL, POGUE & GOULD ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 957.

No. 91-5250. *HIGDON v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 91-5251. *IVY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 147.

No. 91-5253. *TAYLOR v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 307.

No. 91-5254. *SLOAN v. ROBERTS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 399.

No. 91-5255. *HATCH v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1478.

No. 91-5256. *MANUEL M. v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 91-5258. *CASTEEL, AKA GHASHIYAH, ET AL. v. KOLB ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 161 Wis. 2d 934, 469 N. W. 2d 248.

No. 91-5260. *FERNANDEZ v. LEONARDO, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 931 F. 2d 214.

No. 91-5261. *GASTON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 184.

No. 91-5263. *WHITTINGTON v. MILBY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 188.

No. 91-5265. *WHITE v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 577 So. 2d 1238.

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No. 91-5266. *EVES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 932 F. 2d 856.

No. 91-5268. *BARRETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1020.

No. 91-5269. *AGNEW v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 1397.

No. 91-5270. *GUTIERREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 898.

No. 91-5271. *SUMLIN v. LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 91-5272. *SHELTON v. CUNNINGHAM ET AL.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

No. 91-5273. *HORTON v. NOTORFRANCESCO ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 50.

No. 91-5274. *OCHOA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 650.

No. 91-5275. *MCCOY v. DISTRICT COURT OF APPEAL, FIRST DISTRICT, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 581 So. 2d 1309.

No. 91-5276. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 924.

No. 91-5277. *LEVAND v. WALL AMBULANCE SERVICE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 923 F. 2d 860.

No. 91-5278. *DIAZ v. KUHLMANN, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-5279. *JEFFERSON v. UNITED STATES*; and

No. 91-5280. *JEFFERSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 925 F. 2d 1242 and 931 F. 2d 1396.

No. 91-5281. *KRUPP v. NEUBERT, ADMINISTRATOR, BAYSIDE STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 91-5284. *DEFUSCO, AKA HAGEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 413.

No. 91-5285. *GUERRA v. ORTEGA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 609.

No. 91-5286. *TURNER v. UNITED STATES PAROLE COMMISSION ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 934 F. 2d 254.

No. 91-5287. *SINGER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 96.

No. 91-5289. *SPREWELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 581.

No. 91-5291. *BLANKS v. PRESLEY*. C. A. 5th Cir. Certiorari denied.

No. 91-5292. *CLARK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 733.

No. 91-5294. *GILREATH v. ZANT, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 91-5295. *RAY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 970.

No. 91-5298. *GARDNER v. TOOMBS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 91-5299. *ECHOLS v. ASMUTH ET AL.* Ct. App. D. C. Certiorari denied.

No. 91-5300. *CHATFIELD v. LEWIS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 582.

No. 91-5301. *ALEXANDER v. MISSOURI STATE BOARD OF LAW EXAMINERS*. Sup. Ct. Mo. Certiorari denied. Reported below: 807 S. W. 2d 70.

No. 91-5302. *DILLON v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied.

No. 91-5303. *SCHLICHER v. ROBERTS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 934 F. 2d 326.

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No. 91-5304. *BRADLEY v. PUCKETT*, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL. C. A. 5th Cir. Certiorari denied.

No. 91-5305. *HORTH v. MOSLEY*, WARDEN, ET AL. C. A. 11th Cir. Certiorari denied.

No. 91-5306. *MORSE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 320.

No. 91-5308. *JOHNSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 238.

No. 91-5309. *KUENZEL v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 577 So. 2d 531.

No. 91-5310. *BASKIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 898.

No. 91-5311. *LUNA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 976.

No. 91-5312. *HARRIS v. SHARPE*. C. A. 6th Cir. Certiorari denied. Reported below: 934 F. 2d 322.

No. 91-5313. *OLSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 931 F. 2d 1250.

No. 91-5314. *HANKINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 931 F. 2d 1256.

No. 91-5315. *CARTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 894.

No. 91-5316. *COX v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 400.

No. 91-5317. *PLANT v. UNITED STATES* (two cases). C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 917 (first case); 931 F. 2d 890 (second case).

No. 91-5319. *RUSTEMOGLU v. PFEFFER ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 91-5320. *FERNOS-LOPEZ v. FIGARELLA LOPEZ*. C. A. 1st Cir. Certiorari denied. Reported below: 929 F. 2d 20.

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No. 91-5322. *CHOU v. UNIVERSITY OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Reported below: 924 F. 2d 1062.

No. 91-5323. *SINN v. BORG, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-5324. *BAER v. DAHLBERG, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 91-5325. *FORD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 63.

No. 91-5326. *DAVIS v. PHOENIX, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 648.

No. 91-5328. *CORNISH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 887.

No. 91-5329. *MALACOW v. CONSOLIDATED RAIL CORPORATION*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 167 App. Div. 2d 123, 561 N. Y. S. 2d 211.

No. 91-5330. *HUNTER v. DICKMAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 701.

No. 91-5333. *JOHNSON v. BROOKLAND COURTS COOPERATIVE*. Ct. App. D. C. Certiorari denied.

No. 91-5334. *MCKEITHAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 604.

No. 91-5335. *JOHNSON, AKA BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1288.

No. 91-5337. *FRIAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1278.

No. 91-5338. *WOODARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 433.

No. 91-5339. *ABATECOLA v. SMALL CLAIMS COURT VICTORVILLE JUDICIAL DISTRICT ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 91-5340. *BERRY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 671.

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No. 91-5341. *DREW v. EADS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 696.

No. 91-5342. *FRETT v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 91-5343. *THOMAS v. WHITE, ATTORNEY GENERAL OF ALABAMA.* C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1295.

No. 91-5345. *SANCHEZ v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 932 F. 2d 964.

No. 91-5346. *WADE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 300.

No. 91-5347. *TAYLOR v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 703.

No. 91-5348. *CUMMINGS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 1133.

No. 91-5351. *WETMORE v. ALLEN, COMMISSIONER, MAINE DEPARTMENT OF CORRECTIONS.* C. A. 1st Cir. Certiorari denied.

No. 91-5352. *SEAGRAVE v. LAKE COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 920.

No. 91-5353. *SEAGRAVE v. LAKE COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 29.

No. 91-5354. *MOULTON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1277.

No. 91-5355. *LEONARD v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1291.

No. 91-5356. *D. M. J. v. B. G. B.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 576 So. 2d 537.

No. 91-5357. *LEBOUEF v. GASPARD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1291.

No. 91-5358. *MARIN v. HAZELTON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 916 F. 2d 716.

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No. 91-5359. *WEBB v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 160 Wis. 2d 622, 467 N. W. 2d 108.

No. 91-5360. *SCHWARTZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 898.

No. 91-5361. *WHITESIDE v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 437 Mich. 188, 468 N. W. 2d 504.

No. 91-5364. *ANDRUS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 335.

No. 91-5365. *TURNER v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 91-5366. *ROSS v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 87 Md. App. 814.

No. 91-5367. *ROLON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 911.

No. 91-5368. *BRADFORD v. ROWLAND, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTION, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 861.

No. 91-5369. *GUEVARA, A MINOR, BY GUEVARA, HER GUARDIAN AD LITEM, ET AL. v. MENDOZA ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-5370. *BOGUS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 904 F. 2d 656.

No. 91-5372. *WHITLEY v. RENDLE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 957.

No. 91-5373. *HADEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1282.

No. 91-5374. *HASKINS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1277.

No. 91-5375. *HICKS ET AL. v. HENMAN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 927 F. 2d 607.

No. 91-5376. *HODGES v. UNITED STATES*; and

No. 91-5448. *HODGES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 766.

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No. 91-5377. *JOHNSON v. PUCKETT*, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 445.

No. 91-5378. *COOK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 581 So. 2d 141.

No. 91-5379. *DANIEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 517.

No. 91-5380. *DITTA v. BRANCH MOTOR EXPRESS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 955.

No. 91-5381. *JACKSON v. DOMOVICH*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH. C. A. 3d Cir. Certiorari denied.

No. 91-5382. *HILL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 928 F. 2d 303.

No. 91-5383. *WARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1004.

No. 91-5384. *SAWYER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 918 F. 2d 1501.

No. 91-5385. *CONCHA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 932 F. 2d 975.

No. 91-5386. *FONT v. ALBANDOZ*. Super. Ct. P. R. Certiorari denied.

No. 91-5387. *CAPPS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 932 F. 2d 975.

No. 91-5388. *CARAWAY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1260.

No. 91-5391. *PRINCE v. VIRGINIA DEPARTMENT OF MEDICAL ASSISTANCE SERVICES*. C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 887.

No. 91-5392. *PURVIN v. BERGENS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1282.

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No. 91-5393. *SMITH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 938 F. 2d 69.

No. 91-5396. *BOWIE v. BORG, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-5398. *MELLOTT v. PURKETT, SUPERINTENDENT, FARMINGTON CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 91-5399. *MEDINA v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 190, 948 F. 2d 782.

No. 91-5400. *HALL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 898.

No. 91-5402. *KETCHUM, AKA EHLE v. DENVER POLICE DEPARTMENT*; and *KETCHUM v. IDAHO SPRINGS POLICE DEPARTMENT*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 33.

No. 91-5403. *ST. HILAIRE v. ARIZONA DEPARTMENT OF CORRECTIONS ET AL.* (two cases). C. A. 9th Cir. Certiorari denied. Reported below: 934 F. 2d 324 (first case); 936 F. 2d 579 (second case).

No. 91-5404. *KLEINSCHMIDT v. FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG, MANLEY, MEYERSON & CASEY, P. A., ET AL.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 573 So. 2d 913.

No. 91-5405. *WHITAKER v. WELLS FARGO NATIONAL ASSN.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-5407. *SIMMONS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 649.

No. 91-5408. *POWELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 932 F. 2d 1337.

No. 91-5409. *SALDANA-MEZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 932 F. 2d 973.

No. 91-5410. *TRASLAVINA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 91-5412. *MOORE v. RUDIN ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 403, 927 F. 2d 1258.

No. 91-5413. *HUNTER v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 588 A. 2d 680.

No. 91-5414. *MUHAMMAD v. COWLEY, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 91-5415. *HENTNIK v. TEXAS.* Ct. App. Tex., 4th Dist. Certiorari denied.

No. 91-5417. *ROWE v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 932 F. 2d 961.

No. 91-5418. *MARKKULA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1003.

No. 91-5420. *RONSON v. DROHAN, ACTING SUPREME COURT JUDGE, BRONX COUNTY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-5421. *SANFORD v. WEST VALLEY MUNICIPAL COURT.* Sup. Ct. Cal. Certiorari denied.

No. 91-5422. *EARL v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 91-5423. *WILLIAMS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 922 F. 2d 737.

No. 91-5424. *CASTRO-FIERRO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1016.

No. 91-5425. *CASTANEDA-MADERO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1021.

No. 91-5426. *DEBARDELEBEN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 23.

No. 91-5427. *BOWDEN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 969.

No. 91-5430. *BROWN v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied.

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No. 91-5432. *FORTE v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied.

No. 91-5433. *DEERING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 586.

No. 91-5435. *ALI v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 581 A. 2d 368.

No. 91-5437. *BERKOWITZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1016.

No. 91-5438. *CRAWFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 970.

No. 91-5439. *CAMPO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1294.

No. 91-5443. *RECALDE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1283.

No. 91-5445. *MOORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 978.

No. 91-5449. *LYNCH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1017.

No. 91-5455. *KHANNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 922 F. 2d 1169.

No. 91-5456. *KOWALCZYK v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1277.

No. 91-5457. *JACKSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5459. *LEGGETT v. ROLLINS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 693.

No. 91-5461. *DUNBAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1003.

No. 91-5464. *PRADA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1294.

No. 91-5466. *PLANT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1283.

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No. 91-5468. *BERKERY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 932 F. 2d 961.

No. 91-5470. *CRAWFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 970.

No. 91-5472. *GURGONE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 930 F. 2d 1257.

No. 91-5475. *HACKETT v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 700.

No. 91-5478. *MCDONEL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1283.

No. 91-5479. *CHASE v. OREGON COURT OF APPEALS*. Sup. Ct. Ore. Certiorari denied.

No. 91-5480. *MEDINA v. KEANE, WARDEN*. C. A. 2d Cir. Certiorari denied. Reported below: 936 F. 2d 681.

No. 91-5482. *DAKE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1022.

No. 91-5483. *MAINES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 920 F. 2d 1525.

No. 91-5485. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 613 and 614.

No. 91-5486. *NOVOA-SALINAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1004.

No. 91-5487. *MCHENRY v. UTAH VALLEY HOSPITAL*. C. A. 10th Cir. Certiorari denied. Reported below: 927 F. 2d 1125.

No. 91-5491. *STATEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1004.

No. 91-5492. *YERO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1412.

No. 91-5493. *RIVERO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 600.

No. 91-5495. *SAUNDERS v. AMOCO PIPELINE Co.* C. A. 10th Cir. Certiorari denied. Reported below: 927 F. 2d 1154.

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No. 91-5496. *PULLOCK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 1085.

No. 91-5497. *POULNOTT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1294.

No. 91-5498. *JOHNSON v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 91-5499. *ASAY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 580 So. 2d 610.

No. 91-5500. *KEITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 924.

No. 91-5504. *WASHINGTON v. LAWS*. Ct. App. Ga. Certiorari denied.

No. 91-5506. *LEE v. McCAUGHTRY, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 933 F. 2d 536.

No. 91-5511. *MORRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 362.

No. 91-5512. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1022.

No. 91-5513. *GRAY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5517. *PORTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5525. *DAVIS v. FULCOMER, DEPUTY COMMISSIONER, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1280.

No. 91-5527. *NELSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 976.

No. 91-5528. *REEVES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 57.

No. 91-5529. *CARTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 663.

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No. 91-5531. *GROSS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 604.

No. 91-5532. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1261.

No. 91-5536. *RICHARDSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1260.

No. 91-5544. *ALLEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5545. *HUGHES, AKA RICHARDSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 1125.

No. 91-5547. *REEVES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 271.

No. 91-5549. *DOE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 290 U. S. App. D. C. 65, 934 F. 2d 353.

No. 91-5551. *MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 851.

No. 91-5552. *DELGADO-HERNANDEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1294.

No. 91-5553. *HALICKI v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 573.

No. 91-5554. *DIAZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 921 F. 2d 1557.

No. 91-5555. *BERKE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 930 F. 2d 1219.

No. 91-5561. *PERALTA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 955.

No. 91-5575. *FOSTER v. MCGUIRE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-5580. *TAFOYA ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

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No. 91-5585. *PATRICK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 758.

No. 91-5590. *MCDONALD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 933 F. 2d 1519.

No. 91-5592. *MICHEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 586.

No. 91-5593. *THOMPSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 928 F. 2d 1060.

No. 91-5601. *GRANT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 573.

No. 91-5606. *LIRIANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 942 F. 2d 796.

No. 91-5609. *HARRIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 1529.

No. 91-5612. *VALENTE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 970.

No. 91-5620. *STALEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1294.

No. 91-5628. *GRIZZLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 943.

No. 91-5634. *ABREU v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 935 F. 2d 1130.

No. 91-5635. *Haidar v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 1133.

No. 91-5637. *LATO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 934 F. 2d 1080 and 935 F. 2d 276.

No. 91-5641. *McMAHON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 935 F. 2d 397.

No. 91-5642. *LEE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1262.

No. 91-5656. *MARTINEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 268.

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No. 90-1487. THREE BUOYS HOUSEBOAT VACATIONS U. S. A., LTD. *v.* MORTS ET AL. C. A. 8th Cir. Motion of Maritime Law Association for leave to file a brief as *amicus curiae* granted. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 921 F. 2d 775.

No. 90-1492. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION *v.* MAYO. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 893 F. 2d 683 and 920 F. 2d 251.

No. 90-1528. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS *v.* TUKES. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 911 F. 2d 508.

No. 90-1600. ALABAMA *v.* YELDER. Sup. Ct. Ala. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 575 So. 2d 137.

No. 90-1763. CITY OF OMAHA ET AL. *v.* BUFFKINS. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 922 F. 2d 465.

No. 90-1860. METROPOLITAN DADE COUNTY *v.* MILES. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 916 F. 2d 1528.

No. 90-1880. LEHMAN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* LESKO. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 925 F. 2d 1527.

No. 90-1946. MICHIGAN *v.* WILCOX. Ct. App. Mich. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 183 Mich. App. 616, 456 N. W. 2d 421.

No. 91-197. PUCKETT, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL. *v.* JOHNSON. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 929 F. 2d 1067.

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No. 90-1581. ARTHUR S. LANGENDERFER, INC., ET AL. *v.* S. E. JOHNSON CO. ET AL. C. A. 6th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 917 F. 2d 1413.

No. 90-1727. WESTVACO CORP. ET AL. *v.* SWEENEY. C. A. 1st Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 926 F. 2d 29.

No. 90-1757. RUSSO ET UX. *v.* MASON-McDUFFIE INVESTMENT CO. INC. C. A. 9th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 927 F. 2d 610.

No. 90-1931. MASON COUNTY, WASHINGTON, ET AL. *v.* DAVIS ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 927 F. 2d 1473.

No. 90-7538. BLAIR-BEY *v.* NIX, WARDEN, ET AL. C. A. 8th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 919 F. 2d 1338.

No. 91-205. STONEWALL UNION ET AL. *v.* CITY OF COLUMBUS ET AL. C. A. 6th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 931 F. 2d 1130.

No. 90-1657. MASSACHUSETTS ET AL. *v.* UNITED STATES NUCLEAR REGULATORY COMMISSION ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition. Reported below: 288 U. S. App. D. C. 67, 924 F. 2d 311.

No. 91-200. RICHARDS ET AL. *v.* NEW HAMPSHIRE. Sup. Ct. N. H. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition. Reported below: 134 N. H. 148, 590 A. 2d 586.

No. 91-221. FISCHER *v.* CITY OF DOVER, NEW HAMPSHIRE, ET AL. Sup. Ct. N. H. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition.

No. 90-1670. CONNORS ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. JUSTICE BLACKMUN, JUSTICE KENNEDY, and JUSTICE SOUTER would grant certiorari, vacate the judgment, and remand the case for further consideration in light of *Salve Regina College v. Russell*, 499 U. S. 225 (1991). Reported below: 919 F. 2d 1079.

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No. 90-1736. AMERICAN SOCIETY OF PLASTIC & RECONSTRUCTIVE SURGEONS, INC., ET AL. *v.* ANDERSON. Sup. Ct. Utah. Motion of American Medical Association et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 807 P. 2d 825.

No. 90-1776. CHAMBERS *v.* SOUTHWESTERN BELL TELEPHONE Co. C. A. 5th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 917 F. 2d 5.

No. 90-8092. BURKE *v.* AMERICAN TELEPHONE & TELEGRAPH. C. A. 2d Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition.

No. 90-1778. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS *v.* BOOKER. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 922 F. 2d 633.

No. 90-1792. JOHNSON *v.* O'DONNELL, JUDGE, COURT OF COMMON PLEAS OF CUYAHOGA COUNTY, OHIO, ET AL. Sup. Ct. Ohio. Motion of petitioner to strike intervening respondent's brief denied. Certiorari denied. Reported below: 57 Ohio St. 3d 712, 568 N. E. 2d 688.

No. 90-1844. MUNN, INDIVIDUALLY, AND AS ADMINISTRATOR OF THE ESTATE OF MUNN, DECEASED *v.* ALGEE. C. A. 5th Cir. Motions of American Jewish Congress et al. and Watchtower Bible & Tract Society of New York, Inc., for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 924 F. 2d 568.

No. 90-1852. VIRGINIA DEPARTMENT OF TAXATION *v.* CORNING, INC. Sup. Ct. Va. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 241 Va. 353, 402 S. E. 2d 35.

No. 90-1875. BARD ET AL., DBA BARD & BARD Co. *v.* CROCKETT ET AL. C. A. 8th Cir. Motion of respondents for relief from compliance with Rule 29.1 granted. Certiorari denied. Reported below: 938 F. 2d 185.

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No. 90-1902. *EASTERN AIR LINES, INC. v. AIR LINE PILOTS ASSN., INTERNATIONAL, ET AL.* C. A. 11th Cir. Motion of Air Transport Association of America and Official Committee of Unsecured Creditors of Eastern Airlines, Inc., for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 920 F. 2d 722.

No. 90-1903. *AALGAARD v. MERCHANTS NATIONAL BANK, INC., ET AL.* Ct. App. Cal., 3d App. Dist. Motion of respondents to disqualify counsel for petitioner and to strike petition for writ of certiorari and for sanctions denied. Certiorari denied. Reported below: 224 Cal. App. 3d 674, 274 Cal. Rptr. 81.

No. 90-1922. *SCHMIDT v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 7th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 914 F. 2d 117.

No. 90-1970. *LEOPOLD v. INTERNATIONAL COLLEGE ET AL.* Ct. App. Cal., 2d App. Dist. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

No. 90-1937. *PATY, DIRECTOR, DEPARTMENT OF LAND AND NATURAL RESOURCES OF HAWAII v. NAPEAHI.* C. A. 9th Cir. Motion of Office of Hawaiian Affairs for leave to file a brief as *amicus curiae* granted. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 921 F. 2d 897.

No. 90-1985. *ALBANY INSURANCE CO. v. ANH THI KIEU.* C. A. 5th Cir. Motion of American Institute of Marine Underwriters for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 927 F. 2d 882.

No. 90-7816. *SCOTT v. WILLIAMS.* C. A. 4th Cir. Certiorari denied. JUSTICE O'CONNOR would grant certiorari. Reported below: 924 F. 2d 56.

No. 90-8021. *DEMPSEY v. MASSACHUSETTS.* C. A. 1st Cir. Certiorari before judgment denied.

No. 90-8166. *HERBAGE v. CARLSON, WARDEN.* C. A. 8th Cir. Certiorari before judgment denied.

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No. 90-8122. *RIVERA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. JUSTICE BLACKMUN would grant certiorari. Reported below: 808 S. W. 2d 80.

No. 91-5036. *HALE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. JUSTICE BLACKMUN would grant certiorari. Reported below: 807 P. 2d 264.

No. 91-5184. *STOCKTON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. JUSTICE BLACKMUN would grant certiorari. Reported below: 241 Va. 192, 402 S. E. 2d 196.

No. 91-5252. *ROPER v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. JUSTICE BLACKMUN would grant certiorari. Reported below: 328 N. C. 337, 402 S. E. 2d 600.

No. 90-8405. *ZETTLEMOYER v. FULCOMER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE BLACKMUN would grant certiorari limited to Question 3 presented by the petition. Reported below: 923 F. 2d 284.

No. 90-8495. *KELLEY, A MINOR, BY AND THROUGH HER GUARDIAN AD LITEM, KELLEY, ET AL. v. J. C. PENNEY CASUALTY INSURANCE CO.* Sup. Ct. Cal. Certiorari denied. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 52 Cal. 3d 1009, 804 P. 2d 689.

No. 91-7. *RICHARDSON ENGINEERING CO. v. WILLIAM L. CROW CONSTRUCTION Co.* C. A. 2d Cir. Certiorari denied. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 930 F. 2d 908.

No. 91-36. *JURGENS ET UX. v. MCKASY, DBA TONKA MARKETING, ET AL.* C. A. Fed. Cir. Certiorari denied. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 927 F. 2d 1552.

Rehearing Denied

No. 90-7370. *WILL v. WILL*, 501 U. S. 1233;

No. 90-7893. *PERRY v. MICHIGAN ET AL.*, 501 U. S. 1236; and

No. 90-7907. *COSNER v. BEATTY, JUDGE, CIRCUIT COURT OF HENRY COUNTY*, 501 U. S. 1236. Petitions for rehearing denied.

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Dismissal Under Rule 46

No. 91-61. *MONROE CLINIC v. NELSON ET AL.* C. A. 7th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 925 F. 2d 1555.

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Certiorari Granted—Vacated and Remanded. (See also No. 90-1713, *ante*, p. 1.)

No. 91-269. *HELLING ET AL. v. MCKINNEY.* C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Wilson v. Seiter*, 501 U. S. 294 (1991). JUSTICE BLACKMUN and JUSTICE STEVENS would deny certiorari. Reported below: 924 F. 2d 1500.

Miscellaneous Orders

No. A-142. *TRINSEY v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Application for stay, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

No. D-1005. *IN RE DISBARMENT OF KELLY.* Motion to defer consideration denied. Disbarment entered. [For earlier order herein, see 501 U. S. 1203.]

No. 65, Orig. *TEXAS v. NEW MEXICO.* Order amending March 28, 1988 [485 U. S. 394], order appointing River Master:

It is ordered that Neil S. Grigg be and he hereby is appointed River Master of the Pecos River for the purpose of performing the duties set forth in the Amended Decree of March 28, 1988.

It is further ordered that the River Master shall have the power and authority to subpoena information or data, compiled in reasonable usable form, which he deems necessary or desirable for the proper and efficient performance of his duties.

It is further ordered that the River Master is allowed his necessary expenses, including the cost of competent legal advice deemed by him to be necessary to carry out his duties, as well as reasonable fees for his services, statements for which shall be submitted quarterly to the Court for its approval. Upon Court approval, such statements will be paid by the State of New Mexico and the State of Texas.

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It is further ordered that if the position of the River Master becomes vacant during a recess of the Court, THE CHIEF JUSTICE shall have authority to make a new designation which shall have the same effect as if originally made by the Court. [For earlier order herein, see, *e. g.*, *ante*, p. 803.]

No. 111, Orig. DELAWARE *v.* NEW YORK. Motion of Oregon for leave to intervene and adopt complaint referred to the Special Master. [For earlier order herein, see, *e. g.*, 501 U. S. 1228.]

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. [Certiorari granted, 499 U. S. 958.] Motion of respondents to strike *amicus curiae* brief of Jackson State University denied.

No. 90–1596. ROBERTSON, CHIEF, UNITED STATES FOREST SERVICE, ET AL. *v.* SEATTLE AUDUBON SOCIETY ET AL. C. A. 9th Cir. [Certiorari granted, 501 U. S. 1249.] Motion of Mountain States Legal Foundation et al. for leave to file a brief as *amici curiae* granted.

No. 90–6315. PEREZ *v.* LOUISIANA. Sup. Ct. La. Motion of petitioner to consolidate this case with No. 90–5844, *Foucha v. Louisiana* [certiorari granted, 499 U. S. 946], denied.

No. 90–6616. STRINGER *v.* BLACK, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL. C. A. 5th Cir. [Certiorari granted, 500 U. S. 915.] Motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* granted.

No. 91–261. BUILDING & CONSTRUCTION TRADES COUNCIL OF THE METROPOLITAN DISTRICT *v.* ASSOCIATED BUILDERS & CONTRACTORS OF MASSACHUSETTS/RHODE ISLAND, INC., ET AL. C. A. 1st Cir.;

No. 91–274. MASSACHUSETTS WATER RESOURCES AUTHORITY ET AL. *v.* ASSOCIATED BUILDERS & CONTRACTORS OF MASSACHUSETTS/RHODE ISLAND, INC., ET AL. C. A. 1st Cir.; and

No. 91–321. ITEL CONTAINERS INTERNATIONAL CORP. *v.* HUDLESTON, COMMISSIONER OF REVENUE OF TENNESSEE. Sup. Ct. Tenn. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

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No. 91-286. BISHOP *v.* DELCHAMPS ET AL. C. A. 11th Cir. Motion of Henry F. Schaefer III et al. for leave to file a brief as *amici curiae* granted.

No. 91-293. SOUTHERN PACIFIC TRANSPORTATION CO. *v.* HERNANDEZ. Ct. App. Tex., 4th Dist. Motion of Association of American Railroads for leave to file a brief as *amicus curiae* granted.

No. 91-5591. IN RE VASTELICA. Petition for writ of mandamus denied.

No. 91-5568. IN RE HOLLINGSWORTH;

No. 91-5589. IN RE VIGIL; and

No. 91-5643. IN RE DENSON. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 90-1791. CONNECTICUT NATIONAL BANK *v.* GERMAIN, TRUSTEE FOR THE ESTATE OF O'SULLIVAN'S FUEL OIL CO., INC. C. A. 2d Cir. Certiorari granted. Reported below: 926 F. 2d 191.

No. 90-1802. NATIONWIDE MUTUAL INSURANCE CO. ET AL. *v.* DARDEN. C. A. 4th Cir. Certiorari granted. Reported below: 922 F. 2d 203.

No. 90-1972. UNITED STATES *v.* WILLIAMS. C. A. 10th Cir. Certiorari granted. Reported below: 899 F. 2d 898.

No. 90-1947. YEE ET AL. *v.* CITY OF ESCONDIDO, CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari granted limited to Questions 1 and 2 presented by the petition. Reported below: 224 Cal. App. 3d 1349, 274 Cal. Rptr. 551.

No. 91-5118. MORGAN *v.* ILLINOIS. Sup. Ct. Ill. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 142 Ill. 2d 410, 568 N. E. 2d 755.

Certiorari Denied

No. 90-1724. WEILER *v.* MISSOURI. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 801 S. W. 2d 417.

No. 90-1855. PRICE ET AL. *v.* INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORK-

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ERS OF AMERICA, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 88.

No. 90-1953. DARDEN *v.* NATIONWIDE MUTUAL INSURANCE CO. ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 922 F. 2d 203.

No. 90-7616. CALDWELL *v.* QUINLAN, DIRECTOR, FEDERAL BUREAU OF PRISONS. C. A. D. C. Cir. Certiorari denied. Reported below: 287 U. S. App. D. C. 377, 923 F. 2d 200.

No. 90-8133. BARAJAS-CARDENAS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 611.

No. 90-8508. BROWN *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 66, 401 S. E. 2d 492.

No. 91-29. MELTON *v.* CITY OF OKLAHOMA CITY ET AL.;

No. 91-280. MAXWELL, MAJOR, OKLAHOMA CITY POLICE DEPARTMENT, ET AL. *v.* MELTON;

No. 91-281. CITY OF OKLAHOMA CITY *v.* MELTON; and

No. 91-304. GRAMLING, CHIEF OF POLICE FOR THE CITY OF OKLAHOMA CITY *v.* MELTON. C. A. 10th Cir. Certiorari denied. Reported below: 928 F. 2d 920.

No. 91-48. AFIA/CIGNA WORLDWIDE ET AL. *v.* FELKNER, DEPUTY COMMISSIONER, OFFICE OF WORKERS' COMPENSATION PROGRAMS, EIGHTH COMPENSATION DISTRICT, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 1111.

No. 91-71. MING WAN LEUNG ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 929 F. 2d 1204.

No. 91-75. AMERICAN POSTAL WORKERS UNION, AFL-CIO *v.* UNITED STATES POSTAL SERVICE. C. A. 5th Cir. Certiorari denied. Reported below: 922 F. 2d 256.

No. 91-81. BARR LABORATORIES, INC. *v.* SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.; and

No. 91-300. NATIONAL ASSOCIATION OF PHARMACEUTICAL MANUFACTURERS *v.* SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 289 U. S. App. D. C. 187, 930 F. 2d 72.

No. 91-88. SUSSEL *v.* CITY AND COUNTY OF HONOLULU ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 920 F. 2d 936.

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No. 91-112. *CRAMER v. SKINNER, SECRETARY OF TRANSPORTATION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 1020.

No. 91-120. *HISPANIC BROADCASTING LIMITED PARTNERSHIP v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*; and

No. 91-130. *HISPANIC BROADCASTING SYSTEMS, INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 289 U. S. App. D. C. 228, 931 F. 2d 73.

No. 91-125. *ACIERNO v. SKINNER, SECRETARY OF TRANSPORTATION, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 395.

No. 91-132. *LITTLEFIELD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 1099.

No. 91-133. *BROOKHURST, INC., AS SUCCESSOR BY MERGER WITH COMMERCIAL UNIFORM Co. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 554.

No. 91-143. *TOBIN ET AL. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 923 F. 2d 1506.

No. 91-152. *FRUHWIRTH v. BALTIMORE CITY POLICE DEPARTMENT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 886.

No. 91-168. *RUTANA v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 1155.

No. 91-181. *AGRO SCIENCE Co. ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 573.

No. 91-185. *ANTOON v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 933 F. 2d 200.

No. 91-213. *MCCALL v. CITY OF BIRMINGHAM, ALABAMA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 903.

No. 91-226. *KELLY KARE, LTD., ET AL. v. O'ROURKE, WESTCHESTER COUNTY EXECUTIVE, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 170.

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No. 91-248. *SEHNAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 1420.

No. 91-255. *BOURGUIGNON ET UX. v. HOLIDAY INNS OF AMERICA, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 185.

No. 91-257. *NUTMEG INSURANCE CO. v. CITY OF ROSE CITY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 13.

No. 91-265. *POTOMAC EDISON CO. v. HELMICK ET AL.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 185 W. Va. 269, 406 S. E. 2d 700.

No. 91-266. *MANCHESTER v. NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 91-278. *ESTATE OF DAU VAN TRAN ET AL. v. TEXACO REFINING & MARKETING, INC., ET AL.* Sup. Ct. Tex. Certiorari denied. Reported below: 808 S. W. 2d 61.

No. 91-283. *DOUGLASS v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 91-285. *PASKON v. SALEM MEMORIAL HOSPITAL DISTRICT ET AL.* Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 806 S. W. 2d 417.

No. 91-287. *CHESAPEAKE INSURANCE CO., LTD. v. FOSTER, INSURANCE COMMISSIONER OF PENNSYLVANIA, AS REHABILITATOR OF THE MUTUAL FIRE, MARINE & INLAND INSURANCE CO.* C. A. 3d Cir. Certiorari denied. Reported below: 933 F. 2d 1207.

No. 91-291. *CONFERENCE OF AFRICAN UNION FIRST COLORED METHODIST PROTESTANT CHURCH ET AL. v. MOTHER AFRICAN UNION FIRST COLORED METHODIST PROTESTANT CHURCH ET AL.* Sup. Ct. Del. Certiorari denied. Reported below: 599 A. 2d 412.

No. 91-292. *WALKER v. TOWNSHIP OF TEWKSBURY, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 420.

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No. 91-296. INSTITUTE FOR SCIENTIFIC INFORMATION, INC. *v.* GORDON & BREACH, SCIENCE PUBLISHERS, INC., ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 1002.

No. 91-302. NARUMANCHI *v.* BOARD OF TRUSTEES FOR CONNECTICUT STATE UNIVERSITIES ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 957.

No. 91-303. JACKSON, UNION TRUSTEE OF MSSA-ILA PENSION PLAN AND TRUST, ET AL. *v.* STRATTON, EMPLOYER TRUSTEE OF MSSA-ILA PENSION PLAN AND TRUST, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 544.

No. 91-306. STEELE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1313.

No. 91-307. CITRUS COUNTY, FLORIDA *v.* REDNER ET AL.; and
No. 91-316. REDNER ET AL. *v.* CITRUS COUNTY, FLORIDA, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 919 F. 2d 646.

No. 91-308. MCCOMISKEY ET AL. *v.* SOBA. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1278.

No. 91-313. DODSON ET AL. *v.* GENERAL MOTORS CORP. ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1464.

No. 91-315. D'ONOFRIO *v.* EDWARDS, ATTORNEY GENERAL OF NEW JERSEY, ET AL. Super. Ct. N. J., App. Div. Certiorari denied.

No. 91-319. BILLMAN ET AL. *v.* MARYLAND DEPOSIT INSURANCE FUND CORPORATION ET AL. Ct. Sp. App. Md. Certiorari denied. Reported below: 86 Md. App. 1, 585 A. 2d 238.

No. 91-320. BARNES ET AL. *v.* MATLOCK. C. A. 7th Cir. Certiorari denied. Reported below: 932 F. 2d 658.

No. 91-325. SUPERIOR COURT, COUNTY OF SAN DIEGO *v.* COPLEY PRESS, INC. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 228 Cal. App. 3d 77, 278 Cal. Rptr. 443.

No. 91-327. KRIVONAK *v.* MILLER. Sup. Ct. Pa. Certiorari denied.

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No. 91-328. *FARRELL ET AL. v. AUTOMOBILE CLUB OF MICHIGAN*. C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 603.

No. 91-333. *GREGORY ET UX. v. FRONTIER MATERIALS, INC., ET AL.* C. A. 10th Cir. Certiorari denied.

No. 91-334. *GVOZDENOVIC ET AL. v. UNITED AIR LINES, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 933 F. 2d 1100.

No. 91-335. *DETRO v. ROEMER, GOVERNOR OF LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 966.

No. 91-340. *BELLOWS v. ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 289 U. S. App. D. C. 113, 928 F. 2d 1205.

No. 91-341. *ROCHNA v. ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 929 F. 2d 13.

No. 91-346. *TALLADEGA COUNTY BOARD OF EDUCATION ET AL. v. ELSTON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1020.

No. 91-347. *WEIL ET UX., INDIVIDUALLY AND ON BEHALF OF THEIR MINOR DAUGHTER, WEIL v. BOARD OF ELEMENTARY AND SECONDARY EDUCATION ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 1069.

No. 91-352. *GURASICH v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-378. *KADLEC v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 937 F. 2d 623.

No. 91-382. *RHEINSTROM, ADMINISTRATOR OF THE ESTATE OF POLLENZ, DECEASED v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. Reported below: 925 F. 2d 1066.

No. 91-385. *PAUTZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 935 F. 2d 272.

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No. 91-392. *DAVIS ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 95.

No. 91-393. *MAJESKE v. BOARD OF TRUSTEES FOR REGIONAL COMMUNITY COLLEGES*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1277.

No. 91-395. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1290.

No. 91-399. *BRINSTON v. UNITED STATES*. Ct. Mil. App. Certiorari denied. Reported below: 33 M. J. 188.

No. 91-400. *BUTLER ET UX. v. BUICK MOTOR CO., A DIVISION OF GENERAL MOTORS CORP.* Ct. App. Tenn. Certiorari denied. Reported below: 813 S. W. 2d 454.

No. 91-404. *AMERICAN TRANSMISSIONS, INC., ET AL. v. GENERAL MOTORS CORP. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 269.

No. 91-413. *BOWERS v. UNITED STATES DEPARTMENT OF JUSTICE*. C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 350.

No. 91-414. *MADKOUR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 234.

No. 91-420. *BELLIS ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 273.

No. 91-447. *RAVEL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 721.

No. 91-5084. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 889.

No. 91-5104. *ROSA v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 206 Ill. App. 3d 1074, 565 N. E. 2d 221.

No. 91-5141. *JOHNS v. KAISER, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 91-5170. *EDWARDS v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 27.

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No. 91-5174. *CASTILLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 928 F. 2d 1106.

No. 91-5240. *CONRAD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 929 F. 2d 307.

No. 91-5267. *PLUMES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 908 F. 2d 978.

No. 91-5296. *PERRY v. HOLMES ET AL.* C. A. 7th Cir. Certiorari denied.

No. 91-5327. *DURR v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 58 Ohio St. 3d 86, 568 N. E. 2d 674.

No. 91-5390. *SELLERS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 809 P. 2d 676.

No. 91-5411. *JOSEPH v. ZACHARY MANOR NURSING HOME ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 697.

No. 91-5428. *WALL v. FIRST JERSEY-NATIONAL BANK & CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1284.

No. 91-5429. *PIRON v. DE GROOTE ET AL.* C. A. 7th Cir. Certiorari denied.

No. 91-5436. *BOUSHEY v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied. Reported below: 804 S. W. 2d 148.

No. 91-5442. *THOMPSON v. NAGLE, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1542.

No. 91-5444. *TOWNES v. MURRAY, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 91-5446. *PINEDA-VELASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1260.

No. 91-5450. *HITCHCOCK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 578 So. 2d 685.

No. 91-5451. *MILLER v. GOEKE, SUPERINTENDENT, RENZ CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 184.

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No. 91-5454. *MORGAN v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 469 N. W. 2d 419.

No. 91-5458. *JARVI v. NOBLE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 1133.

No. 91-5462. *SPIRKO v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 59 Ohio St. 3d 1, 570 N. E. 2d 229.

No. 91-5471. *ANTHONY v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 24 Conn. App. 195, 588 A. 2d 214.

No. 91-5474. *ARCOREN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 929 F. 2d 1235.

No. 91-5484. *MOORE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 809 P. 2d 63.

No. 91-5488. *TANNER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5489. *WATT v. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-5490. *MITCHELL v. GUNTER, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 91-5503. *MYERS v. EVATT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1286.

No. 91-5509. *HOLSEY v. GREEN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 692.

No. 91-5515. *OLIVA v. MORGAN, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION (AND DIAGNOSTIC AND CLASSIFICATION CENTER) AT PITTSBURGH*. C. A. 3d Cir. Certiorari denied.

No. 91-5516. *BRADSHAW v. GILMORE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 91-5519. *HICKSON v. GARNER, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1261.

No. 91-5520. *WELLS v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

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No. 91-5521. *WILLIAMS v. CHAVIS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1289.

No. 91-5522. *WARMACK v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 400.

No. 91-5526. *BERRYHILL v. MILLER ET AL.* Super. Ct. Ga., Fulton County. Certiorari denied.

No. 91-5534. *DANIELS v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 581 So. 2d 536.

No. 91-5535. *FULLER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 942 F. 2d 454.

No. 91-5537. *VIEYRA v. UNITED STATES*; and
No. 91-5538. *PAULINO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 739.

No. 91-5539. *WILLIAMSON v. SOWDERS, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 970.

No. 91-5540. *TOSADO v. DANBURY HOSPITAL ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-5541. *PIETSCH v. BUSH ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1278.

No. 91-5543. *HERRELL v. WISE.* Ct. App. Kan. Certiorari denied. Reported below: 15 Kan. App. 2d xxviii, 803 P. 2d 211.

No. 91-5548. *VELASQUEZ v. ZIMMERMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT WAYMART, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-5558. *HARR v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-5562. *JARVI v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-5563. *HAMM v. ARMONTROUT, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 183.

No. 91-5564. *LEDET v. LYNN ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 91-5565. *LEBOUEF v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 91-5566. *EDWARDS v. GRAMLING ENGINEERING CORP.* Ct. App. Md. Certiorari denied. Reported below: 322 Md. 535, 588 A. 2d 793.

No. 91-5567. *CRONEN v. HARDY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 890.

No. 91-5570. *HODGES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 766.

No. 91-5571. *BRESSI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 909 F. 2d 1477.

No. 91-5574. *LESTER v. FALK, DIRECTOR, DEPARTMENT OF CORRECTIONS, HAWAII*. C. A. 9th Cir. Certiorari denied. Reported below: 934 F. 2d 324.

No. 91-5576. *BRAUN v. WEST VIRGINIA BOARD OF REGENTS ET AL.* Sup. Ct. App. W. Va. Certiorari denied.

No. 91-5578. *HOUSEL v. ZANT, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 91-5579. *BATES v. MCCAUGHTRY, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 934 F. 2d 99.

No. 91-5582. *QUIGLEY v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 91-5584. *SHABAZZ v. KAISER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 583.

No. 91-5596. *OBER v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 24 Conn. App. 347, 588 A. 2d 1080.

No. 91-5598. *WASHINGTON v. GARRETT*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1318.

No. 91-5599. *CHRISTIAN v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1007.

No. 91-5600. *LANE v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 328 N. C. 598, 403 S. E. 2d 267.

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No. 91-5603. *RASHTY v. MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 91-5607. *WELLS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 91-5611. *VOLTZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5615. *MCLAUGHLIN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 393 Pa. Super. 277, 574 A. 2d 610.

No. 91-5617. *RIDINGS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 91-5626. *FINGADO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 934 F. 2d 1163.

No. 91-5631. *WHITE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 584.

No. 91-5632. *YORK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 933 F. 2d 1343.

No. 91-5649. *SWABY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 924 F. 2d 753.

No. 91-5651. *CROW v. UPJOHN CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1262.

No. 91-5657. *GUTIERREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1482.

No. 91-5660. *NASIM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 932 F. 2d 964.

No. 91-5662. *NORMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 56.

No. 91-5663. *HENRIQUEZ ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 585.

No. 91-5667. *RICHARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1295.

No. 91-5669. *BARRETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 937 F. 2d 1346.

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No. 91-5670. *SILVA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 937 F. 2d 619.

No. 91-5672. *GUERRA-MAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 928 F. 2d 665.

No. 91-5675. *ETHERIDGE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 932 F. 2d 318.

No. 91-5676. *GAMBLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1290.

No. 91-5677. *BROWN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 937 F. 2d 32.

No. 91-5681. *FIELDS v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 91-5682. *CHAZULLE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 739.

No. 91-5693. *ROSENBERG v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 86 Md. App. 782.

No. 91-5697. *WEAVER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 584.

No. 91-5699. *VOSS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 91-5702. *SHACKLEFORD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 1529.

No. 91-5704. *PAYAN-VARGAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1291.

No. 91-5709. *MOORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 935 F. 2d 822.

No. 91-5713. *ODOM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 268.

No. 91-5714. *MAUZONE v. ROLLINS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 267.

No. 91-5716. *MORRIS ET UX. v. CARLTON*. C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 862.

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No. 91-5719. *SUTTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1009.

No. 91-5720. *SCHLOSSER v. INTERNAL REVENUE SERVICE*. C. A. 11th Cir. Certiorari denied.

No. 91-5725. *GARNES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 649.

No. 91-5729. *VASQUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 942 F. 2d 796.

No. 91-5731. *LAWRENCE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 580.

No. 91-5735. *LLERENA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 934 F. 2d 1264.

No. 91-5739. *MELVILLE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 271.

No. 91-5741. *ARINAGA-FIGUEROA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1290.

No. 91-5742. *RATANSI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 909.

No. 91-5745. *BYARS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 614.

No. 91-5747. *GILES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 358.

No. 91-5748. *CODOGNOTTO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 939 F. 2d 233.

No. 91-5760. *EVANS v. ROLLINS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1286.

No. 91-5761. *GASTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5762. *PARKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 934 F. 2d 1265.

No. 91-5763. *NIETO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 277.

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No. 91-5764. CUMBER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 604.

No. 91-5767. LAJOIE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 942 F. 2d 699.

No. 91-5772. VERDIER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 650.

No. 91-5773. JIMENEZ-LOPERA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 586.

No. 91-5778. CAMERON *v.* MARYLAND. Ct. Sp. App. Md. Certiorari denied. Reported below: 86 Md. App. 773.

No. 91-5779. DIAL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1288.

No. 91-5781. GIRARDIN *v.* PYLE, SUPERINTENDENT, FOUR MILE CORRECTIONAL CENTER. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 582.

No. 91-5791. TOLLIVER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 937 F. 2d 1183.

No. 91-5804. MATUTE *v.* PROCOAST NAVIGATION LTD. ET AL.; and MATUTE *v.* LLOYD BERMUDA LINES, LTD., ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 928 F. 2d 627 (first case); 931 F. 2d 231 (second case).

No. 91-5809. TOWNSEND *v.* HARRIS. Ct. App. N. C. Certiorari denied. Reported below: 102 N. C. App. 131, 401 S. E. 2d 132.

No. 91-5822. LITTLE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 938 F. 2d 1164.

No. 91-5832. CHAPMAN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 932 F. 2d 964.

No. 90-1800. GRUMMAN AEROSPACE CORP. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. JUSTICE BLACKMUN would grant certiorari. Reported below: 927 F. 2d 575.

No. 90-1887. CONNECTICUT *v.* MOONEY. Sup. Ct. Conn. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 218 Conn. 85, 588 A. 2d 145.

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No. 90–8126. *EARLY v. UNITED STATES*; and
No. 90–8184. *COLEMAN v. UNITED STATES*. C. A. 6th Cir.
Certiorari denied. Reported below: No. 90–8126, 927 F. 2d 605;
No. 90–8184, 928 F. 2d 1133.

JUSTICE WHITE, dissenting.

The question in these cases is whether an amendment to the commentary to the United States Sentencing Guidelines should govern a sentencing which occurred prior to the effective date of the amendment. A majority of the Courts of Appeals have applied such an amendment when it clarified, but did not substantively change, the operation of an existing Guideline. *E.g.*, *United States v. Caballero*, 290 U. S. App. D. C. 235, 242, n. 8, 936 F. 2d 1292, 1299, n. 8 (1991); *United States v. Urbanek*, 930 F. 2d 1512, 1514–1515 (CA10 1991); *United States v. Lillard*, 929 F. 2d 500, 502–503 (CA9 1991); *United States v. Fiala*, 929 F. 2d 285, 290 (CA7 1991); *United States v. Nissen*, 928 F. 2d 690, 694–695 (CA5 1991); *United States v. Perdomo*, 927 F. 2d 111, 116–117 (CA2 1991); *United States v. Fells*, 920 F. 2d 1179, 1184 (CA4 1990) (Wilkins, J.), cert. denied, 501 U. S. 1219 (1991).

In contrast, the Eighth Circuit has held that an amendment may not be applied before its effective date. See *United States v. Watts*, 940 F. 2d 332, 333 (1991); *United States v. Dortch*, 923 F. 2d 629, 632, n. 2 (1991). In these cases the Sixth Circuit did not apply an amendment that took effect after the petitioners had been sentenced in District Court. But see *United States v. Sanchez*, 928 F. 2d 1450, 1458–1459 (CA6 1991) (applying such an amendment).

The United States Sentencing Commission has not addressed this recurring issue. See 56 Fed. Reg. 22762–22797 (1991) (Nov. 1991 Guidelines amendments). See generally *Braxton v. United States*, 500 U. S. 344, 347–349 (1991). Accordingly, I would grant certiorari and consolidate these cases to resolve the conflict in the Courts of Appeals.

No. 90–8215. *FAZZINI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 931 F. 2d 895.

No. 91–259. *REIN ET AL. v. PAN AMERICAN WORLD AIRWAYS, INC.* C. A. 2d Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 928 F. 2d 1267.

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No. 91-359. CITY OF NEW YORK, DEPARTMENT OF PERSONNEL, ET AL. *v.* PIESCO. C. A. 2d Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 933 F. 2d 1149.

No. 91-87. SCHMIDT *v.* UNITED STATES. C. A. 7th Cir. Motion of Parish Council of Our Lady of Lourdes Catholic Church et al. for leave to file a brief as *amici curiae* denied. Certiorari denied. Reported below: 923 F. 2d 1253.

No. 91-95. REDDY *v.* LITTON INDUSTRIES, INC., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 912 F. 2d 291.

JUSTICE WHITE, dissenting.

One of the issues in this case is whether a person has standing to sue for a conspiracy to violate the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U. S. C. § 1962(d), if the wrongful acts alleged do not constitute “predicate acts” as defined in § 1961(1). Following the lead of the Second Circuit in *Hecht v. Commerce Clearing House, Inc.*, 897 F. 2d 21 (1990), the Ninth Circuit in this case held that petitioner lacked standing to assert a conspiracy claim under § 1962(d) because he did not allege injury from overt acts which themselves are prohibited in the RICO statute. 912 F. 2d 291, 295 (1990).

The Court of Appeals recognized that a division in authority existed between the Second Circuit’s view, as expressed in *Hecht*, and the Third Circuit’s position propounded in *Shearin v. E. F. Hutton Group, Inc.*, 885 F. 2d 1162 (1989). In *Shearin*, the Third Circuit had held that a person has standing to assert a § 1962(d) violation for overt acts of conspiracy that are not defined in § 1961(1). 885 F. 2d, at 1166-1167. The Ninth Circuit explicitly rejected the Third Circuit’s position and adopted the Second Circuit’s rule.

Because a conflict exists among the Courts of Appeals on this important federal question, I would grant certiorari to consider it.

No. 91-101. UNIVERSAL FOODS CORP. *v.* WISCONSIN LABOR & INDUSTRY REVIEW COMMISSION ET AL. Ct. App. Wis. Motion of respondent Damato for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 161 Wis. 2d 1, 467 N. W. 2d 793.

No. 91-124. SWOYER *v.* PENNSYLVANIA DEPARTMENT OF TRANSPORTATION. Commw. Ct. Pa. Motion of respondent for

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award of damages denied. Certiorari denied. Reported below: 142 Pa. Commw. 1, 599 A. 2d 710.

No. 91-184. *WATKINS v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 921 F. 2d 285.

No. 91-354. *IN RE STOLLER*. Sup. Ct. Ill. Motion of petitioner to disqualify respondent's counsel denied. Certiorari denied.

No. 91-5587. *WHITE v. BELL ATLANTIC CORP. ET AL.* C. A. 4th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 929 F. 2d 695.

Rehearing Denied

No. 90-1867. *CLAY v. EXCHANGE MUTUAL INSURANCE CO.*, 501 U. S. 1253. Petition for rehearing denied.

No. 90-1411. *BIBBS ET AL. v. MATANUSKA-SUSITNA BOROUGH, INC., ET AL.*, 499 U. S. 977; and

No. 90-1544. *HATCHETT v. UNITED STATES*, 501 U. S. 1223. Motions for leave to file petitions for rehearing denied.

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Certiorari Denied

No. 91-6079 (A-258). *MCDUGALL v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Mecklenburg County, N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

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Dismissal Under Rule 46

No. 91-5868. *SKILLMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 922 F. 2d 1370.

Certiorari Granted—Reversed. (See also No. 91-311, *ante*, p. 9.)

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Miscellaneous Orders

No. A-150. *TURNER v. RUNSER ET AL.* Super. Ct. Cal., Santa Clara County. Application for stay, addressed to JUSTICE WHITE and referred to the Court, denied.

No. D-1040. *IN RE DISBARMENT OF GAYNES.* It is ordered that Alex A. Gaynes, of Tuscon, 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-1041. *IN RE DISBARMENT OF SCHARF.* It is ordered that Justin Norbert Scharf, of Hagerstown, Md., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1042. *IN RE DISBARMENT OF MCLELLAN.* It is ordered that Donald H. McLellan, Jr., 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. 90-1038. *CIPOLLONE, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF CIPOLLONE v. LIGGETT GROUP, INC., ET AL.* C. A. 3d Cir. [Certiorari granted, 499 U. S. 935.] Case restored to calendar for reargument.

No. 90-1279. *COLLINS v. CITY OF HARKER HEIGHTS, TEXAS.* C. A. 5th Cir. [Certiorari granted, 499 U. S. 958.] Motion of petitioner to supplement the record granted.

No. 91-10. *SPECTRUM SPORTS, INC., ET AL. v. MCQUILLAN ET VIR, DBA SORBOTURF ENTERPRISES;* and

No. 91-32. *SORBOTURF, INC., ET AL. v. MCQUILLAN ET VIR, DBA SORBOTURF ENTERPRISES.* C. A. 9th Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 91-5785. *WOOD v. METROPOLITAN LIFE INSURANCE CO.* C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until November 12, 1991, within which to pay the docketing fee required by Rule 38(a) and

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to submit a petition in compliance with Rule 33 of the Rules of this Court.

JUSTICE STEVENS, 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*.

No. 91-5510. *IN RE ANDERSON, AKA IBRAHIM*. Petition for writ of mandamus denied.

Certiorari Granted

No. 90-8370. *MEDINA v. CALIFORNIA*. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 51 Cal. 3d 870, 799 P. 2d 1282.

Certiorari Denied

No. 90-8252. *HORTON v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 90-8294. *ZATKO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 90-8437. *BENSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 754, 802 P. 2d 330.

No. 90-8475. *GALLEGO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 115, 802 P. 2d 169.

No. 91-38. *ROMEY v. UNITED STATES*. Ct. Mil. App. Certiorari denied. Reported below: 32 M. J. 180.

No. 91-344. *BRIDGEPORT POLICE FOR EQUAL EMPLOYMENT OPPORTUNITY, INC., ET AL. v. BRIDGEPORT GUARDIANS, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 933 F. 2d 1140.

No. 91-345. *HOOSIER ENERGY RURAL ELECTRIC COOPERATIVE, INC. v. INDIANA DEPARTMENT OF STATE REVENUE*. Sup. Ct. Ind. Certiorari denied. Reported below: 572 N. E. 2d 481.

No. 91-348. *CRISMAN ET UX. v. ODECO, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 413.

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No. 91-353. *C. C. v. P. C. ET AL.* Sup. Ct. Wis. Certiorari denied. Reported below: 161 Wis. 2d 277, 468 N. W. 2d 190.

No. 91-358. *HUDSON v. LOUISIANA.* Ct. App. La., 5th Cir. Certiorari denied. Reported below: 570 So. 2d 504.

No. 91-360. *MISSOURI ET AL. v. JENKINS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 931 F. 2d 1273.

No. 91-366. *DEMPSEY v. TOWN OF BRIGHTON, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 648.

No. 91-370. *PERRY v. SCHULZE.* C. A. 9th Cir. Certiorari denied.

No. 91-376. *BOSSIO ET AL. v. GENERAL MOTORS CORP. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 269.

No. 91-384. *IN RE COHRAN.* Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 277, 403 S. E. 2d 811.

No. 91-386. *PETRONE v. WISCONSIN.* Sup. Ct. Wis. Certiorari denied. Reported below: 161 Wis. 2d 530, 468 N. W. 2d 676.

No. 91-387. *TIDMORE OIL Co., INC. v. BP OIL Co./GULF PRODUCTS DIVISION OF BP OIL Co.* C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 1384.

No. 91-394. *NEAL v. HAWLEY, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 91-415. *WONDERWHEEL ET AL. v. MENDOCINO COUNTY, CALIFORNIA, SUPERIOR COURT, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 934 F. 2d 325.

No. 91-430. *WELLMAN v. WELLMAN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 933 F. 2d 215.

No. 91-450. *HINTON v. UNITED STATES;* and

No. 91-5766. *MITCHELL v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1288.

No. 91-460. *THOMAS v. DEPARTMENT OF THE NAVY.* C. A. Fed. Cir. Certiorari denied. Reported below: 935 F. 2d 281.

No. 91-463. *IDONE ET AL. v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 553.

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No. 91-482. *ROCA-SUAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 91-5005. *JORDAN ET AL. v. THOMAS, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 903.

No. 91-5047. *KELLEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 929 F. 2d 582.

No. 91-5191. *BLADE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 806 P. 2d 841.

No. 91-5297. *BUTLER v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 91-5321. *BAGBY v. KUHLMANN, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 131.

No. 91-5336. *BEASLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1021.

No. 91-5469. *MERIT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1003.

No. 91-5505. *HILL v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 91-5595. *SCHLICHER v. ROBERTS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 934 F. 2d 326.

No. 91-5605. *LAWRENCE v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 437 Mich. 1027.

No. 91-5610. *DOYLE v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 922 F. 2d 646.

No. 91-5616. *SUEING v. BROWN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 271.

No. 91-5618. *VEY v. CASEY*. C. A. 3d Cir. Certiorari denied.

No. 91-5619. *LAVERS v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 168 Ariz. 376, 814 P. 2d 333.

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No. 91-5624. *COOPER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 210 Ill. App. 3d 427, 569 N. E. 2d 144.

No. 91-5627. *FERRELL v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 115, 401 S. E. 2d 741.

No. 91-5633. *COTTON v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 91-5638. *MIKESELL v. MORGAN, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION*. C. A. 3d Cir. Certiorari denied.

No. 91-5645. *DEMETER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-5647. *CORONADO v. LEFEVRE, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-5654. *NITZ v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 143 Ill. 2d 82, 572 N. E. 2d 895.

No. 91-5683. *HILL v. LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 340.

No. 91-5687. *HOLSEY v. PREVENTIVE HEALTH PROGRAM*. C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 596.

No. 91-5694. *FERGUSON v. GIANT FOODS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 914 F. 2d 1490.

No. 91-5701. *PERCY v. VERMONT*. Sup. Ct. Vt. Certiorari denied. Reported below: 156 Vt. 468, 595 A. 2d 248.

No. 91-5708. *DIAZ v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 91-5723. *RIVERA v. BLACKWELL, SUPERINTENDENT, EDNA MAHAN CORRECTIONAL FACILITY FOR WOMEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-5736. *NEWLUN v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 227 Cal. App. 3d 1590, 278 Cal. Rptr. 550.

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No. 91-5756. *BORCHERS v. UNITED STATES* (two cases). C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1280.

No. 91-5770. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 584.

No. 91-5774. *EDWARDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 923 F. 2d 849.

No. 91-5790. *TREMBLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 925.

No. 91-5794. *POUNDS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1291.

No. 91-5795. *NEVELS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5800. *WINT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 664.

No. 91-5807. *AINSWORTH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 358.

No. 91-5808. *BILAL v. LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 91-5813. *HARRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 53.

No. 91-5814. *HAMELL, AKA HAMELL-EL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 931 F. 2d 466.

No. 91-5823. *RICE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1017.

No. 91-5824. *ORTIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 581.

No. 91-5825. *McHAYLE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 574.

No. 91-5826. *MIRANDA-ORTIZ, AKA PACHECO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 926 F. 2d 172.

No. 91-5847. *RAFFAELE v. MURDOCK ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 913.

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No. 91-5849. CAMPBELL ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 39.

No. 91-5851. MOORE *v.* STOCK, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 578.

No. 91-5856. WILLIAMS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1208.

No. 91-5857. PORTER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1204.

No. 91-5858. BROWN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 276.

No. 91-5860. HODGE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 933 F. 2d 1002.

No. 91-5861. GARCIA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1283.

No. 91-5864. BARKER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1325.

No. 91-5867. WERTS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 57.

No. 91-5869. TYLER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 1210.

No. 91-5874. CONTRERAS *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 1058.

No. 91-5877. ARMSTRONG *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 570.

No. 91-5882. CULBERTSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1016.

No. 91-5921. GANNON *v.* LEWIS ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 896.

No. 90-1668. TEXAS *v.* STEPHENS. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 806 S. W. 2d 812.

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No. 90-8407. *STROZIER v. NEWSOME, WARDEN*. C. A. 11th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 926 F. 2d 1100.

No. 91-355 (A-243). *MCNAMEE ET AL. v. STATE BAR COURT FOR THE STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied. Certiorari denied.

No. 91-5473. *PENSINGER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 1210, 805 P. 2d 899.

JUSTICE O'CONNOR, with whom JUSTICE KENNEDY joins, dissenting.

Petitioner claims that the California Supreme Court reviewed his death sentence in a manner inconsistent with this Court's holding in *Clemons v. Mississippi*, 494 U. S. 738 (1990). I agree; I would grant the petition, vacate petitioner's death sentence, and remand to the California Supreme Court.

At the guilt phase of a capital trial in California, the trier of fact determines whether the "special circumstances" alleged by the prosecution are true. Cal. Penal Code Ann. § 190.1(a) (West 1988). At the penalty phase, the trier of fact weighs any aggravating circumstances, including the special circumstances found to be true, against any mitigating circumstances. § 190.3.

At petitioner's trial, the jury found the existence of two special circumstances—that the murder was committed in the course of a kidnaping, and that the murder was accompanied by the infliction of torture. The California Supreme Court reversed the jury's finding as to the special circumstance of torture, because the jury was not instructed that the circumstance required proof of intent to torture. 52 Cal. 3d 1210, 1255, 805 P. 2d 899, 921 (1991). The court expressly found that the instructional error was not harmless, in light of the parties' failure to focus at trial on the issue of petitioner's intent to torture and because the evidence of such intent was not overwhelming. *Ibid.* The court nevertheless upheld the death sentence. In a single paragraph added to the opinion two months after it was published, the court reasoned: "[T]he evidence of the shocking nature of the attack on the infant victim was properly before the jury. The erroneous special circumstance finding was only a 'statutory label' which

could not have affected the verdict in light of the evidence properly before the jury.” 52 Cal. 3d, at 1272, 805 P. 2d, at 933.

In my view, such cursory review is clearly insufficient under *Clemons*. Mississippi, like California, requires its juries to weigh aggravating and mitigating circumstances. In *Clemons*, the jury had considered an aggravating circumstance we assumed to be unconstitutionally vague—that the murder was “‘especially heinous, atrocious, or cruel.’” 494 U.S., at 743. We held that the Mississippi Supreme Court could excise the erroneously considered aggravating circumstance and reweigh the evidence on its own; we did not require the court to remand for reweighing by the jury. *Id.*, at 750. We also permitted the Mississippi Supreme Court to determine whether the jury would beyond a reasonable doubt have imposed the death sentence even in the absence of the error. *Id.*, at 752. But because it was not clear whether the Mississippi Supreme Court had actually performed an independent reweighing of the evidence, and because the court had not engaged in a sufficient harmless error analysis based on the record, we vacated *Clemons*’ death sentence and remanded, so that the Mississippi Supreme Court could choose one course or the other. *Id.*, at 751–754.

I would do the same here. The California Supreme Court did not reweigh the aggravating and mitigating circumstances. The court instead appears to have chosen *Clemons*’ second option, harmless error analysis. Rather than reviewing the record, however, to determine whether the jury would beyond a reasonable doubt have imposed the death sentence given a finding of one special circumstance rather than two, the California Supreme Court upheld the sentence based solely on the fact that the error did not alter the mix of evidence weighed by the jury at the penalty phase. This holding is irreconcilable with *Clemons*: The unconstitutional vagueness of the “especially heinous” instruction did not change the mix of evidence presented to the jury in that case either, but that fact alone did not support a finding of harmlessness. The California Supreme Court’s conclusion, moreover, makes little sense: *All* jury instruction errors would be harmless under this reasoning, because none of them add to or subtract from the evidence considered by the jury.

In a different case, the California Supreme Court’s brief discussion of this issue might be interpreted as a finding that the evidence of torture was so overwhelming that the instructional error

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was harmless, because a properly instructed jury would beyond a reasonable doubt have found the existence of the torture special circumstance. Here, however, the California Supreme Court explicitly *refused* to make such a finding. The decision below can only be interpreted as concluding that the invalidation of a special circumstance—in this case, one out of only two—is harmless whenever the same mix of evidence would have been presented to the jury in the error’s absence. Because this conclusion cannot be squared with *Clemons*, I would vacate petitioner’s death sentence and direct the California Supreme Court to review that sentence under the appropriate standard.

No. 91–5542. *LEBBOS v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Motions for leave to file briefs as *amici curiae* filed by the following are granted: Roger Bartels, Barry Dale Ammon, Ronald Z. Berki, Raymond Dunn, Harold Rauch, John B. Gunn, Reginald Shinn, and John Rakus. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied. Certiorari denied. Reported below: 53 Cal. 3d 37, 806 P. 2d 317.

OCTOBER 30, 1991

Miscellaneous Order

No. A–267. *AMERICAN NEWSPAPER PUBLISHERS ASSN. ET AL. v. UNITED STATES ET AL.* Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. JUSTICE O’CONNOR took no part in the consideration or decision of this application.

NOVEMBER 1, 1991

Miscellaneous Order. (For Court’s order making allotment of Justices, see *ante*, p. IV.)

NOVEMBER 4, 1991

Vacated and Remanded on Appeal

No. 91–337. *SHEHEEN, SPEAKER OF THE HOUSE OF REPRESENTATIVES OF SOUTH CAROLINA v. TISDALE ET AL.* Appeal from D. C. S. C. Judgment vacated and case remanded with instructions to dismiss the appeal as moot. *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950). Reported below: 777 F. Supp. 1270.

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Miscellaneous Orders. (See also Nos. 91-5052, 91-5111, 91-5166, 91-5167, 91-5244, 91-5246, 91-5307, 91-5331, 91-5332, 91-5401, 91-5416, 91-5476, 91-5583, 91-5594, 91-5692, 91-5730, and 91-5732, *ante*, p. 16.)

No. A-316 (91-6255). *SIGGERS ET AL. v. TUNICA COUNTY BOARD OF SUPERVISORS ET AL.* D. C. N. D. Miss. Application for injunction and stay pending appeal, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

JUSTICE BLACKMUN, with whom JUSTICE STEVENS and JUSTICE O'CONNOR join, dissenting.

I would grant the stay. In my judgment, appellants have shown both a reasonable likelihood that four Justices will vote to note probable jurisdiction as well as a "fair prospect" of success on the merits. *Lucas v. Townsend*, 486 U. S. 1301, 1304 (1988) (KENNEDY, J., in chambers). In addition, I think the equities favor the appellants. See *id.*, at 1305.

On May 14, 1991, the county submitted a reapportionment plan to the Attorney General for preclearance under § 5 of the Voting Rights Act of 1965. That section provides that if the Attorney General does not object to a proposed plan within 60 days, the plan is deemed approved. See 42 U. S. C. § 1973c.

On June 24, the Department of Justice requested additional information. On July 12, 59 days after the county originally submitted its preclearance request, the Chief of the Justice Department's Voting Rights Section dispatched a letter to appellee announcing that

"the sixty-day period for the changes now before us will now run concurrently with receipt of all the supplemental information. Therefore, by September 3, 1991, we will make a determination on the instant changes. See the Procedures for the Administration of Section 5 (28 C. F. R. 51.39)."

On September 3, the Justice Department denied preclearance, finding that the county had not met its burden of showing that its redistricting and electoral plan "has neither a discriminatory purpose nor a discriminatory effect."

On September 13, a three-judge District Court denied appellants' motion for an injunction. Appellants filed their request for injunctive relief in this Court on October 13. Due to an error in

the Clerk's Office of this Court, the filing was not renewed here until October 31.

Section 5 requires political subdivisions to obtain either judicial or administrative preclearance before implementing a voting change. "If voting changes subject to § 5 have not been precleared, § 5 plaintiffs are entitled to an injunction prohibiting the [political subdivision] from implementing the changes." *Clark v. Roemer*, 500 U. S. 646, 652–653 (1991).

The District Court ignored this clear directive because it erroneously believed that the plan was precleared by the Attorney General's failure to interpose an objection within 60 days. Within the original 60-day period, the Attorney General requested additional information, which reset the 60-day clock under § 5. We have upheld the Attorney General's authority to extend the time for consideration. *Georgia v. United States*, 411 U. S. 526, 539–541 (1973). Therefore, the Attorney General's September 3 objections were interposed in a timely fashion, and the plan was not precleared.

The District Court also erred in declining to enjoin the election on the grounds that substantial resources had already been expended. We rejected that argument last Term in *Clark v. Roemer*. The facts that the electoral process already had begun and candidates had expended time and resources on the election are not persuasive reasons to depart from § 5's preclearance mandate. *Clark*, 500 U. S., at 653.

The equities, in my view, also balance in favor of appellants. The Department of Justice argues that we should not grant the application for an injunction, although the District Court erred in refusing to enjoin the election, because appellants delayed too long in filing their motion to enjoin.

In July when it became apparent that Tunica County intended to move ahead with the election despite the Department of Justice's July 12 letter informing them of an ongoing investigation, appellants filed for a temporary restraining order in District Court. After the September 3 denial of preclearance, appellants immediately sought a preliminary injunction. After the September 13 decision of the three-judge District Court, appellants filed a motion for injunctive relief in this Court within 30 days. Appellants have displayed no lack of diligence in challenging this election.

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Indeed, it is the county that has contributed substantially to the injury that will be caused by enjoining the election at this late date. The parties and candidates had notice on June 24 and again on July 12 that the Department of Justice was concerned, and that preclearance might not be forthcoming on September 3. Since September 3 they have known that the Department of Justice did not preclear the election. Despite this notice, the county continued with election preparations. The mere passage of time does not create a balance of equities in the county's favor in the face of the county's failure to comply with the requirements of the Voting Rights Act of 1965.

For the foregoing reasons, I would grant the application for an injunction.

No. D-984. IN RE DISBARMENT OF FLINN. Motion for reinstatement denied. [For earlier order herein, see, *e.g.*, 500 U. S. 950.]

No. D-1023. IN RE DISBARMENT OF MATNEY. Disbarment entered. [For earlier order herein, see 501 U. S. 1268.]

No. D-1024. IN RE DISBARMENT OF MOORCONES. Disbarment entered. [For earlier order herein, see 501 U. S. 1268.]

No. D-1025. IN RE DISBARMENT OF BOXER. Disbarment entered. [For earlier order herein, see 501 U. S. 1269.]

No. D-1026. IN RE DISBARMENT OF GALLAGHER. Disbarment entered. [For earlier order herein, see 501 U. S. 1269.]

No. D-1043. IN RE DISBARMENT OF FRAZER. It is ordered that Burnett Merrell Frazer, Jr., of Austin, 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-1044. IN RE DISBARMENT OF WEISENSEE. It is ordered that Lawrence Anthony Weisensee, of Duluth, Ga., 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-1045. IN RE DISBARMENT OF COHEN. It is ordered that Ronald Marvin Cohen, of Encino, Cal., be suspended from the practice of law in this Court and that a rule issue, returnable

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within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1046. *IN RE DISBARMENT OF JENKINS*. It is ordered that Andrew James Jenkins, of Deer Park, 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. 90-889. *KING v. ST. VINCENT'S HOSPITAL*. C. A. 11th Cir. [Certiorari granted, 498 U. S. 1081.] Motion of the Solicitor General for leave to file a supplemental brief after argument granted. JUSTICE THOMAS took no part in the consideration or decision of this motion.

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. [Certiorari granted, 499 U. S. 958.] Motion of John F. Knight, Jr., et al. for leave to file a brief as *amici curiae* denied.

No. 90-1596. *ROBERTSON, CHIEF, UNITED STATES FOREST SERVICE, ET AL. v. SEATTLE AUDUBON SOCIETY ET AL.* C. A. 9th Cir. [Certiorari granted, 501 U. S. 1249.] Motion of Public Citizen for leave to file a brief as *amicus curiae* granted.

No. 90-1599. *UNITED STATES v. FELIX*. C. A. 10th Cir. [Certiorari granted, *ante*, p. 806.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 91-42. *UNITED STATES v. BURKE ET AL.* C. A. 6th Cir. [Certiorari granted, *ante*, p. 806.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 91-164. *UNITED STATES v. THOMPSON/CENTER ARMS CO.* C. A. Fed. Cir. [Certiorari granted, *ante*, p. 807.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 90-1745. *UNITED STATES v. WILSON*. C. A. 6th Cir. [Certiorari granted, *ante*, p. 807.] Motion for appointment of counsel granted, and it is ordered that Henry A. Martin, Esq., of Nashville, Tenn., be appointed to serve as counsel for respondent in this case.

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No. 91-5759. *MATTIZA v. TEXAS*. Ct. App. Tex., 14th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until November 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 BLACKMUN 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. 91-5788. *IN RE JOHNSON*. App. Ct. Mass. Petition for writ of common-law certiorari denied. Reported below: 30 Mass. App. 1102, 566 N. E. 2d 117.

No. 91-6044. *IN RE REESE*; and

No. 91-6046. *IN RE BROWN-EL*. Petitions for writs of habeas corpus denied.

No. 91-6029. *IN RE DEMPSEY*. Petition for writ of mandamus denied.

No. 91-5556. *IN RE ANDERSON*. Petition for writ of mandamus denied. JUSTICE THOMAS took no part in the consideration or decision of this petition.

Certiorari Granted

No. 90-1846. *DENTON, DIRECTOR OF CORRECTIONS OF CALIFORNIA, ET AL. v. HERNANDEZ*. C. A. 9th Cir. Certiorari granted. Reported below: 929 F. 2d 1374.

No. 91-372. *GEORGIA v. MCCOLLUM ET AL.* Sup. Ct. Ga. Certiorari granted. Reported below: 261 Ga. 473, 405 S. E. 2d 688.

Certiorari Denied. (See also No. 91-5788, *supra*.)

No. 90-1412. *ALABAMA HIGHWAY DEPARTMENT v. BOONE, ADMINISTRATRIX OF THE ESTATE OF BOONE, ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 572 So. 2d 389.

No. 90-1881. *FRANKLIN FEDERAL SAVINGS BANK ET AL. v. DIRECTOR, OFFICE OF THRIFT SUPERVISION, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 927 F. 2d 1332.

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No. 90-8374. *PEOPLES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 925 F. 2d 1082.

No. 90-8502. *BRIGGMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 705.

No. 91-85. *SPARKS v. SUPERIOR COURT OF THE CITY AND COUNTY OF SAN FRANCISCO (CITY AND COUNTY OF SAN FRANCISCO, REAL PARTY IN INTEREST)*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-110. *FIELDS v. HARTFORD CASUALTY INSURANCE CO.* C. A. 5th Cir. Certiorari denied. Reported below: 926 F. 2d 501.

No. 91-208. *KITOWSKI, PERSONAL REPRESENTATIVE OF THE ESTATE OF MIRECKI, DECEASED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1526.

No. 91-216. *MATTHEWS v. GREENEVILLE LIGHT & POWER SYSTEM ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 968.

No. 91-229. *ACTION ALLIANCE OF SENIOR CITIZENS OF GREATER PHILADELPHIA ET AL. v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 289 U. S. App. D. C. 192, 930 F. 2d 77.

No. 91-233. *LAWRENCE ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 934 F. 2d 868.

No. 91-244. *BARNES ET AL. v. LACY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 927 F. 2d 539.

No. 91-245. *STEIN v. BOARD OF REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 169 App. Div. 2d 857, 564 N. Y. S. 2d 585.

No. 91-250. *BLANK ET AL. v. BETHLEHEM STEEL CORP. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 926 F. 2d 1090.

No. 91-256. *GOTTI ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 928 F. 2d 1289.

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No. 91-273. *ALTRAN CORP. v. FORD MOTOR Co.* C. A. 3d Cir. Certiorari denied. Reported below: 930 F. 2d 277.

No. 91-276. *ENVIRODYNE INDUSTRIES, INC. v. LUMPKIN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 933 F. 2d 449.

No. 91-294. *MARYLAND HIGHWAY CONTRACTORS ASSN., INC. v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 933 F. 2d 1246.

No. 91-301. *WHITE v. LEIS, SHERIFF OF HAMILTON COUNTY, OHIO.* C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-363. *OLD SECOND NATIONAL BANK, TRUSTEE, ET AL. v. CITY OF AURORA.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 208 Ill. App. 3d 1110, 605 N. E. 2d 744.

No. 91-364. *ARNOLD v. CONSOLIDATED RAIL CORPORATION.* C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 269.

No. 91-368. *BROWN v. BROWN ET UX.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 207 Ill. App. 3d 139, 565 N. E. 2d 312.

No. 91-373. *FIGUEROA VIVAS v. PUERTO RICO OFFICE OF THE SPECIAL PROSECUTOR.* Sup. Ct. P. R. Certiorari denied. Reported below: 128 D. P. R. —.

No. 91-379. *AMERICAN ECONOMY INSURANCE Co. ET AL. v. SMITH ET VIR.* Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 794 S. W. 2d 574.

No. 91-389. *KERPELMAN v. ATTORNEY GRIEVANCE COMMISSION OF MARYLAND.* Ct. App. Md. Certiorari denied. Reported below: 323 Md. 136, 591 A. 2d 516.

No. 91-390. *NORDSTROM v. NORDSTROM.* Ct. App. Wash. Certiorari denied. Reported below: 60 Wash. App. 1044.

No. 91-396. *GALBREATH v. HARRIS ET UX.* Ct. App. Tenn. Certiorari denied. Reported below: 811 S. W. 2d 88.

No. 91-398. *FIRST SOUTHERN INSURANCE Co. v. MASSEY.* C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1296.

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No. 91-403. *BROWN v. CURATORS OF THE UNIVERSITY OF MISSOURI*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 809 S. W. 2d 64.

No. 91-405. *CITY OF JERSEY CITY ET AL. v. REDFIELD*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 598.

No. 91-407. *SCHOONOVER v. KLAMATH COUNTY, OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 105 Ore. App. 611, 806 P. 2d 156.

No. 91-408. *ANDERSON v. UNITED TELEPHONE COMPANY OF KANSAS*. C. A. 10th Cir. Certiorari denied. Reported below: 933 F. 2d 1500.

No. 91-409. *NAVARRO v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 207 Ill. App. 3d 1108, 604 N. E. 2d 581.

No. 91-412. *ROSENBAUM v. ROSENBAUM*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 207 Ill. App. 3d 1111, 604 N. E. 2d 583.

No. 91-417. *QUIROGA v. HASBRO, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 934 F. 2d 497.

No. 91-418. *AEROVIAS NACIONALES DE COLOMBIA, S. A., ET AL. v. CALDERON, PERSONAL REPRESENTATIVE OF THE ESTATE OF CALDERON, DECEASED, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 929 F. 2d 599.

No. 91-419. *SOMMER, AN INFANT, BY SOMMER, HIS MOTHER v. BENNETT, INDIVIDUALLY, AND GUARDIAN AD LITEM FOR SOMMER, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 956.

No. 91-421. *HANFT v. CAMAR REALTY CORP.* Ct. App. N. Y. Certiorari denied. Reported below: 77 N. Y. 2d 939, 572 N. E. 2d 53.

No. 91-422. *IN RE HODGE*. Ct. App. N. Y. Certiorari denied.

No. 91-425. *O'QUINN ET AL. v. RYALS, INDIVIDUALLY, AND DBA RYALS RENTALS, ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 580 So. 2d 1140.

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No. 91-426. *WELTMAN v. SILNA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 936 F. 2d 358.

No. 91-433. *CAMPBELL v. SCHWARTZ, GRIEVANCE ADMINISTRATOR, MICHIGAN ATTORNEY GRIEVANCE COMMISSION.* Sup. Ct. Mich. Certiorari denied. Reported below: 437 Mich. 1250.

No. 91-435. *McKNIGHT v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 91-438. *KROLL v. BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS.* C. A. 7th Cir. Certiorari denied. Reported below: 934 F. 2d 904.

No. 91-440. *GOLDBERG & FELDMAN FINE ARTS, INC., ET AL. v. AUTOCEPHALOUS GREEK-ORTHODOX CHURCH OF CYPRUS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 91-442. *WILLIAMS v. CITY OF NORTHPORT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 903.

No. 91-445. *BOYD v. SCHILDKRAUT GIFTWARE CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 936 F. 2d 76.

No. 91-446. *CASTELLANO ET AL. v. BOARD OF TRUSTEES OF THE POLICE OFFICERS' VARIABLE SUPPLEMENTS FUND ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 937 F. 2d 752.

No. 91-449. *STRATAGENE v. HUSE ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 935 F. 2d 280.

No. 91-454. *DEVANEY v. XEROX CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 31.

No. 91-456. *ROSSY v. ROCHE PRODUCTS, INC.* C. A. 1st Cir. Certiorari denied. Reported below: 936 F. 2d 43.

No. 91-461. *FISHER SCIENTIFIC Co. v. COLGAN.* C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1407.

No. 91-462. *FERNANDEZ v. BANK OF AMERICA, NATIONAL TRUST & SAVINGS ASSN.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-467. *ELBAUM v. EBSCO INDUSTRIES, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 924.

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No. 91-476. *TOLEN v. KENTUCKY*. Cir. Ct. Ky., McCracken County. Certiorari denied.

No. 91-489. *OMAHA INDIAN TRIBE v. AGRICULTURAL & INDUSTRIAL INVESTMENT CO. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 933 F. 2d 1462.

No. 91-495. *WORLDWIDE CHURCH OF GOD ET AL. v. MCNAIR*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-504. *SOMERVILLE ET AL. v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied.

No. 91-507. *THOMPSON v. DISTRICT OF COLUMBIA ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 593 A. 2d 621.

No. 91-508. *FAHNESTOCK & Co., INC. v. WALTMAN*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 512.

No. 91-509. *KEELS v. WAITES ET AL.* Sup. Ct. S. C. Certiorari denied.

No. 91-514. *SNYDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 1090.

No. 91-516. *WHITE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 290 U. S. App. D. C. 269, 936 F. 2d 1326.

No. 91-525. *HANOVER v. RUCH*. Sup. Ct. Tenn. Certiorari denied. Reported below: 809 S. W. 2d 893.

No. 91-526. *VINCENT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 925 F. 2d 1458.

No. 91-541. *MANES v. NEW MEXICO*. Ct. App. N. M. Certiorari denied. Reported below: 112 N. M. 161, 812 P. 2d 1309.

No. 91-557. *FALKNER ET UX. v. RESOLUTION TRUST CORPORATION, AS RECEIVER FOR AMERIFIRST BANK, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 934 F. 2d 1264.

No. 91-564. *BUTCHER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-566. *UNDERWOOD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 1049.

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No. 91-584. *SOUTHERN PACIFIC TRANSPORTATION CO. ET AL. v. CITY OF LOS ANGELES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 922 F. 2d 498.

No. 91-5021. *SHOUPE v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 929 F. 2d 116.

No. 91-5023. *BOLDEN v. VIRGINIA.* Ct. App. Va. Certiorari denied. Reported below: 11 Va. App. 187, 397 S. E. 2d 534.

No. 91-5031. *NEAL v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 142 Ill. 2d 140, 568 N. E. 2d 808.

No. 91-5032. *MONSANTO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 924 F. 2d 1186.

No. 91-5180. *SIMPSON v. KENTUCKY.* Ct. App. Ky. Certiorari denied.

No. 91-5218. *WARNER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 64.

No. 91-5282. *MONSANTO ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 923 F. 2d 934.

No. 91-5318. *POLLARD v. MISSOURI.* Sup. Ct. Mo. Certiorari denied. Reported below: 807 S. W. 2d 498.

No. 91-5350. *CULBERSON v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 580 So. 2d 1136.

No. 91-5395. *DICKEY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 924 F. 2d 836.

No. 91-5406. *YOUNG v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 1060.

No. 91-5453. *NAGAC v. DERWINSKI, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 933 F. 2d 990.

No. 91-5460. *SCOTT v. ATTORNEY GENERAL OF THE UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 271.

No. 91-5467. *JENKINS v. DUGGER ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 925 F. 2d 1474.

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No. 91-5523. *JORDAN v. SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 890.

No. 91-5629. *PIKE v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 568 So. 2d 392.

No. 91-5630. *EVANS v. DOWD*. C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 739.

No. 91-5648. *WHITAKER v. BAY AREA RAPID TRANSIT DISTRICT*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-5650. *PERRY v. ALAMEDA COUNTY, CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 91-5658. *COOPER v. CORDERMAN ET AL.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 809 S. W. 2d 11.

No. 91-5659. *CHRISTOPHER v. McMACKIN, SUPERINTENDENT, MARION CORRECTIONAL INSTITUTION*. C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 967.

No. 91-5665. *REGINO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-5671. *CHATFIELD v. JOHNSON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 582.

No. 91-5674. *MCGILL v. NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 91-5678. *GILL v. GUPTON ET UX*. Ct. App. Ky. Certiorari denied.

No. 91-5684. *STRICKLER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 241 Va. 482, 404 S. E. 2d 227.

No. 91-5690. *SAUNDERS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 242 Va. 107, 406 S. E. 2d 39.

No. 91-5707. *GAGE v. BORG, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 577.

No. 91-5711. *FARRELL v. MCGINNIS, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 939 F. 2d 409.

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No. 91-5712. *MESSIH v. LEVINE ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 228 Cal. App. 3d 454, 278 Cal. Rptr. 825.

No. 91-5715. *BARNETT v. KAISER, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 933 F. 2d 1019.

No. 91-5717. *BILAL v. STEPHENS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 185.

No. 91-5718. *ABERCROMBIE v. BARBOUR, SUPERINTENDENT, TWIN RIVERS CORRECTIONS CENTER.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 408.

No. 91-5721. *TAXEY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 209 Ill. App. 3d 1108, 605 N. E. 2d 1158.

No. 91-5722. *WILLIAMS v. STATE FARM AUTOMOBILE INSURANCE CO.* Ct. App. Mich. Certiorari denied.

No. 91-5724. *HUNTER v. CLARK ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 934 F. 2d 856.

No. 91-5733. *JOHNSON v. GUSTE, ATTORNEY GENERAL OF LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 91-5737. *MARTIN v. VIRGINIA.* Sup. Ct. Va. Certiorari denied. Reported below: 242 Va. 1, 406 S. E. 2d 15.

No. 91-5743. *ELLIS v. BALTIMORE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT AND HOUSING OFFICE ET AL.* C. A. 4th Cir. Certiorari denied.

No. 91-5744. *AZIZ v. ST. LOUIS COUNTY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 728.

No. 91-5749. *JONES v. CHECKETT, DIRECTOR, MISSOURI DEPARTMENT OF SOCIAL SERVICES, DIVISION OF MEDICAL SERVICES.* C. A. 8th Cir. Certiorari denied.

No. 91-5751. *GROFF v. PEREZOUS ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-5754. *EDWARDS v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 91-5755. *MAXWELL v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-5757. *WHITAKER v. SALVATION ARMY ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-5758. *PRIDGEN v. BARNETT, ATTORNEY GENERAL OF NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1287.

No. 91-5765. *ZEIGLER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 580 So. 2d 127.

No. 91-5769. *LIN v. FORDHAM UNIVERSITY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 957.

No. 91-5775. *CLARKE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 811 S. W. 2d 99.

No. 91-5780. *HERNANDEZ v. CITY OF TEMPLE, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 889.

No. 91-5782. *JACKSON ET AL. v. WARD ET AL.* C. A. 5th Cir. Certiorari denied.

No. 91-5784. *MARINO v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 15 Kan. App. 2d xxxviii, 810 P. 2d 749.

No. 91-5786. *MYKJAALAND v. HICKEY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 925 F. 2d 1457.

No. 91-5792. *BROWN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 400 Pa. Super. 316, 583 A. 2d 805.

No. 91-5798. *LEE v. KEMPER GROUP, T/A LUMBERMEN'S MUTUAL INSURANCE CO., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 50.

No. 91-5799. *CORLEY v. KEOHANE, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 932 F. 2d 959.

No. 91-5801. *WILEY v. GIBSON ET AL.* Ct. App. Ind. Certiorari denied.

No. 91-5803. *TETER v. MISSOURI*. Sup. Ct. Mo. Certiorari denied.

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No. 91-5805. *BATES ET AL. v. FEDERAL LAND BANK OF WICHITA, KANSAS*. C. A. 10th Cir. Certiorari denied. Reported below: 932 F. 2d 975.

No. 91-5806. *HILL v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 91-5811. *TERRELL v. FAUVER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 51.

No. 91-5815. *SWIGART v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 478 N. W. 2d 641.

No. 91-5816. *STEWART v. NUTH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1287.

No. 91-5817. *TAYLOR v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 287, 404 S. E. 2d 255.

No. 91-5818. *HENDERSON v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 91-5819. *EVANS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 940 F. 2d 1539.

No. 91-5820. *JAMES v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 91-5821. *MELLAN FONSECA, AKA AVIDA MOSQUEDA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 927 F. 2d 597.

No. 91-5828. *MABSON v. OLD HICKORY CASUALTY INSURANCE Co., INC.* C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1014.

No. 91-5829. *MONTAGUE v. DEPARTMENT OF AGRICULTURE*. C. A. 3d Cir. Certiorari denied.

No. 91-5830. *RESTREPO ET UX. v. FIRST NATIONAL BANK OF DONA ANA COUNTY, NEW MEXICO*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 965.

No. 91-5831. *REID v. SCOTT, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 91-5833. *MALDONADO v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 569.

No. 91-5835. *REIDT v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. 9th Cir. Certiorari denied.

No. 91-5837. *SIMON v. BRENNAN*. C. A. 7th Cir. Certiorari denied. Reported below: 940 F. 2d 666.

No. 91-5838. *GLOVER v. LEONARDO, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1277.

No. 91-5841. *BUSH v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 937 F. 2d 623.

No. 91-5846. *PAYTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 91-5865. *CUMMINGS v. UNITED STATES*; and

No. 91-5925. *CUMMINGS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 941.

No. 91-5870. *SIMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 574.

No. 91-5871. *WAGNER v. WILLIFORD, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 931 F. 2d 58.

No. 91-5873. *FISHER v. GRAYSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 91-5875. *BARNES v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 87, 946 F. 2d 1567.

No. 91-5883. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 584.

No. 91-5885. *GRAHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1442.

No. 91-5886. *ELLIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 580.

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No. 91-5890. *ROMERO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1317.

No. 91-5892. *MCMAHON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 91-5894. *PLAIR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 600.

No. 91-5895. *MOORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 91-5902. *ROSS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 937 F. 2d 1077.

No. 91-5906. *LIRIANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 585.

No. 91-5907. *MAXTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 103.

No. 91-5913. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1288.

No. 91-5914. *RIVERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 957.

No. 91-5915. *PALACIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1482.

No. 91-5916. *ROWE v. DEPARTMENT OF THE ARMY*. C. A. D. C. Cir. Certiorari denied. Reported below: 289 U.S. App. D. C. 113, 928 F. 2d 1205.

No. 91-5919. *DEMES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 220.

No. 91-5924. *SEWELL v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1261.

No. 91-5926. *LUCAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 1210.

No. 91-5927. *MILLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 937 F. 2d 620.

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No. 91-5928. *KEATS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 937 F. 2d 58.

No. 91-5930. *ATRI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 936 F. 2d 292.

No. 91-5931. *ALCAZAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 580.

No. 91-5932. *ROJAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 268.

No. 91-5938. *MARTINEZ GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 30.

No. 91-5939. *RAMIREZ-ORTEGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 581.

No. 91-5941. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 944 F. 2d 1223.

No. 91-5942. *ELLZEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 492.

No. 91-5944. *PONCE DE LEON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 937 F. 2d 619.

No. 91-5945. *BARKDOLL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 617.

No. 91-5946. *BARNES v. ROLLINS, WARDEN, ET AL.*; and *TERRY v. ROLLINS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 913 (first case); 934 F. 2d 320 (second case).

No. 91-5948. *TAYLOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 786.

No. 91-5950. *DUNN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 1053.

No. 91-5951. *GOCHIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 929 F. 2d 629.

No. 91-5953. *GUNN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 570.

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No. 91-5954. *JUAREZ-FIERRO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 672.

No. 91-5959. *DASHNEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 532.

No. 91-5960. *BACHYNSKY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1349.

No. 91-5961. *WRIGHT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 728.

No. 91-5964. *MAKINDE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 663.

No. 91-5969. *MEDIOUS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 570.

No. 91-5983. *WHALEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 940 F. 2d 1027.

No. 91-5986. *PALMA-RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1482.

No. 91-5988. *COLSTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 936 F. 2d 312.

No. 91-5994. *WILTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 617.

No. 91-6004. *THOMAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 945 F. 2d 328.

No. 91-6008. *ALESSI v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1280.

No. 91-6009. *DIXON ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 603 and 604.

No. 91-6010. *DUGGAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 181.

No. 91-6011. *DAVIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 649.

No. 91-6028. *CHLUMSKY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 617.

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No. 91-6030. *GRABILL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 653.

No. 91-6031. *GROVES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 941 F. 2d 664.

No. 91-6034. *MICHEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 605.

No. 91-6036. *PENNINGTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 670.

No. 91-6040. *NOLLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 604.

No. 90-1828. *UNITED STATES v. DAILY ET AL.* C. A. 10th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 921 F. 2d 994.

No. 91-99. *CURTIS v. UNITED STATES*. Ct. Mil. App. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 32 M. J. 252.

No. 91-195. *UNITED STATES v. WHITNEY BENEFITS, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 926 F. 2d 1169.

No. 90-1835. *RUST ENGINEERING CO., INC. v. CAMPBELL*. C. A. 6th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE O'CONNOR would grant certiorari. Reported below: 927 F. 2d 603.

No. 90-1883. *NURSE MIDWIFERY ASSOCIATES ET AL. v. HENDERSONVILLE COMMUNITY HOSPITAL ET AL.* C. A. 6th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 918 F. 2d 605 and 927 F. 2d 904.

No. 91-293. *SOUTHERN PACIFIC TRANSPORTATION CO. v. HERNANDEZ*. Ct. App. Tex., 4th Dist. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 804 S. W. 2d 557.

No. 91-431. *MURPHY v. KLEIN TOOLS, INC.* C. A. 10th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 935 F. 2d 1127.

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No. 90–1974. *SPARKS v. CHURCHILL DOWNS ET AL.* Ct. App. Ky. Certiorari denied. It is further ordered that a rule issue, returnable within 40 days, requiring petitioner to show cause why he should not be sanctioned in the amount of \$1,000 for falsifying Exhibits 1 and 3 to his petition. JUSTICE THOMAS took no part in the consideration or decision of this petition and this order.

No. 91–177. *SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS v. WOODS.* C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 923 F. 2d 1454.

No. 91–391. *KARIM v. BOYER.* C. A. 10th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 931 F. 2d 63.

No. 91–212 (A–263). *WESTERN PALM BEACH COUNTY FARM BUREAU, INC., ET AL. v. UNITED STATES ET AL.* C. A. 11th Cir. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied. Certiorari denied. Reported below: 922 F. 2d 704.

No. 91–282. *HALAS v. DEPARTMENT OF ENERGY.* C. A. Fed. Cir. Certiorari before judgment denied.

No. 91–470. *HODGE v. NEW YORK STATE DEPARTMENT OF EDUCATION ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 172 App. Div. 2d 891, 568 N. Y. S. 2d 188.

No. 91–5130. *SCOTT v. REARDON ET AL.* C. A. 9th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE KENNEDY would grant certiorari. Reported below: 922 F. 2d 845.

No. 91–5452. *HARRISON v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 289 U. S. App. D. C. 220, 931 F. 2d 65.

Assignment Order

An order of THE CHIEF JUSTICE designating and assigning Justice Brennan (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit dur-

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ing the period of November 22, 1991, and for such time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

NOVEMBER 7, 1991

Dismissal Under Rule 46

No. 90-1156. NEW ORLEANS PUBLIC SERVICE INC. *v.* COUNCIL OF THE CITY OF NEW ORLEANS ET AL. C. A. 5th Cir. [Certiorari granted, 499 U. S. 974.] Writ of certiorari dismissed under this Court's Rule 46.

Assignment Order

An order of THE CHIEF JUSTICE designating and assigning Justice Marshall (retired) to perform judicial duties in the United States Court of Appeals for the Federal Circuit during the period of November 8, 1991, and for such time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

NOVEMBER 11, 1991

Certiorari Denied

No. 91-6337 (A-335). GREEN *v.* COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE BLACKMUN and JUSTICE STEVENS would grant the application for stay of execution of sentence of death. Reported below: 947 F. 2d 1230.

NOVEMBER 12, 1991

Affirming in Part and Vacating in Part on Appeal

No. 91-434. WATKINS ET AL. *v.* MABUS, GOVERNOR OF MISSISSIPPI, ET AL. Appeal from D. C. S. D. Miss. Judgment affirmed except with respect to appellants' claim that the preclearance requirements of § 5 of the Voting Rights Act apply to the changes in the absentee ballot procedures adopted for the September 17 election ordered by the District Court. The completion of the September 17 election has rendered this claim moot with regard

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to the relief sought, *i. e.*, an order enjoining the September 17 election for failure to comply with preclearance requirements. Accordingly, we vacate that portion of the judgment below with instructions to dismiss the relevant part of the complaint. *Webster v. Reproductive Health Services*, 492 U.S. 490, 512–513 (1989); *United States v. Munsingwear, Inc.*, 340 U.S. 36, 39–40 (1950). JUSTICE BLACKMUN and JUSTICE STEVENS would note probable jurisdiction and set case for oral argument. Reported below: 771 F. Supp. 789.

Certiorari Granted—Vacated and Remanded

No. 91–5518. *KASHIF v. UNITED STATES*. C. A. 10th 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 the position presently asserted by the Solicitor General in his brief for the United States filed October 21, 1991. Reported below: 930 F. 2d 35.

Miscellaneous Orders

No. A–224. *HOANG v. SIMS ET AL.* Application for leave to file petition for writ of certiorari in excess of the page limitations and an oversized appendix, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. D–1028. *IN RE DISBARMENT OF WEBER*. Disbarment entered. [For earlier order herein, see 501 U.S. 1269.]

No. D–1047. *IN RE DISBARMENT OF KATZ*. It is ordered that Al Katz, of Buffalo, 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–1048. *IN RE DISBARMENT OF CANNAVINO*. It is ordered that Pasquale G. Cannavino, of Newport News, 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. 90–8370. *MEDINA v. CALIFORNIA*. Sup. Ct. Cal. [Certiorari granted, *ante*, p. 924.] Motion for appointment of counsel granted, and it is ordered that Michael Pescetta, Esq., of San Francisco, Cal., be appointed to serve as counsel for petitioner in this case.

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No. 91-381. ILLINOIS EX REL. OFFICE OF PUBLIC COUNSEL ET AL. *v.* ILLINOIS COMMERCE COMMISSION ET AL. Sup. Ct. Ill.;

No. 91-471. CHEMICAL WASTE MANAGEMENT, INC. *v.* HUNT, GOVERNOR OF ALABAMA, ET AL. Sup. Ct. Ala.; and

No. 91-5397. NEGONSOTT *v.* SAMUELS, WARDEN, ET AL. C. A. 10th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 91-5752. IN RE HESLOP. Petition for writ of mandamus denied.

No. 91-5908. IN RE VEY. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 91-122. PFZ PROPERTIES, INC. *v.* RODRIGUEZ ET AL. C. A. 1st Cir. Certiorari granted limited to Question 2 presented by the petition. Reported below: 928 F. 2d 28.

Certiorari Denied

No. 90-1712. NORTH CAROLINA *v.* SMITH. Sup. Ct. N. C. Certiorari denied. Reported below: 328 N. C. 161, 400 S. E. 2d 405.

No. 90-1768. WORK ET AL. *v.* TYSON FOODS, INC., ET AL.; and
No. 90-1774. TYSON FOODS, INC. *v.* WORK ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 921 F. 2d 1394.

No. 90-7495. STUMPF *v.* OHIO. Ct. App. Ohio, Guernsey County. Certiorari denied.

No. 90-8446. WILLIAMS *v.* ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 205 Ill. App. 3d 1109, 600 N. E. 2d 935.

No. 91-186. MID-OHIO COMMUNICATIONS, INC. *v.* FEDERAL COMMUNICATIONS COMMISSION. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 85, 946 F. 2d 1565.

No. 91-199. GAMBINO *v.* UNITED STATES; and

No. 91-439. MANNINO ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 926 F. 2d 1355.

No. 91-217. WASHINGTON DEPARTMENT OF NATURAL RESOURCES ET AL. *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 926 F. 2d 1502.

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No. 91-246. *SAMUELS, KRAMER & Co. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 975.

No. 91-260. *METZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 933 F. 2d 802.

No. 91-277. *ADD VENTURES, INC. v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1013.

No. 91-288. *KIM v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 931 F. 2d 52.

No. 91-314. *CHAMP CORP. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 688.

No. 91-317. *DELORENZO ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 887 and 888.

No. 91-318. *LELAND v. FEDERAL INSURANCE ADMINISTRATOR ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 524.

No. 91-338. *SANCHEZ ET AL. v. CITY OF SANTA ANA, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 1027.

No. 91-406. *SOUTHERN RAILWAY Co. v. WALLACE*. Sup. Ct. Va. Certiorari denied.

No. 91-443. *HODGE v. LAKE SHORE HOSPITAL, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1277.

No. 91-451. *NORRIS v. ALABAMA STATE BAR*. Sup. Ct. Ala. Certiorari denied. Reported below: 582 So. 2d 1034.

No. 91-459. *NELSON ET UX. v. PRODUCTION CREDIT ASSOCIATION OF THE MIDLANDS*. C. A. 8th Cir. Certiorari denied. Reported below: 930 F. 2d 599.

No. 91-465. *ACADEMY LIFE INSURANCE Co. v. GUILL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1286 and 1289.

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No. 91-484. *MICHIGAN ATTORNEY GRIEVANCE COMMISSION v. DOE #1*. C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 481.

No. 91-490. *GREENING v. MILLER, CHIEF JUSTICE, SUPREME COURT OF ILLINOIS, ET AL.* Sup. Ct. Ill. Certiorari denied.

No. 91-492. *PLYMALE v. FREEMAN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 930 F. 2d 919.

No. 91-496. *MAGYAR ET UX. v. OLAN ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-530. *PLEDGER, COMMISSIONER OF REVENUES OF ARKANSAS v. ILLINOIS TOOL WORKS, INC.* Sup. Ct. Ark. Certiorari denied. Reported below: 306 Ark. 134, 812 S. W. 2d 101.

No. 91-580. *KOLSTAD v. INTERNAL REVENUE SERVICE*. C. A. 5th Cir. Certiorari denied. Reported below: 928 F. 2d 171.

No. 91-598. *WICKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 284.

No. 91-602. *RENFROE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1283.

No. 91-622. *FOX v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 599.

No. 91-629. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1290.

No. 91-5015. *DOMINGUEZ-MESTAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 929 F. 2d 1379.

No. 91-5082. *HAYES v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 52 Cal. 3d 577, 802 P. 2d 376.

No. 91-5098. *SUAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 976.

No. 91-5205. *MONTILLA-DAVILA, AKA KHADAFI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1283.

No. 91-5226. *CONNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 1073.

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No. 91-5288. *TONNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 929 F. 2d 695.

No. 91-5394. *CAMPBELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 925 F. 2d 1473.

No. 91-5494. *NELSON v. UNITED STATES PAROLE COMMISSION ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1282.

No. 91-5507. *SODERLING ET AL. v. FEDERAL DEPOSIT INSURANCE CORPORATION ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-5572. *BETANCOURT-ARRETUCHE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 933 F. 2d 89.

No. 91-5581. *MORRIS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 53 Cal. 3d 152, 807 P. 2d 949.

No. 91-5602. *LEGER v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 208 Ill. App. 3d 333, 567 N. E. 2d 68.

No. 91-5738. *LEDET v. UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT*. C. A. 5th Cir. Certiorari denied.

No. 91-5746. *DANIELS v. BORG, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 273.

No. 91-5796. *CHESTER v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 526 Pa. 578, 587 A. 2d 1367.

No. 91-5812. *WHALEN ET AL. v. TOWN OF LIVERMORE, MAINE, ET AL.* Sup. Jud. Ct. Me. Certiorari denied. Reported below: 588 A. 2d 319.

No. 91-5834. *POLLOTTA v. MILES, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-5840. *AL-BARI, AKA WHITE v. COMPTON, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-5842. *ZUCKERMAN v. HADDEN, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 933 F. 2d 1002.

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No. 91-5844. *SCHAEFER v. STATE BOARD OF EQUALIZATION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1470.

No. 91-5848. *HOLMES v. SHEAHAN, COOK COUNTY SHERIFF, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 930 F. 2d 1196.

No. 91-5850. *REED v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 641.

No. 91-5853. *MOORE v. GARRAGHTY, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 932 F. 2d 963.

No. 91-5854. *HAMILTON v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 891.

No. 91-5855. *DIFFAY v. DIFFAY ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 207 Ill. App. 3d 1104, 604 N. E. 2d 577.

No. 91-5859. *JOHNSON v. PETSOCK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-5863. *BAUMAN ET AL. v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 204 Ill. App. 3d 813, 562 N. E. 2d 336.

No. 91-5876. *ABDUR-RAHMAN v. PIERON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 934 F. 2d 322.

No. 91-5879. *WILLIAMS v. DAVIS BOAT WORKS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 888.

No. 91-5880. *HARRIS v. GIST, JUDGE, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 569.

No. 91-5881. *CODY v. JABE, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 967.

No. 91-5889. *LUSK v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied. Reported below: 583 So. 2d 1035.

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No. 91-5898. *MILLER v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 610.

No. 91-5899. *GENTSCH v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 91-5900. *CLARK v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 562 N. E. 2d 11.

No. 91-5904. *ZICKL v. CARSON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 932 F. 2d 964.

No. 91-5905. *TYLER v. PEORIA COUNTY, ILLINOIS*. C. A. 7th Cir. Certiorari denied.

No. 91-5909. *WEST v. ARMONTROUT, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 91-5910. *SANDERS v. DETROIT POLICE DEPARTMENT*. Ct. App. Mich. Certiorari denied.

No. 91-5911. *MONTOYA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 810 S. W. 2d 160.

No. 91-5917. *PATTERSON v. COUGHLIN, COMMISSIONER, DEPARTMENT OF CORRECTIONAL SERVICES OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 91-5918. *MARTEL v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied.

No. 91-5935. *JOHNSON v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 1360.

No. 91-5980. *MARTINELLI v. CITY OF CLEVELAND POLICE DEPARTMENT*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 91-6015. *HUBERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 827.

No. 91-6035. *PRINCE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 938 F. 2d 1092.

No. 91-6051. *MOORE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 605.

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No. 91-6054. *BUSTAMANTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 903.

No. 91-6067. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1541.

No. 91-6068. *DUDLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1542.

No. 91-6072. *SAMUELS ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 1085.

No. 91-6073. *WRIGHT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 932 F. 2d 868.

No. 90-1628. *CUMMINS v. UNITED STATES*. C. A. 8th Cir.;

No. 91-5013. *TRIGG v. UNITED STATES*. C. A. 7th Cir.; and

No. 91-5087. *ENRIQUEZ-NEVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: No. 90-1628, 920 F. 2d 498; No. 91-5013, 925 F. 2d 1064; No. 91-5087, 931 F. 2d 890.

JUSTICE WHITE, dissenting.

In each of these cases, the petitioner has alleged that police used a traffic stop as a pretext for conducting a narcotics search. Gregory Cummins was stopped after he failed to proceed through an intersection when the traffic light turned green. 920 F. 2d 498 (CA8 1990). William Trigg was arrested for driving with a suspended license. 925 F. 2d 1064 (CA7 1991) (case below); *United States v. Trigg*, 878 F. 2d 1037 (CA7 1989). Mario Enriquez-Nevarez was pulled over after officers observed that his truck had a broken taillight. 931 F. 2d 890 (CA5 1991) (affirmance order). Each search led to the recovery of illegal drugs.

The Courts of Appeals for the Eighth, Seventh, and Fifth Circuits held that, because a reasonable police officer *could* have made the traffic stops, the evidence produced by the searches was admissible. See also *United States v. Causey*, 834 F. 2d 1179 (CA5 1987) (en banc). Cf. *United States v. Nersesian*, 824 F. 2d 1294 (CA2), cert. denied, 484 U. S. 958 (1987); *United States v. Hawkins*, 811 F. 2d 210 (CA3), cert. denied, 484 U. S. 833 (1987). The petitioners contend that the evidence should have been suppressed because no reasonable police officer *would* have made such traffic stops, and hence the stops were pretexts to investi-

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gate other crimes for which there were not grounds to stop. See *United States v. Guzman*, 864 F. 2d 1512 (CA10 1988); *United States v. Smith*, 799 F. 2d 704 (CA11 1986).

In recent months, this Court has denied review of at least two other cases raising pretextual search claims. See, *e. g.*, *Anderson v. Illinois*, *ante*, p. 824; *Hope v. United States*, 499 U. S. 983 (1991). I would grant certiorari to address this recurring issue and to resolve the split in the Courts of Appeals.

No. 91-312. *SIBEN ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 930 F. 2d 1034.

No. 91-441. *UNIROYAL, INC., ET AL. v. DUKE ET AL.* C. A. 4th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 928 F. 2d 1413.

No. 91-481. *BARIS ET AL. v. CALTEX PETROLEUM, INC., ET AL.* C. A. 5th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 932 F. 2d 1540.

No. 91-469. *PARAGOULD CABLEVISION, INC. v. CITY OF PARAGOULD ET AL.* C. A. 8th Cir. Motions of Warner Cable Communications, Inc., National Cable Television Association, Inc., and Tele-Communications, Inc., et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 930 F. 2d 1310.

No. 91-472. *STAMEY v. SOUTHERN BELL TELEPHONE & TELEGRAPH Co.* C. A. 11th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 932 F. 2d 978.

No. 91-480. *CARPENTERS SOUTHERN CALIFORNIA ADMINISTRATIVE CORP. v. EL CAPITAN DEVELOPMENT Co.* Sup. Ct. Cal. Motions of Sheet Metal Workers Trust Funds of Southern California et al., Laborers Health and Welfare Trust Fund for Northern California et al., U. A. Local No. 467 Pension Trust Fund et al., Laborers Health and Welfare Trust Fund for Southern California et al., and California Ironworkers Field Pension Trust et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 53 Cal. 3d 1041, 811 P. 2d 296.

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No. 91-483. DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER *v.* KENLEY. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 937 F. 2d 1298.

No. 91-498. NEW YORK CITY HOUSING AUTHORITY ET AL. *v.* OWENS. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 934 F. 2d 405.

No. 91-5264. RIVERS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 929 F. 2d 136.

No. 91-5639. MCNEIL ET AL. *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 290 U. S. App. D. C. 23, 933 F. 2d 1029.

No. 91-5952. HUNT *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. Reported below: 78 N. Y. 2d 932, 579 N. E. 2d 208.

JUSTICE WHITE, dissenting.

A key question in this case is whether the Double Jeopardy Clause applies to triallike sentence enhancement proceedings in noncapital cases. In *Bullington v. Missouri*, 451 U. S. 430 (1981), this Court held that the Clause was implicated in such proceedings in the capital context. We expressly declined to address the applicability of the Clause to noncapital sentence enhancement proceedings in *Lockhart v. Nelson*, 488 U. S. 33, 37, n. 6 (1988). The New York Court of Appeals in this case held that Double Jeopardy Clause principles did not preclude the State from seeking a second sentence enhancement after it failed to establish the requisite statutory predicate for enhancement in the first proceeding. 78 N. Y. 2d 932, 933, 579 N. E. 2d 208 (1991).

Other courts take the contrary view. See, *e. g.*, *Durosko v. Lewis*, 882 F. 2d 357, 359 (CA9 1989), cert. denied, 495 U. S. 907 (1990), and *Bullard v. Estelle*, 665 F. 2d 1347, 1361 (CA5 1982), vacated and remanded on other grounds, 459 U. S. 1139 (1983), both cases holding that double jeopardy analysis applies in sentence enhancement proceedings.

Because this division in authority should be resolved, I believe the Court should grant certiorari.

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Rehearing Denied

No. 90-7462. GORELIK *v.* NI INDUSTRIES, INC., ET AL., 500 U. S. 923;

No. 90-8021. DEMPSEY *v.* MASSACHUSETTS, *ante*, p. 901;

No. 91-193. KELLY *v.* HOLIDAY INN OF BLYTHEVILLE, *ante*, p. 865;

No. 91-5117. LITZENBERG *v.* MURPHY ET AL., *ante*, p. 876;

No. 91-5303. SCHLICHER *v.* ROBERTS ET AL., *ante*, p. 885;

No. 91-5403. ST. HILAIRE *v.* ARIZONA DEPARTMENT OF CORRECTIONS ET AL. (two cases), *ante*, p. 891; and

No. 91-5533. IN RE CYNTJE, *ante*, p. 806. Petitions for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of these petitions.

NOVEMBER 14, 1991

Certiorari Granted

No. 91-6382. SAWYER *v.* WHITLEY, WARDEN. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, granted. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 945 F. 2d 812.

NOVEMBER 18, 1991

Miscellaneous Orders

No. D-1031. IN RE DISBARMENT OF WADE. Disbarment entered. [For earlier order herein, see 501 U. S. 1274.]

No. D-1032. IN RE DISBARMENT OF BRILL. Disbarment entered. [For earlier order herein, see 501 U. S. 1274.]

No. D-1049. IN RE DISBARMENT OF BELTRE. It is ordered that Luis Oscar Beltre, of Paramus, 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-1050. IN RE DISBARMENT OF FRIEDMAN. It is ordered that Michael Friedman, of Los Alamitos, 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.

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No. D-1051. *IN RE DISBARMENT OF URROZ*. It is ordered that Luis F. Urroz, 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. D-1052. *IN RE DISBARMENT OF CAVACOS*. It is ordered that Theodore Andrew Cavacos, of Baltimore, Md., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1053. *IN RE DISBARMENT OF MICHALEK*. It is ordered that James J. Michalek, of Lackawanna, 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. 90-1846. *DENTON, DIRECTOR OF CORRECTIONS OF CALIFORNIA, ET AL. v. HERNANDEZ*. C. A. 9th Cir. [Certiorari granted, *ante*, p. 937.] Motion for appointment of counsel granted, and it is ordered that Richard W. Nichols, Esq., of Sacramento, Cal., be appointed to serve as counsel for respondent in this case.

No. 90-1947. *YEE ET AL. v. CITY OF ESCONDIDO, CALIFORNIA*. Ct. App. Cal., 4th App. Dist. [Certiorari granted, *ante*, p. 905.] Motion of petitioners to consolidate this case with No. 90-1824, *Palomar Mobilehome Park Assn. v. City of San Marcos, California*, denied.

No. 91-522. *SAUDI ARABIA ET AL. v. NELSON ET UX*. C. A. 11th Cir.; and

No. 91-540. *CHANCE v. SOUTH CAROLINA*. Sup. Ct. S. C. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 91-6084. *IN RE KARNA*. Petition for writ of mandamus denied.

Certiorari Granted

No. 91-453. *LUCAS v. SOUTH CAROLINA COASTAL COUNCIL*. Sup. Ct. S. C. Certiorari granted. Reported below: 304 S. C. 376, 404 S. E. 2d 895.

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No. 91-5843. SOCHOR *v.* FLORIDA. Sup. Ct. Fla. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Questions 2 and 4 presented by the petition. Reported below: 580 So. 2d 595.

Certiorari Denied

No. 90-1941. AKAKA ET AL. *v.* PRICE, AKA LOA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 824.

No. 90-8107. HUFFSTETLER *v.* NORTH CAROLINA. Sup. Ct. N. C. Certiorari denied. Reported below: 402 S. E. 2d 841.

No. 90-8398. DEKOVEN *v.* BROWN, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 140.

No. 91-176. R. V. DOCTOR ET AL. *v.* GENERAL ELECTRIC CAPITAL CORP. Ct. App. Ore. Certiorari denied. Reported below: 105 Ore. App. 414, 804 P. 2d 1231.

No. 91-240. JACKSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 926 F. 2d 763.

No. 91-324. MISSOURI ET AL. *v.* JENKINS ET AL. (two cases). C. A. 8th Cir. Certiorari denied. Reported below: 931 F. 2d 470 (first case); 942 F. 2d 487 (second case).

No. 91-377. FRIESON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 320.

No. 91-410. MUNOZ *v.* UNITED STATES. Ct. Mil. App. Certiorari denied. Reported below: 32 M. J. 359.

No. 91-436. BAIR *v.* UNITED STATES. Ct. Mil. App. Certiorari denied. Reported below: 32 M. J. 404.

No. 91-486. HECKMAN *v.* MCCULLION, REGISTRAR, OHIO BUREAU OF MOTOR VEHICLES. Ct. App. Ohio, Trumbull County. Certiorari denied.

No. 91-488. KPMG PEAT MARWICK ET AL. *v.* ABBEY ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 933 F. 2d 616.

No. 91-493. RICE ET UX. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 920.

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No. 91-500. *MATTEI ET AL. v. LABORERS COMBINED FUNDS OF WESTERN PENNSYLVANIA ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 402 Pa. Super. 486, 587 A. 2d 354.

No. 91-511. *DOW CHEMICAL, U. S. A. v. PINION ET UX.* C. A. 11th Cir. Certiorari denied. Reported below: 928 F. 2d 1522.

No. 91-513. *NORTHCUTT ET UX. v. FARM CREDIT BANK.* Ct. App. Okla. Certiorari denied. Reported below: 811 P. 2d 1368.

No. 91-517. *FORREST ET AL. v. WASHINGTON STATE ELECTRICAL CONTRACTORS ASSN., INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 736.

No. 91-518. *BRAHMS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 955.

No. 91-524. *WILSON v. KAUFFMAN.* Ct. App. Ind. Certiorari denied. Reported below: 563 N. E. 2d 610.

No. 91-528. *PICINIC v. SEATRAN LINES, INC., ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 169 App. Div. 2d 409, 564 N. Y. S. 2d 139.

No. 91-529. *ABUNDANT LIFE CHRISTIAN CENTRE, INC. v. MARKHAM, BROWARD COUNTY PROPERTY APPRAISER.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 575 So. 2d 1307.

No. 91-531. *KHASHOGGI v. NATIONAL DEVELOPMENT CO.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 253.

No. 91-534. *COLONEL v. BUTEAU ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 580 So. 2d 754.

No. 91-536. *BETHKE ET AL. v. BAKER MOTORS ET AL.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 91-539. *LORD v. FARM CREDIT BANK OF SAINT PAUL, FKA FEDERAL LAND BANK OF ST. PAUL, ET AL.* Sup. Ct. Wis. Certiorari denied. Reported below: 162 Wis. 2d 226, 470 N. W. 2d 265.

No. 91-559. *ROBINSON v. CLEVELAND STATE UNIVERSITY.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 969.

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No. 91-565. *ADAMS v. CITY OF DETROIT, MICHIGAN, ET AL.* Ct. App. Mich. Certiorari denied. Reported below: 184 Mich. App. 589, 458 N. W. 2d 903.

No. 91-607. *MCDONALD v. PIEDMONT AVIATION, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 930 F. 2d 220.

No. 91-623. *TAYLOR v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1203.

No. 91-639. *WOGAN v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 938 F. 2d 1446.

No. 91-5100. *CARROLL, AKA SHIYR v. MISSOURI.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 806 S. W. 2d 716.

No. 91-5257. *HOLLAND v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 925 F. 2d 1458.

No. 91-5362. *VISMAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 919 F. 2d 1390.

No. 91-5389. *COATS v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied.

No. 91-5501. *LINDSEY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 965.

No. 91-5502. *LINDSEY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 930 F. 2d 916.

No. 91-5514. *CLARK v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 91-5530. *HILL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1294.

No. 91-5559. *MOONEYHAM v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 938 F. 2d 139.

No. 91-5560. *PEREDES-MOYA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 928 F. 2d 665.

No. 91-5569. *JENNINGS v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 53 Cal. 3d 334, 807 P. 2d 1009.

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No. 91-5573. *HARPER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 1073.

No. 91-5597. *MCALLUM ET UX. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 891.

No. 91-5625. *ASTORRI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 91-5646. *SISSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5653. *JIMENEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 648.

No. 91-5680. *GENTRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 931 F. 2d 894.

No. 91-5691. *WHITE v. STONE, SECRETARY OF THE ARMY*. C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 321.

No. 91-5700. *BURKE v. UNITED STATES*; and
No. 91-5710. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 976.

No. 91-5734. *LAWHORN v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 581 So. 2d 1179.

No. 91-5768. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-5897. *ROBISON v. MAYNARD, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 922.

No. 91-5903. *HUBBERT v. ELKINS, DEPUTY WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 925 F. 2d 1463.

No. 91-5912. *HANRAHAN v. THIERET, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 933 F. 2d 1328.

No. 91-5920. *BROWN ET AL. v. KERR GLASS MANUFACTURING INC. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 273.

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No. 91-5923. *SHUMATE v. SIGNET BANK ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 320.

No. 91-5929. *TURNER v. SHIMODA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 580.

No. 91-5933. *HUITT v. EVANS, WARDEN.* C. A. 10th Cir. Certiorari denied.

No. 91-5934. *ZGURO v. COMMISSIONER OF THE MASSACHUSETTS DEPARTMENT OF VETERANS' SERVICES ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 30 Mass. App. 1111, 570 N. E. 2d 1049.

No. 91-5940. *COLEMAN v. DELAWARE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 596.

No. 91-5943. *HOGAN v. ARMONTROUT, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 187.

No. 91-5949. *TYLER v. ASHCROFT, GOVERNOR OF MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 729.

No. 91-5955. *JOHNSTON v. TORRES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1278.

No. 91-5956. *HARPER v. STENBERG, ATTORNEY GENERAL OF NEBRASKA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 189.

No. 91-5958. *FOX v. CUEVOS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 91-5963. *DEMOS v. SUPREME COURT OF WASHINGTON.* Ct. App. Wash. Certiorari denied.

No. 91-5970. *BOYD v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 811 S. W. 2d 105.

No. 91-5976. *RUSSELL v. CITY OF EAST POINT.* Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 213, 403 S. E. 2d 50.

No. 91-5978. *ROBINSON v. FERENCHIK ET AL.* Ct. App. Ohio, Stark County. Certiorari denied.

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No. 91-5979. *LYLE v. SAGINAW COUNTY CIRCUIT COURT STENOGRAPHER*. Ct. App. Mich. Certiorari denied.

No. 91-5982. *RICHARDSON v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 91-5992. *HUDSPETH v. HUDSPETH*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 672.

No. 91-6001. *WILLIAMS v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 271.

No. 91-6012. *BEARDSLEE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 53 Cal. 3d 68, 806 P. 2d 1311.

No. 91-6053. *MORALES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 396.

No. 91-6062. *NIELSEN v. SOCIETY OF THE NEW YORK HOSPITAL*. C. A. 2d Cir. Certiorari denied.

No. 91-6081. *YILDIRIM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1317.

No. 91-6083. *KIRBY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 932 F. 2d 868.

No. 91-6088. *WILLIAMSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-6089. *SNYDER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 617.

No. 91-6095. *BANDIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 669.

No. 91-6102. *HAYES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 581 So. 2d 121.

No. 91-6105. *LAUZON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 938 F. 2d 326.

No. 91-6108. *EVANS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 941 F. 2d 267.

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No. 91-6119. *MORTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 604.

No. 91-6124. *HERNANDEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 946 F. 2d 897.

No. 91-6125. *PARKER v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 590 A. 2d 504.

No. 91-6128. *BENARY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1003.

No. 91-6140. *DiLORETO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1203.

No. 91-6141. *ROGERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 911 F. 2d 740.

No. 91-6143. *EARL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 586.

No. 90-1173. *PUBLIC SERVICE COMPANY OF COLORADO ET AL. v. THOMPSON*. Sup. Ct. Colo. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 800 P. 2d 1299.

No. 91-153. *MARYLAND v. OWENS*. Ct. App. Md. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 322 Md. 616, 589 A. 2d 59.

No. 91-574. *SINGLETERY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS v. JACKSON*. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 931 F. 2d 712.

No. 91-485. *PIERRE v. CONNECTICUT GENERAL LIFE INSURANCE CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 1552.

JUSTICE WHITE, with whom JUSTICE BLACKMUN joins, dissenting.

This lawsuit stems from a denial of accident insurance benefits by the administrator of an Employee Retirement Income Security Act of 1974 (ERISA) plan. See 88 Stat. 891, 29 U.S.C. § 1132 (a)(1)(B). In *Firestone Tire & Rubber Co. v. Bruch*, 489 U. S. 101,

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115 (1989), we reasoned that “the validity of a claim to benefits under an ERISA plan is likely to turn on the interpretation of terms in the plan” and therefore held that decisions of a plan administrator concerning eligibility for benefits ordinarily should be subject to *de novo* review.

Since our decision in *Bruch*, a disagreement has developed in the Courts of Appeals concerning the standard of review to be applied when a benefits decision turns on the facts of the case, rather than the interpretation of the terms in the ERISA plan. The Third and Fourth Circuits have held that a decision of a plan administrator should be reviewed *de novo*. *Luby v. Teamsters Health, Welfare, and Pension Trust Funds*, 944 F. 2d 1176 (CA3 1991); *Reinking v. Philadelphia American Life Ins. Co.*, 910 F. 2d 1210 (CA4 1990). See also *Petrilli v. Drechsel*, 910 F. 2d 1441 (CA7 1990) (dicta). However, in the present case, the Fifth Circuit ruled that an abuse of discretion standard should be applied. 932 F. 2d 1552 (1991).

I would grant certiorari to resolve the conflict in the Courts of Appeals on this important issue.

No. 91-503. *SCHULTZ v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 288 U. S. App. D. C. 403, 927 F. 2d 1258.

No. 91-506. *ENVIRONMENTAL DEFENSE FUND, INC. v. WHEELABRATOR TECHNOLOGIES, INC., ET AL.* C. A. 2d Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 931 F. 2d 211.

No. 91-512. *KAMEN v. KEMPER FINANCIAL SERVICES, INC., ET AL.* C. A. 7th Cir. Motion of respondent Kemper Financial Services, Inc., for damages and costs denied. Certiorari denied. Reported below: 939 F. 2d 458.

No. 91-527. *NATIONAL STEEL CORP. v. WHITE ET AL.* C. A. 4th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 938 F. 2d 474.

No. 91-5977. *HAUGEN v. BRADY ET AL.*; and *HAUGEN v. CLARK COUNTY, NEVADA, ET AL.* C. A. 9th Cir. Certiorari before judgment denied.

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Rehearing Denied

No. 90-1752. THOMAS *v.* BLISS & LAUGHLIN STEEL CO.,
ante, p. 811;

No. 90-1797. POLYAK *v.* BOSTON ET AL., *ante*, p. 813;

No. 90-8017. RILEY *v.* PLANTIER, SUPERINTENDENT, ADULT
DIAGNOSTIC AND TREATMENT CENTER, *ante*, p. 830;

No. 90-8123. ARTHUR *v.* UNITED STATES, *ante*, p. 833;

No. 90-8134. SMITH *v.* DOUGHERTY ET AL., *ante*, p. 834;

No. 90-8195. AMUNTHAIYAKUL *v.* UNITED STATES, *ante*,
p. 837;

No. 90-8289. RAY *v.* PACIFIC MISSILE TEST CENTER AGENCY
ET AL., *ante*, p. 842;

No. 90-8363. IN RE HERRERA ET AL., *ante*, p. 806;

No. 90-8371. COX *v.* UNITED STATES, *ante*, p. 847;

No. 90-8401. JURAS *v.* AMAN COLLECTION SERVICE, INC.,
ET AL., *ante*, p. 849;

No. 90-8422. IN RE STICH, *ante*, p. 806;

No. 91-12. MCINTYRE *v.* DEPARTMENT OF THE ARMY, *ante*,
p. 856;

No. 91-5068. GENNINGER *v.* BUTLER, SUPERINTENDENT,
MASSACHUSETTS CORRECTIONAL INSTITUTE, NORFOLK, *ante*,
p. 873;

No. 91-5086. ELDRIDGE *v.* BERNET, *ante*, p. 874;

No. 91-5102. SMITH *v.* TEXAS, *ante*, p. 875;

No. 91-5382. HILL *v.* UNITED STATES, *ante*, p. 890;

No. 91-5595. SCHLICHER *v.* ROBERTS ET AL., *ante*, p. 926;

No. 91-5598. WASHINGTON *v.* GARRETT, *ante*, p. 915; and

No. 91-5714. MAUZONE *v.* ROLLINS, WARDEN, ET AL., *ante*,
p. 917. Petitions for rehearing denied. JUSTICE THOMAS took
no part in the consideration or decision of these petitions.

No. 90-1479. GROVER *v.* ROCHELEAU ET AL., 500 U. S. 918;

No. 90-5842. DARLINGTON *v.* UNITED STATES, 498 U. S. 961;
and

No. 90-7530. DELFIN *v.* OFFICE OF PERSONNEL MANAGEMENT,
500 U. S. 924. Motions for leave to file petitions for rehearing
denied. JUSTICE THOMAS took no part in the consideration or
decision of these motions.

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NOVEMBER 26, 1991

Dismissal Under Rule 46

No. 90-1372. MAIN HURDMAN *v.* FINE ET AL. C. A. 5th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 919 F. 2d 290.

Miscellaneous Order

No. A-379. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION *v.* MAY. Application of the Attorney General of Texas for an order to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Fifth Circuit, presented to JUSTICE SCALIA, and by him referred to the Court, denied. THE CHIEF JUSTICE, JUSTICE SCALIA, and JUSTICE THOMAS would grant the application to vacate the stay.

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Miscellaneous Order

No. 90-857. DOGGETT *v.* UNITED STATES. C. A. 11th Cir. [Certiorari granted, 498 U.S. 1119.] Case restored to calendar for reargument. Counsel are directed to submit supplemental briefs on the question whether the history of the Speedy Trial Clause of the Sixth Amendment supports the view that the Clause protects a right of citizens to repose, free from the fear of secret or unknown indictments for past crimes, independent of any interest in preventing lengthy pretrial incarceration or prejudice to the case of a criminal defendant. JUSTICE THOMAS took no part in the consideration or decision of this order.

Certiorari Granted

No. 90-1604. MORALES, ATTORNEY GENERAL OF TEXAS *v.* TRANS WORLD AIRLINES, INC., ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 949 F. 2d 141.

No. 91-571. TAYLOR *v.* FREELAND & KRONZ ET AL. C. A. 3d Cir. Certiorari granted. Reported below: 938 F. 2d 420.

No. 91-594. AMERICAN NATIONAL RED CROSS *v.* S. G. ET AL. C. A. 1st Cir. Certiorari granted. Reported below: 938 F. 2d 1494.

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No. 91-615. ALLIED-SIGNAL, INC., AS SUCCESSOR-IN-INTEREST TO THE BENDIX CORP. *v.* DIRECTOR, DIVISION OF TAXATION. Sup. Ct. N. J. Certiorari granted. Reported below: 125 N. J. 20, 592 A. 2d 536.

No. 91-611. BARKER ET AL. *v.* KANSAS ET AL. Sup. Ct. Kan. Motion of Retired Officers Association for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 249 Kan. 186, 815 P. 2d 46.

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Certiorari Granted—Vacated and Remanded

No. 91-627. ARIZONA *v.* MULLEN. Ct. App. Ariz. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Florida v. Bostick*, 501 U. S. 429 (1991). Reported below: 168 Ariz. 246, 812 P. 2d 1064.

Miscellaneous Orders

No. — — —. RAUTENBERG ET AL. *v.* UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA (UNITED STATES, REAL PARTY IN INTEREST). Motion of petitioners to file a redacted petition for writ of certiorari publicly and motion to file motion under seal granted.

No. A-128. HAMPEL ET AL. *v.* AUTORIDAD DE ENERGIA ELECTRICA DE PUERTO RICO. Application for injunction, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

No. A-218 (91-792). SARGENT, WARDEN *v.* HENDERSON. C. A. 8th Cir. Application for stay, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

No. A-373 (91-836). UNION BANK OF SWITZERLAND *v.* UNITED STATES. Application for stay of mandate of the United States Court of Appeals for the Eleventh Circuit, presented to JUSTICE KENNEDY, and by him referred to the Court, granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court.

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No. D-1029. IN RE DISBARMENT OF KESSLER. Disbarment entered. [For earlier order herein, see 501 U. S. 1274.]

No. D-1030. IN RE DISBARMENT OF GULLER. Disbarment entered. [For earlier order herein, see 501 U. S. 1274.]

No. D-1033. IN RE DISBARMENT OF ROBBINS. Disbarment entered. [For earlier order herein, see 501 U. S. 1274.]

No. D-1034. IN RE DISBARMENT OF OSTROWE. Disbarment entered. [For earlier order herein, see 501 U. S. 1274.]

No. D-1035. IN RE DISBARMENT OF MARCUS. Disbarment entered. [For earlier order herein, see 501 U. S. 1274.]

No. D-1036. IN RE DISBARMENT OF GOERLICH. Disbarment entered. [For earlier order herein, see 501 U. S. 1274.]

No. D-1037. IN RE DISBARMENT OF DELLORFANO. Disbarment entered. [For earlier order herein, see 501 U. S. 1275.]

No. D-1038. IN RE DISBARMENT OF NOLAN. Disbarment entered. [For earlier order herein, see 501 U. S. 1275.]

No. D-1039. IN RE DISBARMENT OF TOWNSEND. Disbarment entered. [For earlier order herein, see 501 U. S. 1279.]

No. D-1054. IN RE DISBARMENT OF NORRIS. It is ordered that Robert McKim Norris, Jr., of Birmingham, 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-1055. IN RE DISBARMENT OF ROGERS. It is ordered that John Joseph Rogers, Jr., of Jamaica Plain, Mass., 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-1056. IN RE DISBARMENT OF TAUB. It is ordered that Martyn Taub, of Middletown, 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-1057. IN RE DISBARMENT OF BERMAN. It is ordered that Brian Murray Berman, of Hollywood, Fla., be suspended from

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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-1058. *IN RE DISBARMENT OF BONNER*. It is ordered that James Luther Bonner, of Pittsboro, Miss., 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. 65, Orig. *TEXAS v. NEW MEXICO*. Motion of the River Master for approval of fees and expenses granted, and the River Master is awarded \$7,203 for the period July 1 through September 30, 1991, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, *ante*, p. 903.]

No. 91-545. *BURLINGTON NORTHERN RAILROAD CO. v. BLACKFEET TRIBE OF THE BLACKFEET INDIAN RESERVATION ET AL.* C. A. 9th Cir.; and

No. 91-569. *WASHINGTON ET AL. v. CONFEDERATED TRIBES OF COLVILLE RESERVATION ET AL.* C. A. 9th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 91-5947. *DE CACERES v. SCHOLL*. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until December 23, 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 BLACKMUN 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. 91-6057. *SCHULZ v. WASHINGTON COUNTY ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept.; and

No. 91-6061. *OSEI-AFRIYIE v. MEDICAL COLLEGE OF PENNSYLVANIA ET AL.* C. A. 3d Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 23, 1991, within which to pay the docketing fee

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required by Rule 38(a) and to submit petitions in compliance with Rule 33 of the Rules of this Court.

JUSTICE STEVENS, dissenting.

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

No. 91-6126. *MAXEY v. CITY OF LUFKIN, TEXAS*. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until December 23, 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.

No. 91-6306. *IN RE MORRIS*. Petition for writ of habeas corpus denied.

No. 91-6016. *IN RE VERNON*;

No. 91-6060. *IN RE LEDBETTER*; and

No. 91-6078. *IN RE COOMBS*. Petitions for writs of mandamus denied.

Certiorari Denied

No. 91-59. *CHRISTIE v. DEPARTMENT OF THE NAVY*. C. A. Fed. Cir. Certiorari denied. Reported below: 932 F. 2d 980.

No. 91-129. *DORSEY v. CITY OF DETROIT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 923 F. 2d 854.

No. 91-231. *WILLINGHAM v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 198 Ga. App. 178, 401 S. E. 2d 63.

No. 91-263. *FOOD GIANT, INC. v. PORTER*. Ct. App. Ga. Certiorari denied. Reported below: 198 Ga. App. 736, 402 S. E. 2d 766.

No. 91-270. *CITY OF NEWPORT BEACH, CALIFORNIA v. HAMMER*. C. A. 9th Cir. Certiorari denied. Reported below: 932 F. 2d 842.

No. 91-271. *MALINOVSKY v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 60 Ohio St. 3d 20, 573 N. E. 2d 22.

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No. 91-298. *ROSA ET AL. v. RESOLUTION TRUST CORPORATION, IN ITS CORPORATE CAPACITY AND AS RECEIVER*. C. A. 3d Cir. Certiorari denied. Reported below: 938 F. 2d 383.

No. 91-361. *HOSKINSON, DECEASED, THROUGH THE PERSONAL REPRESENTATIVE OF HER ESTATE, FLEMING, ET AL. v. CALIFORNIA ET AL.* Ct. App. Ariz. Certiorari denied. Reported below: 168 Ariz. 250, 812 P. 2d 1068.

No. 91-362. *DIALAMERICA MARKETING, INC. v. MARTIN, SECRETARY OF LABOR*. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1281.

No. 91-365. *KACZMARCZYK ET AL. v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 7th Cir. Certiorari denied. Reported below: 933 F. 2d 588.

No. 91-369. *CHESSON ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 298.

No. 91-371. *TAMPAM, INC. v. OGLE COUNTY BOARD OF REVIEW ET AL.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 208 Ill. App. 3d 127, 566 N. E. 2d 905.

No. 91-374. *CASO v. UNITED STATES*; and

No. 91-626. *KIELY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1288.

No. 91-388. *POWELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 929 F. 2d 1190.

No. 91-402. *ALABAMA ET AL. v. BOWSHER, COMPTROLLER GENERAL OF THE UNITED STATES, ET AL.*; and

No. 91-416. *MINNESOTA ET AL. v. BOWSHER, COMPTROLLER GENERAL OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 290 U. S. App. D. C. 166, 935 F. 2d 332.

No. 91-411. *STRUMINIKOVSKI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 931 F. 2d 1186.

No. 91-427. *STOUT v. BORG-WARNER CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 331.

No. 91-428. *BARNES, COMMISSIONER OF TEXAS STATE BOARD OF INSURANCE, ET AL. v. E-SYSTEMS, INC. GROUP HOSPITAL*

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MEDICAL & SURGICAL INSURANCE PLAN ET AL. (two cases). C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 1100 (first case); 933 F. 2d 1004 (second case).

No. 91-478. SHINCHOSHA CO. *v.* SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES (SHIMIZU, REAL PARTY IN INTEREST). Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-499. HANESWORTH *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 583.

No. 91-523. ELLERY *v.* COUNTY OF SAN DIEGO. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 91-533. CHARLES J. ROGERS CONSTRUCTION *v.* TRUSTEES FOR MICHIGAN CARPENTERS COUNCIL HEALTH AND WELFARE FUND. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 376.

No. 91-544. CAMPBELL'S MOVING CO., INC. *v.* GOOZMAN, TRUSTEE. C. A. 4th Cir. Certiorari denied. Reported below: 936 F. 2d 567.

No. 91-546. LATROBE BREWING CO. ET AL. *v.* TONY SAVATT, INC. Super. Ct. Pa. Certiorari denied. Reported below: 400 Pa. Super. 296, 583 A. 2d 796.

No. 91-550. MILLIGAN *v.* NEVADA. Sup. Ct. Nev. Certiorari denied. Reported below: 107 Nev. 1129, 838 P. 2d 951.

No. 91-551. DAVIS *v.* KAMBARA KISEN CO., LTD. C. A. 3d Cir. Certiorari denied. Reported below: 925 F. 2d 416.

No. 91-555. LINDSEY *v.* TEXAS. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 91-561. UBEROI *v.* UNIVERSITY OF COLORADO ET AL. Ct. App. Colo. Certiorari denied.

No. 91-562. BANKS *v.* CITY OF SAN JOSE ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1469.

No. 91-567. WALTON *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 392, 405 S. E. 2d 29.

No. 91-568. COOK ET UX. *v.* ATLANTIC RICHFIELD CO. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 616.

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No. 91-570. *PMI INDUSTRIES, INC., ET AL. v. FOLGER ADAM Co.* C. A. 2d Cir. Certiorari denied. Reported below: 938 F. 2d 1529.

No. 91-572. *ALLRIGHT, COLORADO, INC., ET AL. v. CITY AND COUNTY OF DENVER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 1502.

No. 91-573. *PIRELA v. VILLAGE OF NORTH AURORA.* C. A. 7th Cir. Certiorari denied. Reported below: 935 F. 2d 909.

No. 91-578. *WHITE v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 91-582. *LAYMAN v. XEROX CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 605.

No. 91-585. *STOCKLER ET AL. v. CITY OF DETROIT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 573.

No. 91-588. *TRELL v. SENTEX SYSTEMS, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 937 F. 2d 623.

No. 91-593. *SIMON v. THIBODAUX ET AL.* Ct. App. La., 3d Cir. Certiorari denied. Reported below: 574 So. 2d 554.

No. 91-599. *CALLIHAN, DBA S. H. E. VIDEO, ET AL. v. OHIO.* Ct. App. Ohio, Fairfield County. Certiorari denied.

No. 91-600. *EVANS v. GOODMAN, CHAIR, BOARD OF TRUSTEES, CLEVELAND STATE UNIVERSITY, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 934 F. 2d 322.

No. 91-601. *ROMERO v. AGUAYO ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 934 F. 2d 326.

No. 91-603. *PEPSICO, INC., ET AL. v. USELTON ET AL.*; and
No. 91-613. *ALCOX ET AL. v. USELTON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 940 F. 2d 564.

No. 91-604. *O'LEARY v. CALIFORNIA HIGHWAY PATROL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 862.

No. 91-606. *DI MARTINO v. AMERICAN MOTORISTS INSURANCE Co. ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 91-608. *N. W. ENTERPRISES, INC. v. TEXAS*. Ct. App. Tex., 8th Dist. Certiorari denied.

No. 91-609. *F. & J. M. CARRERA, INC., ET AL. v. PINEIRO CRESPO ET AL.* Sup. Ct. P. R. Certiorari denied.

No. 91-612. *WOODARD v. VERMONT ET AL.* Sup. Ct. Vt. Certiorari denied. Reported below: 156 Vt. 42, 589 A. 2d 840.

No. 91-621. *PLANTE v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied. Reported below: 134 N. H. 585, 594 A. 2d 165.

No. 91-628. *LERMAN ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. Reported below: 939 F. 2d 44.

No. 91-638. *SANTOS v. RODRIGUEZ ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 605.

No. 91-648. *GALE v. HOME SAVINGS OF AMERICA F. A., AS SUCCESSOR IN INTEREST TO HYDE PARK FEDERAL SAVINGS & LOAN ASSOCIATION OF CHICAGO*. C. A. 7th Cir. Certiorari denied. Reported below: 940 F. 2d 665.

No. 91-651. *VORSHECK ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 757.

No. 91-653. *ZIMMERMAN v. H. E. BUTT GROCERY CO.* C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 469.

No. 91-658. *GLENN v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 91-662. *ZEBERT v. BOARD OF BAR ADMISSIONS OF THE STATE OF MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 582 So. 2d 377.

No. 91-703. *GUSTO RECORDS, INC., ET AL. v. THOMAS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 939 F. 2d 395.

No. 91-705. *DEBERRY v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 185 W. Va. 512, 408 S. E. 2d 91.

No. 91-709. *LOWRANCE v. HACKER*. C. A. 7th Cir. Certiorari denied. Reported below: 940 F. 2d 665.

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No. 91-711. *ZEICHICK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 670.

No. 91-725. *SCHMITT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 189.

No. 91-5099. *GIBBS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 919 F. 2d 142.

No. 91-5419. *SANTOS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 932 F. 2d 244.

No. 91-5440. *STRIPLING v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 1, 401 S. E. 2d 500.

No. 91-5481. *McKINES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 933 F. 2d 1412.

No. 91-5546. *HUFFINGTON v. MARYLAND*. Cir. Ct. Md., Frederick County. Certiorari denied.

No. 91-5614. *POLLOCK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 926 F. 2d 1044.

No. 91-5640. *GONZALEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 648.

No. 91-5644. *SPREITZER v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 143 Ill. 2d 210, 572 N. E. 2d 931.

No. 91-5666. *RUSNOV ET AL. v. CITY OF CLEVELAND, OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 91-5673. *HARPER v. THAMES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1262.

No. 91-5686. *LEECH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 599.

No. 91-5689. *PUENTES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 600.

No. 91-5695. *CROSS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 928 F. 2d 1030.

No. 91-5696. *BUSACCA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 232.

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No. 91-5698. *CABRERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 936 F. 2d 648.

No. 91-5706. *DEAN v. UNITED STATES*; and
No. 91-5753. *HUDSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 932 F. 2d 976.

No. 91-5728. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 585.

No. 91-5740. *BENTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 586.

No. 91-5750. *TISDALE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 921 F. 2d 1095.

No. 91-5789. *VILLEGAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 569.

No. 91-5802. *SUTTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1009.

No. 91-5839. *HODGE v. COLON ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1277.

No. 91-5872. *SEIBEL v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 163 Wis. 2d 164, 471 N. W. 2d 226.

No. 91-5878. *STEVENSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 942 F. 2d 1111.

No. 91-5937. *JONES v. MYERS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 91-5962. *CHASE v. PETERSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1533.

No. 91-5967. *WILLS v. WHITLEY, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 927 F. 2d 612.

No. 91-5971. *PERALTA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 604.

No. 91-5974. *VALLE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 581 So. 2d 40.

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No. 91-5981. *KAFFENBERGER v. CITY OF BULLHEAD, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 578.

No. 91-5984. *KOFF v. KOFF.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 573 So. 2d 844.

No. 91-5985. *ZILIGH v. SUPERIOR COURT OF PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied.

No. 91-5993. *SUTTON v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 562 N. E. 2d 1310.

No. 91-5996. *MARTIN v. GREENSBORO HEALTH CARE, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1541.

No. 91-5999. *FORGIONE v. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1278.

No. 91-6000. *BATES v. NAGLE, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 904.

No. 91-6002. *WION v. LYNAUGH ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 569.

No. 91-6003. *WOZNISKI v. CLYMER, DEPUTY COMMISSIONER, EASTERN REGION, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1205.

No. 91-6013. *ARGENTINA v. DEBENEDICTUS.* Super. Ct. Pa. Certiorari denied.

No. 91-6014. *BOYD v. TOWN OF CABOT, ARKANSAS, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 726.

No. 91-6018. *PALERMO v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 91-6019. *TAYLOR v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 939 F. 2d 135.

No. 91-6020. *WILLIAMS ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 936 F. 2d 568.

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No. 91-6021. *WAINSCOTT v. MARMAG INVESTMENTS, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-6022. *CONNELLY v. KOVACHEVICH.* C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 586.

No. 91-6023. *SMITH v. HATFIELD.* C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1207.

No. 91-6025. *WILLIAMS v. CANNER & BLOOM, P. C.* Ct. App. Mich. Certiorari denied.

No. 91-6027. *BYRD v. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 91-6033. *HUSSEY v. MASSACHUSETTS* (two cases). Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 410 Mass. 664, 574 N. E. 2d 995 (first case); 410 Mass. 1007, 574 N. E. 2d 1000 (second case).

No. 91-6038. *QUINTANA v. NEW JERSEY.* Sup. Ct. N. J. Certiorari denied. Reported below: 126 N. J. 315, 598 A. 2d 877.

No. 91-6039. *PORTNOY v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-6043. *GARRETT v. ARMONTROUT, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 91-6045. *LEGRAND v. KELLEY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 91-6047. *MCCLAIN v. REID, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS.* C. A. 3d Cir. Certiorari denied.

No. 91-6048. *FUGEL v. MYERS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-6049. *WALKER v. INDEPENDENCE FEDERAL SAVINGS & LOAN ASSN. ET AL.* Ct. App. D. C. Certiorari denied.

No. 91-6052. *MONGER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1008.

No. 91-6055. *HILL v. BINGAMAN ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 91-6056. *HILL v. PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 91-6058. *MOSIER v. WILLIAMS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1020.

No. 91-6059. *REED v. BELEW, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 91-6063. *HOLLOMAN v. THORNTON, SUPERINTENDENT, JOHNSTON CORRECTIONAL CENTER, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 319.

No. 91-6064. *KIRKSEY v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 107 Nev. 499, 814 P. 2d 1008.

No. 91-6069. *MURPHY v. DOWD ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 187.

No. 91-6070. *MALIK v. PHILLIPS ET AL.* Sup. Ct. Haw. Certiorari denied.

No. 91-6071. *LEBBOS v. STATE BAR OF CALIFORNIA ET AL.; and LEBBOS v. JUDGES, SANTA CLARA COUNTY SUPERIOR COURT.* C. A. 9th Cir. Certiorari before judgment denied.

No. 91-6075. *SAWDON v. ARKANSAS*. C. A. 8th Cir. Certiorari denied.

No. 91-6080. *WILLIAMSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 936 F. 2d 568.

No. 91-6082. *KELLY v. TRICKEY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 183.

No. 91-6087. *SIDES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 944 F. 2d 1554.

No. 91-6092. *DENNIS v. DOWDLE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 612.

No. 91-6094. *STEVENS v. OHIO ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 91-6098. *TORO ARISTIZABAL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 940 F. 2d 722.

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No. 91-6104. *HERBAGE v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 84, 946 F. 2d 1564.

No. 91-6107. *HILL v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 899.

No. 91-6111. *BILLINGS v. MARTIN, SECRETARY OF LABOR.* C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 572.

No. 91-6114. *LARGO-MONTENEGRO v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 943 F. 2d 58.

No. 91-6115. *BROWN ET AL. v. CASSCELLS, TRUSTEE FOR CASSCELLS.* C. A. 3d Cir. Certiorari denied.

No. 91-6116. *MORENO MENDOZA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 30.

No. 91-6117. *LUNA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 606.

No. 91-6131. *PARIKH v. CHOY.* C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 613.

No. 91-6132. *LOS v. WARDELL ET AL.* C. A. 7th Cir. Certiorari denied.

No. 91-6133. *PUCKETT v. TEXAS.* Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 801 S. W. 2d 188.

No. 91-6135. *ROBBINS v. LYNN.* C. A. 5th Cir. Certiorari denied. Reported below: 933 F. 2d 1004.

No. 91-6137. *NAVE v. DELAWARE.* C. A. 3d Cir. Certiorari denied.

No. 91-6144. *LOMELINO v. McDONNELL DOUGLAS AIRCRAFT CORP. ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-6147. *SHELTON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 140.

No. 91-6151. *HODGES v. RAFFERTY, SUPERINTENDENT, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 597.

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No. 91-6154. *ALEXANDER, AKA WASHINGTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1203.

No. 91-6163. *MOORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 936 F. 2d 1508.

No. 91-6164. *ORTIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 669.

No. 91-6165. *LUA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1017.

No. 91-6166. *ANDINO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 91-6171. *SCHILLACI v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE*. C. A. 5th Cir. Certiorari denied.

No. 91-6172. *FLOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 673.

No. 91-6175. *O'DELL ET AL. v. THOMPSON, WARDEN, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 91-6176. *GARRETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 653.

No. 91-6177. *MARTIN ET AL. v. MEDICAL CENTER OF DELAWARE*. C. A. 3d Cir. Certiorari denied.

No. 91-6179. *JOHNSON ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 47.

No. 91-6180. *SHAKUR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 1210.

No. 91-6185. *ROGERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 939 F. 2d 591.

No. 91-6186. *NUNN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 1148.

No. 91-6187. *WEBB v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 787.

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No. 91-6192. *BOURQUE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1016.

No. 91-6196. *ESIEKE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 29.

No. 91-6197. *MADDOX v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 944 F. 2d 1223.

No. 91-6198. *HENDRICKSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 320.

No. 91-6201. *DIAZ-VALENZUELA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 656.

No. 91-6202. *BERNAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1529.

No. 91-6203. *GUERRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 943 F. 2d 1313.

No. 91-6206. *BROWN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 938 F. 2d 1482.

No. 91-6207. *BLACKSTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 940 F. 2d 877.

No. 91-6210. *CLARK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 931 F. 2d 900.

No. 91-6217. *SHUPE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1542.

No. 91-6218. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 946 F. 2d 896.

No. 91-6219. *VEREB v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 899.

No. 91-6221. *TURNER v. RUNSER ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 91-6222. *DANIEL v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 84, 946 F. 2d 1564.

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- No. 91-6229. *SMITH v. UNITED STATES*; and
No. 91-6261. *JENKINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 1243.
- No. 91-6231. *MURRAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 669.
- No. 91-6232. *MOORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 1243.
- No. 91-6233. *MCGHEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 934 F. 2d 1265.
- No. 91-6234. *PRIOR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 427.
- No. 91-6235. *YOVEV v. NORTHROP CORP.* Ct. App. Cal., 2d App. Dist. Certiorari denied.
- No. 91-6238. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 348.
- No. 91-6243. *MOUNT v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 940 F. 2d 647.
- No. 91-6247. *FONDER v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 162 Wis. 2d 591, 469 N. W. 2d 922.
- No. 91-6251. *STRICKLAND v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 941 F. 2d 1047.
- No. 91-6264. *BAUER v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied.
- No. 91-6266. *STARK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 942 F. 2d 1298.
- No. 91-6276. *LOVE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 937 F. 2d 1183.
- No. 91-6277. *MARINEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1275.
- No. 91-6278. *MAN CHIU LI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1529.
- No. 91-6283. *ASHLEY v. TRIPPETT, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 91-6284. *POINDEXTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 942 F. 2d 354.

No. 91-6285. *POTEET v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 654.

No. 91-6289. *WALKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 898.

No. 91-6292. *MILLER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 786.

No. 91-6295. *BOGAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 286.

No. 91-6305. *INGRAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 580.

No. 91-251. *DOOLEY ET AL. v. KOREAN AIR LINES Co., LTD.*; and

No. 91-547. *KOREAN AIR LINES Co., LTD. v. DOOLEY ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of these petitions. Reported below: 289 U. S. App. D. C. 391, 932 F. 2d 1475.

No. 91-397. *CITIZENS AGAINST BURLINGTON, INC., ET AL. v. BUSEY, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 290 U. S. App. D. C. 371, 938 F. 2d 190.

No. 91-329. *REBEL MOTOR FREIGHT, INC. v. INTERSTATE COMMERCE COMMISSION ET AL.* C. A. 6th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 933 F. 2d 1009.

No. 91-548. *CHOATE v. FARM CREDIT BANK OF WICHITA*. Ct. App. Okla. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

No. 91-575. *BHAN v. NME HOSPITALS, INC., ET AL.* C. A. 9th Cir. Motion of American Association of Nurse Anesthetists for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 929 F. 2d 1404.

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No. 91-583. *BOSWORTH ET AL. v. LEATHERS, COMMISSIONER OF REVENUES OF ARKANSAS, ET AL.* Sup. Ct. Ark. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 305 Ark. 598, 810 S. W. 2d 918.

No. 91-5604. *IRVIN v. KENTUCKY.* Ct. App. Ky. Certiorari denied. JUSTICE WHITE would grant certiorari.

No. 91-5655. *O'DELL v. THOMPSON, WARDEN, ET AL.* Sup. Ct. Va. Certiorari denied.

Opinion of JUSTICE BLACKMUN, with whom JUSTICE STEVENS and JUSTICE O'CONNOR join, respecting the denial of the petition for writ of certiorari.

This is a capital case. Since the present Term began on October 7, 1991, the Court has considered 102 capital petitions, each seeking review of a decision of a State's highest court. Even if practical considerations did not preclude review on the merits of all such petitions, another consideration often argues against granting certiorari: In many of these cases, a federal habeas proceeding is necessary to develop further the petitioner's claims, both factually and legally. This is one such case. Because I believe the evidence raises serious questions about whether petitioner was guilty of the charged crime or was capable of representing himself, I write to underscore the importance of affording petitioner meaningful federal habeas review.

On February 5, 1985, a woman was murdered in a field behind the After Midnight Club in Virginia Beach, Va. Petitioner O'Dell had been at that bar during the evening. There was no evidence that he previously had known the woman or that they had spoken or departed together. O'Dell left the bar some time after the victim did and went to another bar where he got into a fight. The following day, O'Dell arrived at his former girlfriend's house. Thereafter, the former girlfriend found bloodstained clothing in her garage and turned it over to the police. O'Dell was charged with murder.

Shortly before the trial, the court excused O'Dell's public defender because of an unspecified conflict. A new attorney was appointed, but O'Dell sought permission to proceed *pro se* after the attorney acquiesced in the Commonwealth's motion to have

O'Dell examined by a court-appointed psychiatrist.¹ Following his examination by a local psychiatrist, the court found O'Dell competent to proceed *pro se* and ordered the attorney to act as standby counsel. Several times during the trial, the judge commented on O'Dell's inability to "emotionally control" himself, see, *e. g.*, 22 Tr. 44, and on one occasion informed O'Dell that his outbursts "concern me as to whether you are in fact in need of a reevaluation." 23 Tr. 21. Despite entreaties by standby counsel, the court refused to order a reevaluation.

The Commonwealth's evidence at trial consisted of tire tracks that were "similar" to those left by petitioner's car, blood tests, and testimony by a fellow inmate that O'Dell had confessed to committing the murder. The court refused O'Dell's request for a hearing on the reliability of the blood tests and allowed the technician to opine that the blood samples taken from O'Dell's shirt and jacket were consistent with samples taken from the victim. The court also denied O'Dell's proffer of evidence that the informant had offered to manufacture evidence in other trials as a means of avoiding prison terms.² O'Dell was convicted and sentenced to death. The conviction and sentence were upheld on appeal.

O'Dell continued to maintain his innocence during state habeas proceedings. He introduced the results of DNA testing that demonstrated that the blood found on his shirt either was not the victim's or could not reliably be linked to the victim. O'Dell also argued that the trial court erred in allowing him to represent himself, given his history of mental illness and his behavior at trial. See *Faretta v. California*, 422 U. S. 806 (1975); *Drope v. Missouri*, 420 U. S. 162, 181 (1975). The Virginia Circuit Court denied state habeas relief, specifically holding that the fact that current testing methods would have produced a different result does not justify the issuance of a writ of habeas corpus. The state court also ruled that O'Dell had been competent to represent himself.³

¹ O'Dell previously had been diagnosed as a paranoid schizophrenic and had engaged in erratic behavior prior to trial.

² Subsequent to O'Dell's trial, the informant was given three years' probation on a breaking and entering charge, despite contrary assurances by the prosecution to petitioner's counsel and the court.

³ Petitioner raised a number of other substantial federal claims, including a challenge to remarks made in the prosecutor's closing argument that petitioner previously had violated his parole. Standby counsel had complained

Following the denial of state habeas relief by the Virginia Circuit Court, O'Dell filed a timely notice of appeal with the Virginia Supreme Court. Having interpreted the relevant subsection of the Virginia Code as providing for an appeal as of right, O'Dell's counsel then filed timely assignments of error.⁴ On March 6, 1991, a week after the filing deadline, the Deputy Clerk of the Virginia Supreme Court and the attorney for the Commonwealth informed petitioner's counsel that, in their opinion, O'Dell did not have an appeal as of right and thus O'Dell also needed to file a petition for appeal. At the same time, the Commonwealth's attorney allegedly informed petitioner's counsel that he would not oppose O'Dell's supplementation of his filings with the additional document. Two days later, however, when O'Dell filed a motion to perfect his appeal, the Commonwealth opposed the motion. On March 15, O'Dell filed his petition for appeal. On April 1, the Virginia Supreme Court denied O'Dell's motion and rejected his appeal. The Commonwealth now argues that the Virginia Supreme Court's rejection of O'Dell's appeal bars review of the merits of the federal questions raised by O'Dell in the Commonwealth's courts.

The Virginia Supreme Court's dismissal of O'Dell's habeas petition should not deprive a federal habeas court of jurisdiction.

to the trial court that the argument was made in such a way as to convince the jury that it had only two options: either sentence petitioner to death or turn him loose on the streets to kill again. In fact, petitioner could receive only the death sentence or life without parole. The trial court refused petitioner's request for a curative instruction or a chance to rebut the prosecutor's misleading statements. In his state habeas proceedings, petitioner argued that the trial court had violated *Gardner v. Florida*, 430 U.S. 349 (1977), which held that a defendant is denied due process of law when his death sentence is imposed, at least in part, on the basis of information that he had no opportunity to deny or explain. The Virginia Circuit Court held that this challenge was barred by res judicata under *Hawks v. Cox*, 211 Va. 91, 175 S. E. 2d 271 (1970).

⁴ A Virginia statute provides that a habeas decision in a capital case is appealable directly to the Virginia Supreme Court. See Va. Code Ann. § 17-116.05:1(B) (1988); *Hill v. Commonwealth*, 8 Va. App. 60, 69, 379 S. E. 2d 134, 139 (1989). The wording of this statute—"appeals lie directly to the Supreme Court"—suggests an appeal as of right, rather than a discretionary petition for appeal. The other categories of cases listed in this subsection require the filing of assignments of error, not a petition for appeal.

Under *Ake v. Oklahoma*, 470 U. S. 68, 74–75 (1985), the Virginia Supreme Court's rejection may not be based on an independent state ground because *Tharp v. Commonwealth*, 211 Va. 1, 175 S. E. 2d 277 (1970), requires the Virginia Supreme Court to consider whether a constitutional right was abridged before denying an extension of time for filing a petition for appeal.⁵ The Virginia Supreme Court's rejection of O'Dell's appeal may also be an inadequate state ground. In *James v. Kentucky*, 466 U. S. 341 (1984), this Court held that only firmly established state procedural rules interpose a bar to the adjudication of federal constitutional claims. The ambiguity of the Virginia statute, Va. Code Ann. § 17–116.05:1B (1988), as to whether capital appeals are discretionary or as of right may preclude its use as a procedural bar.⁶ See also *Ford v. Georgia*, 498 U. S. 411 (1991) (state practice must be firmly established and regularly followed in order to prevent subsequent review by this Court); *NAACP v. Alabama ex rel. Flowers*, 377 U. S. 288, 297 (1964) (application of procedural rule was pointless, severe, and consequently inadequate as jurisdictional bar to review).

Finally, federal review of O'Dell's claims is possible if it is necessary to prevent a fundamental miscarriage of justice, see *Coleman v. Thompson*, 501 U. S. 722, 757 (1991), or if the constitutional violation caused the conviction of an innocent person. See *McCleskey v. Zant*, 499 U. S. 467, 502 (1991).

In short, there are serious questions as to whether O'Dell committed the crime or was capable of representing himself—questions rendered all the more serious by the fact that O'Dell's life depends upon their answers. Because of the gross injustice that

⁵ While this Court rejected a similar argument in *Coleman v. Thompson*, 501 U. S. 722, 742 (1991), this case may be distinguishable. *Coleman* dealt with an untimely *notice* of appeal, not an untimely *petition* for appeal. Since the notice and assignments were timely, the Commonwealth was not unaware of petitioner's arguments, as it arguably was in *Coleman*. The Commonwealth's initial willingness to extend petitioner's time to perfect his appeal provides additional evidence that Virginia can waive the untimeliness rule when fundamental constitutional issues are at stake.

⁶ As has been noted, see n. 4, *supra*, the wording of this statute—"appeals lie directly to the Supreme Court"—suggests an appeal as of right, rather than a discretionary petition for appeal. According to petitioner's counsel, even the Clerk's office and the Commonwealth's attorney were uncertain as to whether petitioner was entitled to an appeal as of right.

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would result if an innocent man were sentenced to death, O'Dell's substantial federal claims can, and should, receive careful consideration from the federal court with habeas corpus jurisdiction over the case.

No. 91-5852. MARTIN *v.* KNOX ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 395.

Opinion of JUSTICE STEVENS, with whom JUSTICE BLACKMUN joins, respecting the denial of the petition for writ of certiorari.

On November 4, 1991, the Court applied its recently amended Rule 39.8 to eight petitions filed by James L. Martin. Instead of simply denying those certiorari petitions on the ground that they lacked merit, the Court denied Martin leave to proceed *in forma pauperis* on the ground that the petitions were repetitive and frivolous. *Zatko v. California*, ante, p. 16. I dissented from that action, in part, because drawing distinctions between those petitions that are frivolous and those that are merely meritless is a wasteful use of this Court's resources. The Court should simply deny certiorari once a determination is made that the petition lacks merit; there is no reason for the Court to make an additional inquiry into whether the petition is frivolous and thus the motion for leave to proceed *in forma pauperis* should be denied instead. The point is illustrated by the Court's correct disposition of this petition filed by Martin.

The petition is not frivolous because it raises a question on which the Courts of Appeals are in conflict. Compare *In re Beard*, 811 F. 2d 818, 827 (CA4 1987) (district judge's failure to disqualify himself can be reviewed by a petition for writ of mandamus); *Union Carbide Corp. v. U. S. Cutting Service, Inc.*, 782 F. 2d 710, 713 (CA7 1986) (same), with *Pittsburgh v. Simmons*, 729 F. 2d 953, 954 (CA3 1984) (judge's failure to recuse himself is reviewable only after final judgment); *Cleveland v. Krupansky*, 619 F. 2d 576, 578 (CA6) (same), cert. denied, 449 U. S. 834 (1980). Accordingly, it would be inappropriate to invoke Rule 39.8 and deny Martin's motion for leave to proceed *in forma pauperis*. I nevertheless agree that it is proper to deny the certiorari petition because it appears that the underlying recusal motion has no merit.

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Rehearing Denied

No. 90-1649. *ROJAS v. ALEXANDER'S DEPARTMENT STORE, INC.*, *ante*, p. 809;

No. 90-1670. *CONNORS ET AL. v. UNITED STATES*, *ante*, p. 899;

No. 90-1674. *DENENBURG ET UX. v. UNITED STATES*, *ante*, p. 809;

No. 90-1740. *SAFIR v. NICKERSON, JUDGE, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK*, *ante*, p. 811;

No. 90-1771. *CITY OF HENDERSON ET AL. v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA (NEVADA ENTERTAINMENT INDUSTRIES, INC., ET AL., REAL PARTIES IN INTEREST)*, *ante*, p. 812;

No. 90-1857. *CITY OF YONKERS, NEW YORK v. UNITED STATES ET AL.* (two cases), *ante*, p. 816;

No. 90-1945. *KING v. BOARD OF REGENTS OF THE UNIVERSITY OF GEORGIA ET AL.*, *ante*, p. 821;

No. 90-7054. *EATON v. VIRGINIA*, *ante*, p. 824;

No. 90-7781. *TWITTY v. MAASS, SUPERINTENDENT, OREGON STATE PENITENTIARY*, *ante*, p. 827;

No. 90-8059. *SANDERS v. KENTUCKY*, *ante*, p. 831;

No. 90-8083. *ANDERSON v. ALCOA ET AL.*, *ante*, p. 832;

No. 90-8281. *BROWN v. LUNGREN, ATTORNEY GENERAL OF CALIFORNIA*, *ante*, p. 841;

No. 90-8295. *KELLY v. CALIFORNIA*, *ante*, p. 842;

No. 90-8324. *MORRIS ET AL. v. DONREY OF NEVADA, INC., ET AL.*, *ante*, p. 844;

No. 90-8405. *ZETTLEMOYER v. FULCOMER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.*, *ante*, p. 902;

No. 90-8417. *IN RE SEARCY*, *ante*, p. 806;

No. 90-8471. *CUMMINGS v. UNITED STATES*, *ante*, p. 852;

No. 90-8480. *EBKER v. TAN JAY INTERNATIONAL ET AL.*, *ante*, p. 853;

No. 91-41. *GARGALLO v. GARGALLO*, *ante*, p. 857;

No. 91-66. *STEPHENS v. ALABAMA*, *ante*, p. 859;

No. 91-116. *CARROLL ET AL. v. UNITED STATES*, *ante*, p. 862;

No. 91-160. *FIRST FEDERAL SAVINGS BANK & TRUST ET AL. v. DIRECTOR, OFFICE OF THRIFT SUPERVISION, ET AL.*, *ante*, p. 864;

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No. 91-174. CENTENNIAL ET AL. *v.* PLACER DOME U. S., INC., *ante*, p. 864;

No. 91-223. DHALIWAL *v.* WOODS DIVISION, HESSTON CORP., ET AL., *ante*, p. 867;

No. 91-5042. IN RE PEERNOCK, *ante*, p. 806;

No. 91-5046. MCCULLEY *v.* UNITED STATES, *ante*, p. 872;

No. 91-5066. A'GIZA *v.* SAN BERNARDINO WEST SIDE COMMUNITY DEVELOPMENT CORP. ET AL., *ante*, p. 873;

No. 91-5090. PARKS *v.* SAFFLE, WARDEN, *ante*, p. 874;

No. 91-5096. SERNA *v.* ARIZONA, *ante*, p. 875;

No. 91-5115. LAWS *v.* NORTH CAROLINA, *ante*, p. 876;

No. 91-5170. EDWARDS *v.* EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL., *ante*, p. 911;

No. 91-5171. CRAWFORD *v.* MICHIGAN, *ante*, p. 879;

No. 91-5178. MASON *v.* CALIFORNIA, *ante*, p. 879;

No. 91-5190. MCKENZIE *v.* DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION, *ante*, p. 880;

No. 91-5235. FERDIK *v.* RICHARDSON ET AL., *ante*, p. 882;

No. 91-5237. PYLE *v.* CITY OF TUCSON ET AL., *ante*, p. 882;

No. 91-5294. GILREATH *v.* ZANT, WARDEN, *ante*, p. 885;

No. 91-5301. ALEXANDER *v.* MISSOURI STATE BOARD OF LAW EXAMINERS, *ante*, p. 885;

No. 91-5391. PRINCE *v.* VIRGINIA DEPARTMENT OF MEDICAL ASSISTANCE SERVICES, *ante*, p. 890;

No. 91-5392. PURVIN *v.* BERGENS ET AL., *ante*, p. 890;

No. 91-5404. KLEINSCHMIDT *v.* FINLEY, KUMBLE, WAGNER, HEINE, UNDERBERG, MANLEY, MEYERSON & CASEY, P. A., ET AL., *ante*, p. 891;

No. 91-5432. FORTE *v.* MASSACHUSETTS, *ante*, p. 893;

No. 91-5458. JARVI *v.* NOBLE ET AL., *ante*, p. 913;

No. 91-5498. JOHNSON *v.* COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 895;

No. 91-5557. IN RE KNOWLES, *ante*, p. 806;

No. 91-5562. JARVI *v.* UNITED STATES ET AL., *ante*, p. 914; and

No. 91-5616. SUEING *v.* BROWN ET AL., *ante*, p. 926. Petitions for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of these petitions.

No. 90-1776. CHAMBERS *v.* SOUTHWESTERN BELL TELEPHONE Co., *ante*, p. 900. Petition for rehearing denied. JUSTICE

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O'CONNOR and JUSTICE THOMAS took no part in the consideration or decision of this petition.

No. 90-7134. STANKEWITZ *v.* CALIFORNIA, 499 U. S. 954. Motion for leave to file petition for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of this motion.

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Miscellaneous Orders

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

No. A-372. VASQUEZ, WARDEN *v.* HARRIS. Application to vacate the order of the United States Court of Appeals for the Ninth Circuit granting a stay of mandate, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied.

No. 90-1745. UNITED STATES *v.* WILSON. C. A. 6th Cir. [Certiorari granted, *ante*, p. 807.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 90-1846. DENTON, DIRECTOR OF CORRECTIONS OF CALIFORNIA, ET AL. *v.* HERNANDEZ. C. A. 9th Cir. [Certiorari granted, *ante*, p. 937.] Motion of petitioners to dispense with printing the joint appendix granted.

No. 90-1859. KEENEY, SUPERINTENDENT, OREGON STATE PENITENTIARY *v.* TAMAYO-REYES. C. A. 9th Cir. [Certiorari granted, *ante*, p. 807.] Motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* granted.

No. 91-142. TIDEWATER MARINE SERVICE, INC., ET AL. *v.* AUBRY ET AL. C. A. 9th Cir.;

No. 91-349. PACIFIC MERCHANT SHIPPING ASSN. ET AL. *v.* AUBRY, LABOR COMMISSIONER, DIVISION OF LABOR STANDARDS ENFORCEMENT, DEPARTMENT OF INDUSTRIAL RELATIONS OF CALIFORNIA. C. A. 9th Cir.;

No. 91-356. MEAD CORP. *v.* TILLEY ET AL. C. A. 4th Cir.; and

No. 91-610. LOCAL 144 NURSING HOME PENSION FUND ET AL. *v.* DEMISAY ET AL. C. A. 2d Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

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No. 91-5450. *HITCHCOCK v. FLORIDA*, *ante*, p. 912. Respondent is requested to file a response to the petition for rehearing within 30 days.

No. 91-6109. *GILBERTSON v. GRAHAM ET AL.* Dist. Ct. App. Fla., 4th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until December 30, 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.

No. 91-6391. *IN RE ESTES*; and

No. 91-6423. *IN RE REARDON*. Petitions for writs of habeas corpus denied.

No. 91-6127. *IN RE JERSIMSKI*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 91-17. *ESTATE OF COWART v. NICKLOS DRILLING CO. ET AL.* C. A. 5th Cir. Certiorari granted. Reported below: 927 F. 2d 828.

No. 91-535. *BURDICK v. TAKUSHI, DIRECTOR OF ELECTIONS OF HAWAII, ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 937 F. 2d 415.

No. 91-5771. *WADE v. UNITED STATES*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 936 F. 2d 169.

Certiorari Denied

No. 91-323. *FELDMAN ET AL. v. CALIFORNIA*. App. Dept., Super. Ct. Cal., Orange County. Certiorari denied.

No. 91-357. *LOUISIANA v. BRUCE*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 577 So. 2d 209.

No. 91-437. *SMALLS v. UNITED STATES*. Ct. Mil. App. Certiorari denied. Reported below: 32 M. J. 398.

No. 91-444. *LIVINGSTON CARE CENTERS, INC., ET AL. v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 934 F. 2d 719.

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No. 91-455. *CRUDE CO. v. DEPARTMENT OF ENERGY ET AL.* Temp. Emerg. Ct. App. Certiorari denied. Reported below: 943 F. 2d 59.

No. 91-458. *RIVERSIDE MARKET LIMITED PARTNERSHIP ET AL. v. PRESCOTT.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 327.

No. 91-464. *TEAMSTERS LOCAL NO. 71 v. WALKER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 376.

No. 91-473. *GULF STATES UTILITIES CO. v. LOUISIANA PUBLIC SERVICE COMMISSION ET AL.* Sup. Ct. La. Certiorari denied. Reported below: 578 So. 2d 71.

No. 91-479. *MASSACHUSETTS v. REOPELL.* C. A. 1st Cir. Certiorari denied. Reported below: 936 F. 2d 12.

No. 91-491. *CONSOLIDATED FREIGHTWAYS, INC. v. WALKER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 930 F. 2d 376.

No. 91-501. *APONTE, MAYOR OF THE MUNICIPALITY OF CAROLINA, ET AL. v. HIRALDO-CANCEL ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 925 F. 2d 10.

No. 91-579. *MIN-CHUAN KU v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied. Reported below: 924 F. 2d 1052.

No. 91-624. *ALEXANDER v. LOS ANGELES COUNTY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 917 F. 2d 27.

No. 91-625. *E-V Co. ET AL. v. URBAN REDEVELOPMENT AUTHORITY OF PITTSBURGH.* Sup. Ct. Pa. Certiorari denied. Reported below: 527 Pa. 550, 594 A. 2d 1375.

No. 91-632. *MILLSPAUGH ET AL. v. COUNTY DEPARTMENT OF PUBLIC WELFARE OF WABASH COUNTY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 937 F. 2d 1172.

No. 91-634. *INDEPENDENT NURSING HOME ASSN. ET AL. v. SMITH, DIRECTOR, MISSISSIPPI DIVISION OF MEDICAID IN THE OFFICE OF THE GOVERNOR, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 793.

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No. 91-641. *FENN ET AL. v. ALFADDA ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 475.

No. 91-643. *BRYANT v. BROOKLYN BARBECUE CORP. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 697.

No. 91-645. *BUCHANAN v. FIRST GIBRALTAR BANK, FSB.* C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 83.

No. 91-646. *INVESTACORP, INC. v. ARABIAN INVESTMENT BANKING CORP. (INVESTCORP) E. C., DBA INVESTCORP, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1519.

No. 91-647. *ASKEW ET AL., DBA T & T PRODUCTION CO. v. CHILES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 655.

No. 91-649. *GREENE ET AL. v. TOWN OF BLOOMING GROVE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 507.

No. 91-654. *CAFARO v. NEW YORK.* App. Term, Sup. Ct. N. Y., 9th and 10th Jud. Dists. Certiorari denied.

No. 91-660. *DOWNTOWN AUTO PARKS, INC. v. CITY OF MILWAUKEE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 938 F. 2d 705.

No. 91-663. *CLARK v. CLARK, EXECUTOR OF THE ESTATE OF CLARK.* Sup. Ct. Iowa. Certiorari denied. Reported below: 476 N. W. 2d 367.

No. 91-665. *GELB v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-673. *BLOCK, SHERIFF OF LOS ANGELES COUNTY, ET AL. v. BOUMAN.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1211.

No. 91-696. *WILSON v. SECURITY INSURANCE CO.* Sup. Ct. Conn. Certiorari denied.

No. 91-738. *SCHALTENBRAND v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 1554.

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No. 91-5093. *REED v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 934 F. 2d 1387.

No. 91-5623. *BERINGER v. PETERS, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 934 F. 2d 110.

No. 91-5776. *RODRIGO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 595.

No. 91-5810. *WILLIAMS v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 569.

No. 91-5884. *TOWE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 655.

No. 91-5987. *VINSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 320.

No. 91-6005. *PEREZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 574.

No. 91-6096. *PANTOJA v. CLERK OF COMMON PLEAS COURT*. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 898.

No. 91-6099. *BURTON, AKA JOHNSON v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 131.

No. 91-6100. *DAILEY v. KEMNA, SUPERINTENDENT, WESTERN MISSOURI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 91-6103. *GIBBS v. HOFBAUER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-6106. *HANSBOROUGH v. INDIANA UNIVERSITY BLOOMINGTON BOARD OF TRUSTEES*. C. A. 7th Cir. Certiorari denied.

No. 91-6112. *AUGUSTUS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 91-6123. *BREWSTER (JOHNSON) v. BOARD OF REVIEW*. Super. Ct. N. J., App. Div. Certiorari denied.

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No. 91-6129. *DOWLING v. KAMBER ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1294.

No. 91-6130. *LORD v. ATTORNEY GENERAL OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 650.

No. 91-6136. *BYERS v. ARMONTROUT, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 727.

No. 91-6138. *MURRAY v. DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES.* Sup. Ct. Fla. Certiorari denied. Reported below: 583 So. 2d 1036.

No. 91-6146. *SHUMATE v. SIGNET BANK.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1287.

No. 91-6149. *SEATON-EL v. FITZNER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-6152. *FELTON v. BARNETT, SUPERINTENDENT, EASTERN CORRECTIONAL INSTITUTION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 652.

No. 91-6153. *TURNER v. MCCARTHY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 29.

No. 91-6155. *SMITH v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 890.

No. 91-6156. *HOWARD v. WHITLEY, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 91-6158. *JOYCE v. WALKER ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 593 A. 2d 199.

No. 91-6162. *PARROTT v. SOWDERS, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 1134.

No. 91-6167. *BURNLEY v. MURRAY, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 900.

No. 91-6168. *DAVIS v. HARRIS, SUPERINTENDENT, GREENE CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

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No. 91-6169. *BAKER v. LOPATIN, MILLER, FREEDMAN, BLUESTONE, ERLICH, ROSEN & BARTNICK, ATTORNEYS AT LAW, P. C.* C. A. 6th Cir. Certiorari denied. Reported below: 937 F. 2d 608.

No. 91-6183. *PERRY v. UNITED STATES POSTAL SERVICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 937 F. 2d 623.

No. 91-6265. *ALLGOOD v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 663.

No. 91-6280. *KUTNYAK v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 942 F. 2d 1001.

No. 91-6298. *HALL v. JABE, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 1209.

No. 91-6303. *JOHNSON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 944 F. 2d 396.

No. 91-6311. *TYLER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 420.

No. 91-6317. *KING v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-6323. *COHNERLEY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-6332. *BENDER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 899.

No. 91-6347. *PEREZ BUSTILLO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 91-6353. *KING v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 477.

No. 91-6357. *GILKEY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 786.

No. 91-6359. *BROWN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 941 F. 2d 1300.

No. 91-6387. *LARETTE v. DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* Sup. Ct. Mo. Certiorari denied.

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No. 91-401. *HOLTZMAN v. GRIEVANCE COMMITTEE FOR THE TENTH JUDICIAL DISTRICT*. Ct. App. N. Y. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 78 N. Y. 2d 184, 577 N. E. 2d 30.

No. 91-429. *IN RE WESTFALL*. Sup. Ct. Mo. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 808 S. W. 2d 829.

No. 91-5827. *MAHECHA ONOFRE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 936 F. 2d 623.

No. 91-474. *MARTIN v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 9th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 932 F. 2d 1273.

No. 91-633. *PRINCIPAL FINANCIAL GROUP, AKA PRINCIPAL MUTUAL LIFE INSURANCE Co. v. THOMAS*. Sup. Ct. Ala. Motion of American Council of Life Insurance et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 585 So. 2d 816.

Rehearing Denied

No. 91-5835. *REIDT v. DEPARTMENT OF VETERANS AFFAIRS*, *ante*, p. 948. Petition for rehearing denied.

No. 90-1983. *PAYNE v. UNITED STATES*; and *MEDRANO-PEREZ v. UNITED STATES*, *ante*, p. 824;

No. 90-8318. *WILLIAMS v. FOLTZ, WARDEN*, *ante*, p. 844;

No. 90-8475. *GALLEGO v. CALIFORNIA*, *ante*, p. 924;

No. 90-8508. *BROWN v. GEORGIA*, *ante*, p. 906;

No. 91-44. *RADLOFF ET UX. v. FIRST AMERICAN NATIONAL BANK OF ST. CLOUD, N. A., ET AL.*, *ante*, p. 858;

No. 91-181. *AGRO SCIENCE Co. ET AL. v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 907;

No. 91-5005. *JORDAN ET AL. v. THOMAS, WARDEN*, *ante*, p. 926;

No. 91-5249. *HAMILTON v. KESTELL, POGUE & GOULD ET AL.*, *ante*, p. 883;

No. 91-5489. *WATT v. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY, ET AL.*, *ante*, p. 913;

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No. 91-5521. *WILLIAMS v. CHAVIS, WARDEN, ET AL.*, *ante*, p. 914;

No. 91-5564. *LEDET v. LYNN ET AL.*, *ante*, p. 914;

No. 91-5632. *YORK v. UNITED STATES*, *ante*, p. 916;

No. 91-5660. *NASIM v. UNITED STATES*, *ante*, p. 916;

No. 91-5716. *MORRIS ET UX. v. CARLTON*, *ante*, p. 917; and

No. 91-5720. *SCHLOSSER v. INTERNAL REVENUE SERVICE*, *ante*, p. 918. Petitions for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of these petitions.

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Certiorari Granted—Reversed and Remanded. (See No. 90-1440, *ante*, p. 224.)

Miscellaneous Orders

No. A-350. *TAYLOR v. UNITED STATES*. Application for bond pending appeal, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. D-1042. *IN RE DISBARMENT OF MCLELLAN*. Disbarment entered. [For earlier order herein, see *ante*, p. 923.]

No. D-1059. *IN RE DISBARMENT OF MARQUARDT*. It is ordered that Philip Walter Marquardt, of Phoenix, 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-1060. *IN RE DISBARMENT OF BLUMENFELD*. It is ordered that Todd Eric Blumenfeld, of Philadelphia, Pa., 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-1061. *IN RE DISBARMENT OF WALDRON*. It is ordered that Kenneth L. Waldron, of Jackson, Mo., 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.

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No. D-1062. IN RE DISBARMENT OF TAVOLACCI. It is ordered that Peter P. Tavolacci, of Carmel, 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-1063. IN RE DISBARMENT OF WEISS. It is ordered that Paul A. Weiss, of Garden City, 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-1064. IN RE DISBARMENT OF SOLOMON. It is ordered that Norman F. Solomon, 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. 118, Orig. UNITED STATES *v.* ALASKA. Motion of Alabama et al. for leave to file a brief as *amici curiae* granted. Cross-motions for summary judgment set for oral argument in due course. [For earlier order herein, see, *e. g.*, 501 U. S. 1275.]

No. 90-1419. NATIONAL RAILROAD PASSENGER CORPORATION ET AL. *v.* BOSTON & MAINE CORP. ET AL.; and

No. 90-1769. INTERSTATE COMMERCE COMMISSION ET AL. *v.* BOSTON & MAINE CORP. ET AL. C. A. D. C. Cir. [Certiorari granted, *ante*, p. 807.] Motion of the Solicitor General for divided argument denied. JUSTICE BLACKMUN would grant this motion.

No. 90-1802. NATIONWIDE MUTUAL INSURANCE CO. ET AL. *v.* DARDEN. C. A. 4th Cir. [Certiorari granted, *ante*, p. 905.] Motion of National Association of Independent Insurers for leave to file a brief as *amicus curiae* granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 90-1832. PESTRAK *v.* OHIO ELECTIONS COMMISSION ET AL.; and

No. 91-9. OHIO ELECTIONS COMMISSION ET AL. *v.* PESTRAK. C. A. 6th Cir. Motion of the parties to further defer consideration of petitions for writs of certiorari granted.

No. 90-6616. STRINGER *v.* BLACK, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL. C. A. 5th Cir. [Certio-

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rari granted, 500 U. S. 915.] Motion for appointment of counsel granted, and it is ordered that Kenneth J. Rose, Esq., of Durham, N. C., be appointed to serve as counsel for petitioner in this case.

No. 91-594. AMERICAN NATIONAL RED CROSS *v.* S. G. ET AL. C. A. 1st Cir. [Certiorari granted, *ante*, p. 976.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 91-680. FAIRWAY SPRING CO., INC., ET AL. *v.* SOVRAN BANK/MARYLAND. C. A. 2d Cir.;

No. 91-681. CHEMUNG CANAL TRUST CO., AS TRUSTEE OF THE FAIRWAY SPRING CO., INC., RESTATED PENSION PLAN *v.* SOVRAN BANK/MARYLAND. C. A. 2d Cir.; and

No. 91-6255. SIGGERS ET AL. *v.* TUNICA COUNTY BOARD OF SUPERVISORS ET AL. Appeal from D. C. N. D. Miss. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 91-702. IN RE HOUCK. Petition for writ of mandamus denied.

Probable Jurisdiction Noted

No. 91-860. UNITED STATES DEPARTMENT OF COMMERCE ET AL. *v.* MONTANA ET AL. Appeal from D. C. Mont. Probable jurisdiction noted. Motion of appellees for expedited briefing schedule and oral argument granted. Opening brief for appellants is to be filed with the Clerk on or before January 15, 1992. Brief for appellees is to be filed with the Clerk on or before February 12, 1992. Reply brief for appellants is to be filed with the Clerk on or before February 21, 1992. Case set for oral argument during the session beginning February 24, 1992. Reported below: 775 F. Supp. 1358.

Certiorari Granted

No. 90-1676. GADE, DIRECTOR, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY *v.* NATIONAL SOLID WASTES MANAGEMENT ASSN. C. A. 7th Cir. Certiorari granted. Reported below: 918 F. 2d 671.

No. 91-542. WRIGHT, WARDEN, ET AL. *v.* WEST. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pau-*

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peris granted. Certiorari granted.* Reported below: 931 F. 2d 262.

Certiorari Denied

No. 91-424. HILLIARD *v.* CITY AND COUNTY OF DENVER ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 1516.

No. 91-616. DILLER *v.* SELVIN & WEINER ET AL.; and

No. 91-635. DILLER *v.* SELVIN & WEINER. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-671. SANDERS ET AL. *v.* CITY OF BRADY, TEXAS. C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 212.

No. 91-672. NEW YORK CITY HEALTH & HOSPITALS CORPORATION ET AL. *v.* EZEKWO. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 775.

No. 91-675. SAGAN *v.* DISCIPLINARY COUNSEL. Sup. Ct. Ohio. Certiorari denied. Reported below: 61 Ohio St. 3d 62, 572 N. E. 2d 658.

No. 91-677. SIMON *v.* SIMON ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 698.

No. 91-679. T. HARRIS YOUNG & ASSOCIATES, INC. *v.* MARQUETTE ELECTRONICS, INC. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 816.

No. 91-682. SPECTRONICS CORP. *v.* H. B. FULLER Co., INC., ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 940 F. 2d 631.

No. 91-684. STODER MEMORIAL HOSPITAL *v.* CHRISTOPHER. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 870.

No. 91-686. GEORGIA *v.* ASHLEY. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 488, 405 S. E. 2d 657.

No. 91-688. AEROVIAS NACIONALES DE COLOMBIA, S. A., ET AL. *v.* ALVAREZ, PERSONAL REPRESENTATIVE OF THE ESTATE OF ALVAREZ, DECEASED, ET AL. C. A. 11th Cir. Certiorari denied.

*[REPORTER'S NOTE: For amendment of this order, see *post*, p. 1021.]

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No. 91-720. *TRINSEY v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 224.

No. 91-729. *GARZIANO ET AL. v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 230 Cal. App. 3d 241, 281 Cal. Rptr. 307.

No. 91-735. *COHEN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 599.

No. 91-743. *KING v. DEPARTMENT OF EDUCATION ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 930 F. 2d 924.

No. 91-757. *B. E. ROCK CORP., DBA RAINBOW v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1278.

No. 91-782. *JENKINS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 943 F. 2d 167.

No. 91-5216. *COWART v. PUCKETT, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY.* C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 889.

No. 91-5363. *STANLEY v. ARIZONA.* Sup. Ct. Ariz. Certiorari denied. Reported below: 167 Ariz. 519, 809 P. 2d 944.

No. 91-5371. *GONZALEZ v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 922 F. 2d 1044.

No. 91-5441. *ROSENTHAL v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 406 Pa. Super. 665, 583 A. 2d 835.

No. 91-5577. *FERNANDEZ, AKA PAULINO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 739.

No. 91-5608. *BRADEN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 969.

No. 91-5622. *ADAMS v. OKLAHOMA ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 91-5668. *BARTEE v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 208 Ill. App. 3d 105, 566 N. E. 2d 855.

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No. 91-5777. *PARKINSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 584.

No. 91-5785. *WOOD v. METROPOLITAN LIFE INSURANCE CO.* C. A. 7th Cir. Certiorari denied.

No. 91-5866. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1260.

No. 91-5888. *JOHNSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1275.

No. 91-5893. *LONDON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 937 F. 2d 619.

No. 91-5936. *VAN TASSEL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 600.

No. 91-5968. *LONG v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 482.

No. 91-6017. *SHOUP v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1291.

No. 91-6085. *WEST v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 614.

No. 91-6093. *WHITSEL v. NIX, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 727.

No. 91-6110. *DOKES v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF ARKANSAS*. C. A. 8th Cir. Certiorari denied.

No. 91-6150. *HOOPER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 484.

No. 91-6161. *GREEN, AKA LANCASTER v. DEEDS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 27.

No. 91-6174. *LADNER v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 584 So. 2d 743.

No. 91-6178. *MARTIN v. KNOX ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 395.

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No. 91-6188. *HUMAN v. CITY OF SANTA MONICA, CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-6190. *HARTFORD v. HASKELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 51.

No. 91-6191. *DIRDEN v. WHITLEY, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 655.

No. 91-6200. *BURKES v. LYDAY ET AL.* Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 465, 405 S. E. 2d 472.

No. 91-6204. *COOPER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 53 Cal. 3d 771, 809 P. 2d 865.

No. 91-6208. *BORYSIK ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. Reported below: 937 F. 2d 610.

No. 91-6211. *BELL v. CITY AND COUNTY OF DENVER*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 582.

No. 91-6213. *TILLEY v. WELLS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 91-6227. *BULLOCK v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 91-6230. *WALKER v. WALKER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1204.

No. 91-6273. *MAJOR v. PUCKETT, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-6301. *FINCHUM v. LEWIS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 668.

No. 91-6329. *EGBERT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 940 F. 2d 1539.

No. 91-6330. *GEURIN v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. 9th Cir. Certiorari denied.

No. 91-6339. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 176.

No. 91-6346. *COOPER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 903.

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No. 91-6350. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1208.

No. 91-6369. *WILSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 592 A. 2d 1009.

No. 91-6393. *INGRAM v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 592 A. 2d 992.

No. 91-6399. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 942 F. 2d 795.

No. 91-6408. *BATES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 383.

No. 91-6450. *WEEKS v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 90-7347. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 919 F. 2d 734.

Opinion of JUSTICE STEVENS, respecting the denial of the petition for writ of certiorari.

For the reasons stated in JUSTICE BLACKMUN's dissenting opinion, there is no escape from the conclusion that the Court of Appeals committed error in this case. I write only to note that I find it difficult to articulate an acceptable theory of discretionary review that would explain both the Court's denial of certiorari in this case and its summary reversal in *Mireles v. Waco*, ante, p. 9 (*per curiam*), and *Hunter v. Bryant*, ante, p. 224 (*per curiam*).

JUSTICE BLACKMUN, with whom JUSTICE O'CONNOR and JUSTICE SOUTER join, dissenting.

Petitioner Roy Smith claims that the Court of Appeals for the Fourth Circuit reviewed his conviction in a manner inconsistent with this Court's precedents on the application of harmless-error analysis. I agree. I would grant the petition, summarily vacate the judgment, and remand the case to the Court of Appeals.

Petitioner and a codefendant, Slade Miller, were tried jointly for federal murder and conspiracy to commit murder, in violation of 18 U. S. C. §§ 1111 and 1117, on charges arising from the killing of a fellow inmate at Lorton Reformatory in Virginia. The Government's case relied in significant part on the testimony of Cor-

nell Warren, another co-conspirator who had entered into a cooperating plea agreement. Warren established the link between Smith and Miller and introduced statements by still another co-conspirator (who did not testify) that Smith had obtained shanks (prison-made knives) in preparation for the killing. Warren also testified that Smith had used a shank to stab the victim. Other witnesses testified that Miller stabbed the victim, while Smith restrained the only guard in the room.

On cross-examination, the court pre-empted defense counsel's attempt to question Warren about his possible incentives for testifying as a Government witness. In response to the judge's questioning, Warren gave contradictory testimony as to whether or not his lawyer had told him that he would probably receive a lesser sentence by pleading guilty than if he were tried and convicted. Over defense counsel's objections, the court then refused to permit further questions. The jury convicted Smith of conspiracy to commit murder and second-degree murder.

Smith appealed, asserting that the court had violated his rights under the Confrontation Clause of the Sixth Amendment by denying him the ability to show bias or self-interest in the witness. For purposes of the appeal, the Court of Appeals assumed that constitutional error was committed and that reversal was required unless the error could be found to be harmless beyond a reasonable doubt.

In reviewing the Government's evidence against Smith, the Court of Appeals explained that it was "[e]ssentially discounting Warren's testimony except as it is corroborated by other evidence, and considering all that remains in the light most favorable to the government" See *United States v. Smith*, No. 89-5475 (CA4, Dec. 10, 1990), App. to Pet. for Cert. 12, affirmance order, 919 F. 2d 734. The court found that this evidence, "obviously sufficient to convict if believed," was contradicted only by "Smith's facially implausible testimony that he held the guard only to protect him." App. to Pet. for Cert. 13. Accordingly, the Court of Appeals held that any error in restricting Smith's impeachment of Warren was harmless beyond a reasonable doubt.

As we made clear in *Satterwhite v. Texas*, 486 U. S. 249 (1988), the question "is not whether the legally admitted evidence was sufficient to support" the verdict; rather, the question is "whether the [prosecution] has proved 'beyond a reasonable doubt that the error complained of did not contribute to the verdict obtained.'"

Id., at 258–259, quoting *Chapman v. California*, 386 U.S. 18, 24 (1967). In short, the adequacy of the legally admitted evidence is only one of the factors to be considered in determining the influence that the error had upon the jury. See, e.g., *Arizona v. Fulminante*, 499 U.S. 279, 297–300 (1991) (focusing on the contribution of the coerced confession); *Satterwhite*, 486 U.S., at 259–260 (focusing on the contribution of testimony on future dangerousness).

In my view, the Court of Appeals misapplied harmless-error analysis in two respects. First, it gave only cursory consideration to how the error contributed to the verdict, summarily stating that Warren’s testimony, “though undoubtedly helpful to the prosecution because he was a charged co-conspirator, was to a large extent either cumulative or generally corroborated by other testimony.” App. to Pet. for Cert. 13. Rather, the Court of Appeals relied on its conclusion that the legally admitted evidence was “obviously sufficient to convict if believed.” *Ibid.* The Court of Appeals’ focus on the adequacy of the legally admitted evidence was error.

The Court of Appeals then compounded this error by considering the legally admitted evidence “in the light most favorable to the government.” *Id.*, at 12. We have consistently held since *Chapman* that constitutional error “casts on someone other than the person prejudiced by it a burden to show that it was harmless.” 386 U.S., at 24. See also *Fulminante*, 499 U.S., at 296 (prosecution has burden of demonstrating that admission of confession did not contribute to conviction); *Satterwhite*, 486 U.S., at 258–259. The Court of Appeals’ review of the evidence in the light most favorable to the Government improperly shifted the burden to Smith.

In sum, focusing on the legally admitted evidence in the light most favorable to the Government “preserves” the factfinder’s weighing of the evidence. Such preservation is desirable when the reviewing court is examining the legal sufficiency of the evidence. See *Jackson v. Virginia*, 443 U.S. 307, 319 (1979). Once the reviewing court has identified a constitutional error, however, it should not preserve the factfinder’s tainted deliberation—it should dissect it. The reviewing court then must require “the beneficiary of a constitutional error to prove beyond a reasonable doubt that the error complained of did not contribute to the verdict obtained.” *Chapman*, 386 U.S., at 24. Because the Court

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of Appeals' unpublished opinion* cannot be squared with our harmless-error precedents, I would vacate the judgment and direct the Court of Appeals to review the sentence under the proper standard.

No. 91-151. TEXAS *v.* SLOAN. Ct. App. Tex., 12th Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 809 S. W. 2d 234.

No. 91-448. WILLNER *v.* BARR, ACTING ATTORNEY GENERAL, ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 289 U. S. App. D. C. 93, 928 F. 2d 1185.

No. 91-475. METROPOLITAN LIFE INSURANCE CO. *v.* CARLAND. C. A. 10th Cir. Motion of American Council of Life Insurance for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 935 F. 2d 1114.

Rehearing Denied

No. 91-5467. JENKINS *v.* DUGGER ET AL., *ante*, p. 943. Petition for rehearing denied.

No. 90-8304. ARGENTINA *v.* UNITED STATES DEPARTMENT OF JUSTICE ET AL., *ante*, p. 843;

No. 91-109. CLAY *v.* METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, *ante*, p. 861;

No. 91-150. LOCKHART *v.* KENOPS, FOREST SUPERVISOR, BLACK HILLS NATIONAL FOREST, UNITED STATES FOREST SERVICE, ET AL., *ante*, p. 863;

No. 91-5108. STREET *v.* JABE, WARDEN, *ante*, p. 875;

No. 91-5329. MALACOW *v.* CONSOLIDATED RAIL CORPORATION, *ante*, p. 887;

No. 91-5578. HOUSEL *v.* ZANT, WARDEN, *ante*, p. 915;

No. 91-5651. CROW *v.* UPJOHN CO. ET AL., *ante*, p. 916; and

No. 91-5756. BORCHERS *v.* UNITED STATES (two cases), *ante*, p. 928. Petitions for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of these petitions.

*The fact that the Court of Appeals' opinion is unpublished is irrelevant. Nonpublication must not be a convenient means to prevent review. An unpublished opinion may have a lingering effect in the Circuit and surely is as important to the parties concerned as is a published opinion.

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Assignment Order

An order of THE CHIEF JUSTICE designating and assigning Justice Marshall (retired) to perform judicial duties in the United States Court of Appeals for the Second Circuit during the period of January 21 through January 23, 1992, and for such time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

DECEMBER 17, 1991

Miscellaneous Order

No. A-442. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION *v.* HOLLAND. Application of the Attorney General of Texas for an order to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Fifth Circuit, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. JUSTICE SCALIA took no part in the consideration or decision of this application.

DECEMBER 18, 1991

Dismissal Under Rule 46

No. 91-791. McDERMOTT INC. *v.* SALLYER, JUDGE, 130TH JUDICIAL DISTRICT COURT OF MATAGORDA COUNTY, TEXAS. Sup. Ct. Tex. Certiorari dismissed under this Court's Rule 46.

Miscellaneous Order

No. 91-542. WRIGHT, WARDEN, ET AL. *v.* WEST. C. A. 4th Cir. The order of December 16, 1991 [*ante*, p. 1012], granting the petition for writ of certiorari is amended as follows: Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. In addition to the questions presented by the petition, the parties are requested to brief and argue the following question: "In determining whether to grant a petition for writ of habeas corpus by a person in custody pursuant to the judgment of a state court, should a federal court give deference to the state court's application of law to the specific facts of the petitioner's case or should it review the state court's determination *de novo*?" JUSTICE BLACKMUN and JUSTICE STEVENS dissent.

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DECEMBER 27, 1991

Dismissals Under Rule 46

No. 90–1832. *PESTRAK v. OHIO ELECTIONS COMMISSION ET AL.*; and

No. 91–9. *OHIO ELECTIONS COMMISSION ET AL. v. PESTRAK*. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 926 F. 2d 573.

JANUARY 8, 1992

Miscellaneous Order

No. A–474 (91–980). *COLORADO ET AL. v. KUHN ET AL.* Application for stay of mandate of the Supreme Court of Colorado, case Nos. 90SA299 and 90SA300, presented to JUSTICE WHITE, and by him referred to the Court, granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the issuance of the mandate of this Court.

JANUARY 10, 1992

Miscellaneous Order

No. 91–1084. *COTLOW ET AL. v. EMISON ET AL.* Appeal from D. C. Minn. Motion of appellants to expedite consideration of the jurisdictional statement granted. The order entered December 5, 1991, by the United States District Court for the District of Minnesota staying state court proceedings is vacated.

Certiorari Granted

No. 91–155. *INTERNATIONAL SOCIETY FOR KRISHNA CONSCIOUSNESS, INC., ET AL. v. LEE, SUPERINTENDENT OF PORT AUTHORITY POLICE*; and

No. 91–339. *LEE, SUPERINTENDENT OF PORT AUTHORITY POLICE v. INTERNATIONAL SOCIETY FOR KRISHNA CONSCIOUSNESS, INC., ET AL.* C. A. 2d Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Petitioners' briefs and the joint appendix are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., February 14, 1992. Respondents' briefs are to be filed with the Clerk and

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served upon opposing counsel on or before 3 p.m., March 5, 1992. Any reply brief is to be filed with the Clerk and served upon opposing counsel in accordance with this Court's Rule 25.3. Oral argument is scheduled for the March session beginning March 23, 1992. Reported below: 925 F. 2d 576.

No. 91-367. ANKENBRANDT, AS NEXT FRIEND AND MOTHER OF L. R. ET AL. *v.* RICHARDS ET AL. C. A. 5th Cir. Certiorari granted limited to the following questions: "(1) Is there a domestic relations exception to federal jurisdiction? (2) If so, does it permit a district court to abstain from exercising diversity jurisdiction over a tort action for damages? (3) Did the District Court in this case err in abstaining from exercising jurisdiction under the doctrine of *Younger v. Harris*, 401 U. S. 37 (1971)?" Petitioner's brief and the joint appendix are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., February 14, 1992. Respondents' brief is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., March 5, 1992. Any reply brief is to be filed with the Clerk and served upon opposing counsel in accordance with this Court's Rule 25.3. Oral argument is scheduled for the March session beginning March 23, 1992. Reported below: 934 F. 2d 1262.

No. 91-543. NEW YORK *v.* UNITED STATES ET AL.;

No. 91-558. COUNTY OF ALLEGANY, NEW YORK *v.* UNITED STATES ET AL.; and

No. 91-563. COUNTY OF CORTLAND, NEW YORK *v.* UNITED STATES ET AL. C. A. 2d Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Petitioners' briefs and the joint appendix are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., February 14, 1992. Respondents' brief is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., March 5, 1992. Any reply briefs are to be filed with the Clerk and served upon opposing counsel in accordance with this Court's Rule 25.3. Oral argument is scheduled for the March session beginning March 23, 1992. Reported below: 942 F. 2d 114.

No. 91-538. FORSYTH COUNTY, GEORGIA *v.* NATIONALIST MOVEMENT. C. A. 11th Cir. Certiorari granted. Petitioner's brief and the joint appendix are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., February 14, 1992. Re-

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spondent's brief is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., March 5, 1992. Any reply brief is to be filed with the Clerk and served upon opposing counsel in accordance with this Court's Rule 25.3. Oral argument is scheduled for the March session beginning March 23, 1992. Reported below: 913 F. 2d 885 and 934 F. 2d 1482.

No. 91-636. FORT GRATIOT SANITARY LANDFILL, INC. *v.* MICHIGAN DEPARTMENT OF NATURAL RESOURCES ET AL. C. A. 6th Cir. Motion of Environmental Transportation Association for leave to file a brief as *amicus curiae* granted. Certiorari granted. Petitioner's brief and the joint appendix are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., February 14, 1992. Respondents' brief is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., March 5, 1992. Any reply brief is to be filed with the Clerk and served upon opposing counsel in accordance with this Court's Rule 25.3. Oral argument is scheduled for the March session beginning March 23, 1992. Reported below: 931 F. 2d 413.

No. 91-712. UNITED STATES *v.* ALVAREZ-MACHAIN. C. A. 9th Cir. Certiorari granted. Petitioner's brief and the joint appendix are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., February 14, 1992. Respondent's brief is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., March 5, 1992. Any reply brief is to be filed with the Clerk and served upon opposing counsel in accordance with this Court's Rule 25.3. Oral argument is scheduled for the March session beginning March 23, 1992. Reported below: 946 F. 2d 1466.

No. 91-763. REPUBLIC OF ARGENTINA ET AL. *v.* WELTOVER, INC., ET AL. C. A. 2d Cir. Certiorari granted. Petitioners' brief and the joint appendix are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., February 14, 1992. Respondents' brief is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., March 5, 1992. Any reply brief is to be filed with the Clerk and served upon opposing counsel in accordance with this Court's Rule 25.3. Oral argument is scheduled for the March session beginning March 23, 1992. Reported below: 941 F. 2d 145.

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Appointment of Deputy Clerk

It is ordered that Gary Kemp be, and he is hereby, appointed Deputy Clerk of this Court, effective January 6, 1992.

Certiorari Granted—Vacated and Remanded

No. 90–722. CAMPO *v.* ELECTRO-COAL TRANSFER CORP., INC.; and

No. 90–956. NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PENNSYLVANIA *v.* CAMPO ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and cases remanded for further consideration in light of *Southwest Marine, Inc. v. Gizoni*, ante, p. 81. Reported below: 909 F. 2d 1480.

No. 90–1223. IMMIGRATION AND NATURALIZATION SERVICE *v.* RAMIREZ RIVAS. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Ardestani v. INS*, ante, p. 129.

No. 90–1258. GOMEZ, WARDEN, DEUEL VOCATIONAL INSTITUTION OF CALIFORNIA *v.* MCKINNEY. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Estelle v. McGuire*, ante, p. 62. Reported below: 914 F. 2d 262.

No. 91–206. CHILDREN OF BEDFORD, INC., ET AL. *v.* PETROMELIS ET AL. Ct. App. N. Y. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Simon & Schuster, Inc. v. Members of N. Y. State Crime Victims Bd.*, ante, p. 105. Reported below: 77 N. Y. 2d 713, 573 N. E. 2d 541.

Miscellaneous Orders. (See also No. 91–716, ante, p. 236.)

No. — — —. DESIMONE *v.* FRANK, POSTMASTER GENERAL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. — — —. JENKINS *v.* GOLDEN ET AL. Motion of petitioner to file petition for writ of certiorari that does not comply with this Court's Rule 33 denied.

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No. A-294. *OLSON v. KANSAS*. Application for bond, addressed to JUSTICE BLACKMUN and referred to the Court, denied.

No. A-367. *WINSLOW ET UX. v. COLORADO SUPREME COURT*. Sup. Ct. Colo. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. A-423. *EUSTIS ENGINEERING CO. ET AL. v. NICHOLSON & LOUP, INC.* Sup. Ct. La. Application for stay or injunction, addressed to JUSTICE WHITE and referred to the Court, denied.

No. D-1040. *IN RE DISBARMENT OF GAYNES*. Disbarment entered. [For earlier order herein, see *ante*, p. 923.]

No. D-1044. *IN RE DISBARMENT OF WEISENSEE*. Disbarment entered. [For earlier order herein, see *ante*, p. 935.]

No. D-1046. *IN RE DISBARMENT OF JENKINS*. Disbarment entered. [For earlier order herein, see *ante*, p. 936.]

No. D-1065. *IN RE DISBARMENT OF SOLOWITCH*. It is ordered that Eric Steven Solowitch, of University Heights, Ohio, 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-1066. *IN RE DISBARMENT OF KROS*. It is ordered that James John Kros, of Aurora, 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-1067. *IN RE DISBARMENT OF CARDIN*. It is ordered that Jerome Stanley Cardin, of Stevenson, Md., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1068. *IN RE DISBARMENT OF WHITE*. It is ordered that Donnie Howard White, of Georgetown, Ky., 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-1069. *IN RE DISBARMENT OF BAKER*. It is ordered that David Baker, of Avalon, N. J., be suspended from the practice

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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-1070. *IN RE DISBARMENT OF DUNN*. It is ordered that Vincent Mosser Dunn, of Detroit, Mich., 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. 105, Orig. *KANSAS v. COLORADO*. Motion of the Special Master for Interim Fees and Expenses granted, and the Special Master is awarded \$429,457.39 to be paid in accordance with the allocation order filed by the Special Master on October 9, 1989. JUSTICE THOMAS took no part in the consideration or decision of this motion. [For earlier order herein, see, *e. g.*, 498 U. S. 933.]

No. 109, Orig. *OKLAHOMA ET AL. v. NEW MEXICO*. Motion of the Special Master for compensation and reimbursement of expenses granted, and the Special Master is awarded a total of \$14,499.45 for the period December 1, 1990, through October 31, 1991, to be paid one-third by each party. [For earlier order herein, see, *e. g.*, 501 U. S. 1277.]

No. 90-1974. *SPARKS v. CHURCHILL DOWNS ET AL.*, *ante*, p. 953. A response to the rule to show cause has been filed. Petitioner is sanctioned in the amount of \$1,000 to be paid to the Clerk of the Court on or before March 13, 1992. JUSTICE BLACKMUN and JUSTICE SOUTER dissent.

No. 91-497. *MICHIGAN EMPLOYMENT SECURITY COMMISSION v. WOLVERINE RADIO Co., INC.* C. A. 6th Cir.;

No. 91-689. *CITIBANK, N. A. v. WELLS FARGO ASIA LTD.* C. A. 2d Cir.; and

No. 91-707. *LENNES, COMMISSIONER, DEPARTMENT OF LABOR AND INDUSTRY OF MINNESOTA, ET AL. v. BOISE CASCADE CORP. ET AL.* C. A. 8th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 91-703. *GUSTO RECORDS, INC., ET AL. v. THOMAS ET AL.*, *ante*, p. 984. Motions of Dominion Entertainment, Inc., and Rhino Records, Inc., for leave to file briefs as *amici curiae* granted.

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No. 91-794. HARPER ET AL. *v.* VIRGINIA DEPARTMENT OF TAXATION. Sup. Ct. Va. Motion of petitioners to expedite consideration of petition for writ of certiorari denied.

No. 91-5244. MARTIN *v.* MRVOS. C. A. 3d Cir.;

No. 91-5246. MARTIN *v.* SMITH ET AL. C. A. 3d Cir.;

No. 91-5307. MARTIN *v.* DELAWARE LAW SCHOOL OF WIDENER UNIVERSITY, INC., ET AL. C. A. 3d Cir.;

No. 91-5331. MARTIN *v.* WALMER ET AL. C. A. 3d Cir.;

No. 91-5332. MARTIN *v.* TOWNSEND ET AL. C. A. 3d Cir.;

No. 91-5401. MARTIN *v.* SUPREME COURT OF NEW JERSEY. Sup. Ct. N. J.;

No. 91-5476. MARTIN *v.* BAR OF THE DISTRICT OF COLUMBIA COURT OF APPEALS. Ct. App. D. C.; and

No. 91-5583. MARTIN *v.* HUYETT. C. A. 3d Cir. Motions of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 16] denied.

No. 91-5771. WADE *v.* UNITED STATES. C. A. 4th Cir. [Certiorari granted, *ante*, p. 1003.] Motion for appointment of counsel granted, and it is ordered that J. Matthew Martin, Esq., of Hillsborough, N. C., be appointed to serve as counsel for petitioner in this case.

No. 91-6341. CROMARTIE *v.* DEPARTMENT OF THE AIR FORCE. C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until February 3, 1992, 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.

No. 91-6537. IN RE KALTENBACH; and

No. 91-6635. IN RE SPEARMAN. Petitions for writs of habeas corpus denied.

No. 91-5586. IN RE SEAGRAVE. Motion of petitioner to strike brief of respondent denied. Petition for writ of habeas corpus denied.

No. 91-898. IN RE WELT;

No. 91-6224. IN RE WILLIAMS;

No. 91-6268. IN RE ANDERSON;

No. 91-6288. IN RE SEATON;

No. 91-6293. IN RE MITCHELL;

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No. 91-6294. IN RE PIERRE;
No. 91-6319. IN RE DAVIS; and
No. 91-6384. IN RE RETTIG. Petitions for writs of mandamus denied.

No. 91-6307. IN RE MINDEK ET AL. Petition for writ of mandamus and/or prohibition denied.

No. 91-6248. IN RE GINTER ET UX. Petition for writ of prohibition denied.

Certiorari Denied

No. 89-1949. TILGHMAN ET AL. *v.* KOLKHORST. C. A. 4th Cir. Certiorari denied. Reported below: 897 F. 2d 1282.

No. 90-1470. COLEGIO DE ABOGADOS DE PUERTO RICO *v.* SCHNEIDER ET AL.;

No. 90-1513. CULPEPER ET AL. *v.* SCHNEIDER ET AL.; and

No. 90-1651. SCHNEIDER ET AL. *v.* COLEGIO DE ABOGADOS DE PUERTO RICO. C. A. 1st Cir. Certiorari denied. Reported below: 917 F. 2d 620.

No. 90-1897. UNITED ARTISTS COMMUNICATIONS, INC., ET AL. *v.* THE MOVIE 1 & 2. C. A. 9th Cir. Certiorari denied. Reported below: 909 F. 2d 1245.

No. 91-83. HODGE *v.* UNITED STATES DEPARTMENT OF JUSTICE; ESCOBEDO GONZALEZ *v.* IMMIGRATION AND NATURALIZATION SERVICE; and AMADOR-CASTILLO *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 5th Cir. Certiorari denied. Reported below: 929 F. 2d 153 (first case); 932 F. 2d 965 (second case); 930 F. 2d 916 (third case).

No. 91-202. LAUGHINGHOUSE *v.* NORTH CAROLINA EX REL. NORTH CAROLINA PORTS RAILWAY COMMISSION. Ct. App. N. C. Certiorari denied. Reported below: 101 N. C. App. 375, 399 S. E. 2d 587.

No. 91-207. HASHIM *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. Reported below: 936 F. 2d 711.

No. 91-295. DOYLE ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 931 F. 2d 1546.

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No. 91-380. HOGAN ET AL. *v.* MUSOLF ET AL. Sup. Ct. Wis. Certiorari denied. Reported below: 163 Wis. 2d 1, 471 N. W. 2d 216.

No. 91-457. NUTBROWN ET AL. *v.* MUNN ET AL. Sup. Ct. Ore. Certiorari denied. Reported below: 311 Ore. 328, 811 P. 2d 131.

No. 91-466. HAGER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 573.

No. 91-494. FULL GOSPEL PORTLAND CHURCH ET AL. *v.* ATTORNEY GENERAL OF THE UNITED STATES ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 288 U. S. App. D. C. 356, 927 F. 2d 628.

No. 91-510. TIFFANY, ADMINISTRATRIX AND PERSONAL REPRESENTATIVE OF THE ESTATE OF TIFFANY, DECEASED *v.* UNITED STATES ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 271.

No. 91-520. VILLAGE OF PALESTINE ET AL. *v.* INTERSTATE COMMERCE COMMISSION ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 290 U. S. App. D. C. 278, 936 F. 2d 1335.

No. 91-532. RODRIGUEZ-MORALES *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 929 F. 2d 780.

No. 91-537. GARCIA ET UX. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 938 F. 2d 12.

No. 91-549. McELWAIN *v.* COUNTY OF FLATHEAD. Sup. Ct. Mont. Certiorari denied. Reported below: 248 Mont. 231, 811 P. 2d 1267.

No. 91-552. COLEMAN ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1280.

No. 91-553. THOMPSON *v.* ALABAMA. Ct. Crim. App. Ala. Certiorari denied. Reported below: 581 So. 2d 1216.

No. 91-554. REINER *v.* TOLEDO HOTEL INVESTORS LIMITED PARTNERSHIP. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 573.

No. 91-556. JANA, INC. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 936 F. 2d 1265.

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No. 91-581. GREENE, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF GREENE *v.* DAVID GRANT UNITED STATES AIR FORCE MEDICAL CENTER ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 59.

No. 91-586. KAHOK *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1318.

No. 91-587. INDEPENDENT INSURANCE AGENTS OF AMERICA, INC., ET AL. *v.* CITICORP. C. A. 2d Cir. Certiorari denied. Reported below: 936 F. 2d 66.

No. 91-590. UNION NATIONAL BANK OF LITTLE ROCK ET AL. *v.* MOSBACHER, SECRETARY OF COMMERCE, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 933 F. 2d 1440.

No. 91-592. OWEN ET AL., INDIVIDUALLY AND AS NEXT FRIENDS FOR OWEN, A MINOR *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 734.

No. 91-596. ESTELLE, WARDEN *v.* ROSA COLLAZO. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 411.

No. 91-620. ILLINOIS *v.* SIMMS; and

No. 91-5664. SIMMS *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. Reported below: 143 Ill. 2d 154, 572 N. E. 2d 947.

No. 91-637. WILLIAMS TILE & TERRAZZO Co. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1249.

No. 91-642. GILMAN *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. Reported below: 933 F. 2d 143.

No. 91-644. DAVENPORT *v.* UNITED STATES; and

No. 91-6097. DAVENPORT *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 929 F. 2d 1169.

No. 91-657. RIVERSO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 932 F. 2d 957.

No. 91-666. SWANSON ET AL. *v.* POWERS, SECRETARY OF THE NORTH CAROLINA DEPARTMENT OF REVENUE, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 965.

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No. 91-668. *MEKSS v. WYOMING GIRLS' SCHOOL*. Sup. Ct. Wyo. Certiorari denied. Reported below: 813 P. 2d 185.

No. 91-683. *CITY OF JAMESTOWN v. JAMES CABLE PARTNERS, DBA BIG SOUTH FORK CABLEVISION*. Ct. App. Tenn. Certiorari denied. Reported below: 818 S. W. 2d 338.

No. 91-692. *RHODES, PERSONAL REPRESENTATIVE OF ESTATE OF WEST, DECEASED v. MCDANNEL ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 945 F. 2d 117.

No. 91-693. *FEDERAL INSURANCE CO. v. CITY OF LAKE LAND*. C. A. 11th Cir. Certiorari denied.

No. 91-695. *THOMPSON v. THOMPSON*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 271.

No. 91-708. *CHAMPION v. CHAMPION*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 582 So. 2d 632.

No. 91-710. *RISHEL v. UNITED MINE WORKERS OF AMERICA HEALTH AND RETIREMENT FUNDS*. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 598.

No. 91-722. *NL INDUSTRIES, INC. v. GHR ENERGY CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 957.

No. 91-727. *AMALGAMATED CLOTHING & TEXTILE WORKERS UNION, AFL-CIO, CLC v. NICHOLS*. Sup. Ct. S. C. Certiorari denied. Reported below: 305 S. C. 323, 408 S. E. 2d 237.

No. 91-732. *SNIDER, ACTING SECRETARY OF THE DEPARTMENT OF PUBLIC WELFARE OF PENNSYLVANIA, ET AL. v. TEMPLE UNIVERSITY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 201.

No. 91-737. *ALABAMA v. PRINCE*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 584 So. 2d 889.

No. 91-739. *LIBERTY MUTUAL INSURANCE CO. v. STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 1179.

No. 91-741. *MANN v. RIGTRUP ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 935 F. 2d 278.

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No. 91-742. KRISHER *v.* SHARPE ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 897.

No. 91-747. OCEAN DRILLING & EXPLORATION Co. (ODECO) *v.* DIMENSIONAL OILFIELD SERVICES, INC. C. A. 5th Cir. Certiorari denied. Reported below: 923 F. 2d 393.

No. 91-749. ASAM *v.* CITY OF TUSCALOOSA ET AL. Ct. Civ. App. Ala. Certiorari denied. Reported below: 585 So. 2d 60.

No. 91-752. DADE ET AL. *v.* CANNATELLA ET AL. C. A. 5th Cir. Certiorari denied.

No. 91-753. ABICK ET AL. *v.* MICHIGAN. Ct. App. Mich. Certiorari denied.

No. 91-754. HOME BOX OFFICE, INC., ET AL. *v.* Z CHANNEL LIMITED PARTNERSHIP. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 1338.

No. 91-755. CORAL CONSTRUCTION Co. ET AL. *v.* KING COUNTY, WASHINGTON. C. A. 9th Cir. Certiorari denied. Reported below: 941 F. 2d 910.

No. 91-756. WHITMER ET UX. *v.* JOHN HANCOCK MUTUAL LIFE INSURANCE Co. ET AL. C. A. 7th Cir. Certiorari denied.

No. 91-759. BALL ET AL. *v.* JOY TECHNOLOGIES, INC., FORMERLY JOY MANUFACTURING Co. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 651.

No. 91-764. CONWAY *v.* STATESMAN MORTGAGE Co., FKA FEDERATED FINANCIAL CORP., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1534.

No. 91-765. ISAACS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 274.

No. 91-770. JOSEPH C. KIRCHDORFER, INC. *v.* RICE, SECRETARY OF THE AIR FORCE. C. A. Fed. Cir. Certiorari denied. Reported below: 944 F. 2d 912.

No. 91-773. GIDDENS *v.* SHAKLEE U. S., INC. C. A. 9th Cir. Certiorari denied. Reported below: 934 F. 2d 324.

No. 91-775. KLEINMANN *v.* CUOMO, GOVERNOR OF NEW YORK, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 593.

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No. 91-783. *OWENS-ILLINOIS, INC. v. GLASS, MOLDERS, POTTERY, PLASTICS & ALLIED WORKERS INTERNATIONAL UNION, AFL-CIO, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1202.

No. 91-784. *CARPENTER v. CONNECTICUT.* Sup. Ct. Conn. Certiorari denied. Reported below: 220 Conn. 169, 595 A. 2d 881.

No. 91-786. *CLARKE v. LOMA LINDA FOODS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 933 F. 2d 1013.

No. 91-787. *RENBARGER v. WEISS.* C. A. 10th Cir. Certiorari denied. Reported below: 921 F. 2d 1032.

No. 91-788. *INAFUKU v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 938 F. 2d 972.

No. 91-789. *GRUNST v. UNITED STATES ET AL.* C. A. 8th Cir. Certiorari denied.

No. 91-793. *MICHIGAN v. HARRIS.* Ct. App. Mich. Certiorari denied.

No. 91-795. *COLLINS MUSIC Co., INC., ET AL. v. SOUTH CAROLINA TAX COMMISSION.* Sup. Ct. S. C. Certiorari denied. Reported below: 305 S. C. 183, 407 S. E. 2d 627.

No. 91-799. *DATTILO v. HOKE, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 91-800. *CUMBERLAND & OHIO Co. OF TEXAS, INC., SUCCESSOR CORPORATION OF HERBERT MATERIALS, INC. v. FIRST AMERICAN NATIONAL BANK.* C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 846.

No. 91-801. *CREAMER v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1275.

No. 91-802. *SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY v. EIDUKONIS.* C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 896.

No. 91-805. *SAVERS v. COMMISSIONER OF INTERNAL REVENUE ET AL.* C. A. D. C. Cir. Certiorari denied.

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No. 91-806. *CAMPIERE ET AL. v. LOUISIANA POWER & LIGHT Co.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 655.

No. 91-807. *MCNATT v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 931 F. 2d 251.

No. 91-808. *MURPHY ET AL. v. RAGSDALE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 941 F. 2d 501.

No. 91-811. *AMES v. GHERINI.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-818. *ADLER, A MINOR, BY AND THROUGH HIS GUARDIAN AD LITEM, ADLER, ET UX. v. KAISER FOUNDATION HEALTH PLAN, INC., ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-820. *RISK, INDIVIDUALLY AND AS GUARDIAN AD LITEM FOR RISK ET AL. v. KINGDOM OF NORWAY.* C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 393.

No. 91-821. *CAVAZOS v. CITY OF SUNNYSIDE.* Ct. App. Wash. Certiorari denied.

No. 91-822. *KRANK v. FULTON BANK.* C. A. 3d Cir. Certiorari denied. Reported below: 915 F. 2d 1561.

No. 91-823. *HOLLEY v. SCHREIBECK ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 897.

No. 91-831. *BURKE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 898.

No. 91-834. *CASHMAN v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. Reported below: 930 F. 2d 26.

No. 91-842. *BLAKENEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 942 F. 2d 1001.

No. 91-852. *OPTIMISM, INC., ET AL. v. MOUZON, INDIVIDUALLY AND DBA MOUZON MUSIC Co., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 942 F. 2d 792.

No. 91-856. *COCHRAN v. AMERICAN ABRASIVE METALS Co. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1533.

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No. 91-857. *CUSUMANO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 943 F. 2d 305.

No. 91-858. *AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA, BY ROBERTS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1207.

No. 91-862. *MINNESOTA v. MCKOWN ET VIR.* Sup. Ct. Minn. Certiorari denied. Reported below: 475 N. W. 2d 63.

No. 91-876. *VARIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 943 F. 2d 236.

No. 91-919. *BRIGHT v. HOUSTON NORTHWEST MEDICAL CENTER SURVIVOR, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 671.

No. 91-5163. *ESPARSEN v. UNITED STATES*; and

No. 91-5206. *MCFADDEN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 930 F. 2d 1461.

No. 91-5349. *WEIDNER v. THIERET, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 932 F. 2d 626.

No. 91-5524. *BANKS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 810 P. 2d 1286.

No. 91-5588. *PAULINO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 739.

No. 91-5621. *COE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 228 Cal. App. 3d 526, 279 Cal. Rptr. 362.

No. 91-5679. *BABBEL v. UTAH*. Sup. Ct. Utah. Certiorari denied. Reported below: 813 P. 2d 86.

No. 91-5726. *STRICKLAND v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 935 F. 2d 822.

No. 91-5783. *MILLER v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 104 Ore. App. 305, 800 P. 2d 1093.

No. 91-5793. *LIVINGSTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 936 F. 2d 333.

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No. 91-5896. *MITRAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 937 F. 2d 610.

No. 91-5922. *SHEWMAKER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 1124.

No. 91-5957. *CEPHAS ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 937 F. 2d 816.

No. 91-5966. *RAMIREZ ORTIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 605.

No. 91-5972. *LYNCH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 934 F. 2d 1226.

No. 91-5973. *MCCRORY v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 289 U. S. App. D. C. 178, 930 F. 2d 63.

No. 91-5989. *DANIEL v. OHIO*. Ct. App. Ohio, Trumbull County. Certiorari denied.

No. 91-5991. *ROBINSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 201.

No. 91-5995. *HODGE v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 809 S. W. 2d 835.

No. 91-5998. *DENNISON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 559.

No. 91-6006. *SWARTZ v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 91-6007. *TORRES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 1469.

No. 91-6032. *KNOTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 928 F. 2d 97.

No. 91-6037. *MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1472.

No. 91-6041. *RODRICK v. SINGLETARY*. Sup. Ct. Fla. Certiorari denied. Reported below: 584 So. 2d 2.

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No. 91-6042. *KALTENBACH v. WARDEN, WADE CORRECTIONAL CENTER*. C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 605.

No. 91-6050. *WHARTON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 53 Cal. 3d 522, 809 P. 2d 290.

No. 91-6065. *FLORES, AKA COLON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1275.

No. 91-6074. *CASTENEDA-ABARCA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 932 F. 2d 973.

No. 91-6091. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 932 F. 2d 1085.

No. 91-6134. *MAY ET AL. v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 4th Cir. Certiorari denied. Reported below: 936 F. 2d 176.

No. 91-6193. *BELL v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 305 S. C. 11, 406 S. E. 2d 165.

No. 91-6195. *ABRAMS v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 168 Ariz. 134, 811 P. 2d 1071.

No. 91-6209. *BERGELSON v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 581 So. 2d 918.

No. 91-6212. *BAILEY v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 91-6220. *WATERS v. WATSON*. Ct. App. Tenn. Certiorari denied.

No. 91-6226. *SPENCER v. BROWN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 586.

No. 91-6228. *WELSCH v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 91-6236. *GARGALLO v. QUICK & REILLY CLEARING CORP. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 929 F. 2d 701.

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No. 91-6241. *SMITH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 935 F. 2d 1283.

No. 91-6245. *JOHNSON v. PETERSON*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 580 So. 2d 765.

No. 91-6249. *SMITH v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 52.

No. 91-6250. *SPRY v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1295.

No. 91-6252. *AZIZ v. MISSOURI ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 951 F. 2d 354.

No. 91-6256. *JONES v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-6257. *FULLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 942 F. 2d 454.

No. 91-6258. *HILL v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-6259. *HOWELL v. ROBERDS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 274.

No. 91-6260. *GRAHAM v. HOKE, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 946 F. 2d 982.

No. 91-6269. *BETHEL v. KERBY, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 946 F. 2d 900.

No. 91-6270. *DIAZ v. SUPREME COURT OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 91-6271. *CZAJKA v. CASPARI ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 726.

No. 91-6272. *PRESSLER v. UNITED STATES FIDELITY & GUARANTY CO. ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 77 N. Y. 2d 921, 572 N. E. 2d 38.

No. 91-6274. *MASON v. GROOSE, SUPERINTENDENT, CENTRAL MISSOURI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 942 F. 2d 515.

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No. 91-6275. *RAO v. NEW YORK CITY HEALTH AND HOSPITALS CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 946 F. 2d 883.

No. 91-6279. *JOHNSON v. BUINNO ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 395.

No. 91-6286. *WENNERSTROM v. CALIFORNIA*; and
No. 91-6409. *WENNERSTROM v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 91-6299. *GOULDING ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. Reported below: 928 F. 2d 1135.

No. 91-6302. *EVANS v. LOWE, CHIEF OF POLICE, RIVERSIDE, ALABAMA*. C. A. 11th Cir. Certiorari denied.

No. 91-6304. *GIFFORD v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 595 A. 2d 1049.

No. 91-6309. *PATTERSON v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 91-6310. *WILLIAMS v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 91-6313. *LIDMAN v. NEWARK REDEVELOPMENT AND HOUSING AUTHORITY ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 91-6314. *ROGERS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 91-6316. *JOHNSTON v. BARR, ATTORNEY GENERAL OF THE UNITED STATES, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 944 F. 2d 911.

No. 91-6318. *CHOICE v. BEYER ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-6321. *KIM-HYE CHUNG v. NEW YORK CITY DEPARTMENT OF SOCIAL SERVICES*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 172 App. Div. 2d 524, 568 N. Y. S. 2d 626.

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No. 91-6326. *WINTERS v. IOWA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 728.

No. 91-6327. *MCQUILLION v. KOENIG, CHAIRMAN, CALIFORNIA BOARD OF PRISON TERMS.* C. A. 9th Cir. Certiorari denied. Reported below: 932 F. 2d 973.

No. 91-6328. *OTY v. HOPKINS, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 951 F. 2d 354.

No. 91-6334. *CHALK v. HARRISON ET AL.* Sup. Ct. S. C. Certiorari denied.

No. 91-6335. *DICK v. SAWYER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 940 F. 2d 665.

No. 91-6336. *CERVEN v. WORKERS' COMPENSATION APPEALS BOARD OF CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 91-6343. *BOUVIER-MOORE v. TRANS WORLD AIRLINES, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 667.

No. 91-6345. *BELL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 1209.

No. 91-6348. *THOMAS v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 811 P. 2d 1337.

No. 91-6351. *BONHAM v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 949 F. 2d 403.

No. 91-6352. *CARTER v. PAULDING COUNTY COURT ET AL.* Ct. App. Ohio, Paulding County. Certiorari denied.

No. 91-6354. *KELLY v. COWLEY, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 940 F. 2d 1538.

No. 91-6355. *JONES v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 91-6356. *HUBBARD v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 584 So. 2d 895.

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No. 91-6364. *HAYES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 939 F. 2d 509.

No. 91-6367. *HAWKINS v. HUNTINGTON PARK REDEVELOPMENT AGENCY*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-6368. *BORSHELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 658.

No. 91-6370. *PHENICIE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1288.

No. 91-6372. *MADDOX v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 53.

No. 91-6379. *ONUNKA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1318.

No. 91-6380. *RANSOM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 942 F. 2d 775.

No. 91-6383. *ROSS v. TERRELL*. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 396.

No. 91-6388. *MOORE v. O'MALLEY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1295.

No. 91-6389. *LAMASNEY v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1201.

No. 91-6390. *KENT v. DEPARTMENT OF LABOR*. C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 904.

No. 91-6395. *DAVIS v. STONE CONTAINER CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 602.

No. 91-6396. *LANDAW v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 940 F. 2d 666.

No. 91-6400. *WILLIAMS ET UX. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 185.

No. 91-6401. *MADDOX, AKA GREENWOOD v. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 91-6402. *ROMERO v. SCULLY*, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 91-6403. *OGUNLEYE v. IMMIGRATION AND NATURALIZATION SERVICE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 940 F. 2d 671.

No. 91-6404. *ROY v. CONNECTICUT DEPARTMENT OF CORRECTIONS ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-6405. *PINE v. BUNNELL*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 942 F. 2d 793.

No. 91-6406. *PERRY v. BARROWS*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 579.

No. 91-6407. *COLWELL v. BOWLEN*, WARDEN, ET AL. Sup. Ct. Tenn. Certiorari denied.

No. 91-6410. *WILLIAMS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 899.

No. 91-6411. *TUCKER v. COLLINS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 91-6413. *BYRD v. WARDEN*, LOUISIANA STATE PENITENTIARY. C. A. 5th Cir. Certiorari denied.

No. 91-6415. *HECK, AKA JOHNSTON v. SOUTH CAROLINA*. Ct. App. S. C. Certiorari denied. Reported below: 304 S. C. 345, 404 S. E. 2d 514.

No. 91-6416. *JIMENEZ-SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1536.

No. 91-6418. *WILLIAMSON v. CARD*, ASSISTANT SUPERINTENDENT, ANGOLA CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 936 F. 2d 1000.

No. 91-6419. *CHAYKIN v. FLORIDA DEPARTMENT OF CORRECTIONS*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 589 So. 2d 1326.

No. 91-6420. *CARROLL v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 579 So. 2d 706.

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No. 91-6421. *CRAUN v. UNITED STATES*;
No. 91-6487. *HOLT v. UNITED STATES*; and
No. 91-6494. *YOUNG v. UNITED STATES*. C. A. 5th Cir. Cer-
tiorari denied. Reported below: 942 F. 2d 787.

No. 91-6422. *CAHAN v. CALIFORNIA*. Sup. Ct. Cal. Certio-
rari denied.

No. 91-6426. *NELSON v. UNITED STATES*. C. A. 10th Cir.
Certiorari denied. Reported below: 941 F. 2d 1213.

No. 91-6427. *LUCAS v. UNITED STATES*. C. A. 11th Cir. Cer-
tiorari denied. Reported below: 943 F. 2d 1318.

No. 91-6431. *LODATO v. UNITED STATES*. C. A. 1st Cir. Cer-
tiorari denied. Reported below: 938 F. 2d 1431.

No. 91-6432. *TOWNES v. UNITED STATES*. C. A. 4th Cir. Cer-
tiorari denied. Reported below: 940 F. 2d 654.

No. 91-6433. *HARRIS v. UNITED STATES*. C. A. 10th Cir. Cer-
tiorari denied. Reported below: 944 F. 2d 784.

No. 91-6434. *GREENE v. UNITED STATES*. C. A. 6th Cir. Cer-
tiorari denied. Reported below: 943 F. 2d 52.

No. 91-6436. *MUNN v. MICHIGAN NATIONAL BANK ET AL.*
C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 661.

No. 91-6437. *PREUSS v. DISTRICT OF COLUMBIA ET AL.* Ct.
App. D. C. Certiorari denied.

No. 91-6438. *NEWCOMB v. INGLE ET AL.* C. A. 10th Cir. Cer-
tiorari denied. Reported below: 944 F. 2d 1534.

No. 91-6439. *NEAL v. UNITED STATES*. C. A. 8th Cir. Cer-
tiorari denied. Reported below: 950 F. 2d 729.

No. 91-6440. *OGLESBY v. SCULLY, SUPERINTENDENT, GREEN
HAVEN CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certio-
rari denied.

No. 91-6441. *DIXON v. ALABAMA*. Sup. Ct. Ala. Certiorari
denied. Reported below: 588 So. 2d 903.

No. 91-6442. *MACHADO v. UNITED STATES*. C. A. 3d Cir. Cer-
tiorari denied. Reported below: 947 F. 2d 938.

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No. 91-6443. FIGUEREDO-ALVAREZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1318.

No. 91-6445. SWINGLER *v.* GOLDBERG, COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied.

No. 91-6446. BANKS *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied. Reported below: 925 F. 2d 1469.

No. 91-6447. BANKS *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 576.

No. 91-6448. CHRISTIAN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 942 F. 2d 363.

No. 91-6451. ROQUE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1482.

No. 91-6452. RATLIFF *v.* DEEDS, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 91-6453. ROCHETTE *v.* CONNECTICUT. App. Ct. Conn. Certiorari denied. Reported below: 25 Conn. App. 298, 594 A. 2d 1006.

No. 91-6458. DAVIS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 941 F. 2d 1213.

No. 91-6459. BLACK *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 945 F. 2d 413.

No. 91-6460. FIELDS *v.* CITY OF WEST PALM BEACH ET AL. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 91-6464. GREEN *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 899.

No. 91-6466. SAMPSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 903.

No. 91-6467. EASTON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 160.

No. 91-6470. ALANIS *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 945 F. 2d 1032.

No. 91-6471. FERGUSON *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 935 F. 2d 862.

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No. 91-6473. *ROSARIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1317.

No. 91-6475. *WALKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 787.

No. 91-6477. *MAY v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 948 F. 2d 162.

No. 91-6478. *ACUNA v. LEWIS, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 611.

No. 91-6482. *ARMSTRONG v. WATERS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1206.

No. 91-6483. *BLANTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 942 F. 2d 796.

No. 91-6488. *HEAD v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 932 F. 2d 981.

No. 91-6491. *YARDEN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 940 F. 2d 722.

No. 91-6497. *MOORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 945 F. 2d 414.

No. 91-6500. *MIRAMONTEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 891.

No. 91-6501. *DUDLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 260.

No. 91-6503. *MAESTAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 941 F. 2d 273.

No. 91-6509. *COLLIER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 673.

No. 91-6518. *SLATER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1318.

No. 91-6521. *ROGGIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 672.

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No. 91-6525. *CALLOWAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 50.

No. 91-6526. *BROWN v. DEPARTMENT OF COMMERCE*. C. A. Fed. Cir. Certiorari denied. Reported below: 944 F. 2d 913.

No. 91-6530. *SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1413.

No. 91-6533. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 887.

No. 91-6534. *EMBREY v. UNITED STATES PAROLE COMMISSION ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 953 F. 2d 647.

No. 91-6539. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 184.

No. 91-6548. *PALACIOS-CEBALLOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 945 F. 2d 413.

No. 91-6549. *MAGPIONG v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 91-6550. *ROBINETTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1325.

No. 91-6551. *LEON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 917 F. 2d 1286 and 935 F. 2d 194.

No. 91-6552. *MARSHALL v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 85 Md. App. 320, 583 A. 2d 1109.

No. 91-6553. *AHMAS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 53.

No. 91-6624. *DAVIS v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 814 S. W. 2d 593.

No. 90-1915. *REED v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 288 U. S. App. D. C. 394, 927 F. 2d 1249.

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No. 91-595. OIL, CHEMICAL & ATOMIC WORKERS INTERNATIONAL UNION *v.* AVECOR, INC., ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 289 U. S. App. D. C. 286, 931 F. 2d 924.

No. 91-342. UBEROI *v.* BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO. Ct. App. Colo. Motion of Public Citizen for leave to file a brief as *amicus curiae* granted. Certiorari denied.

No. 91-452. FULANI ET AL. *v.* BRADY, SECRETARY OF THE TREASURY, ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 290 U. S. App. D. C. 205, 935 F. 2d 1324.

No. 91-515. MCCORMICK *v.* AT&T TECHNOLOGIES, INC., ET AL. C. A. 4th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 934 F. 2d 531.

No. 91-730. HILTON *v.* SOUTHWESTERN BELL TELEPHONE CO. C. A. 5th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 936 F. 2d 823.

No. 91-591. INSLAW, INC. *v.* UNITED STATES ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE BLACKMUN would grant certiorari. Reported below: 289 U. S. App. D. C. 383, 932 F. 2d 1467.

No. 91-617. CHRISTIC INSTITUTE *v.* HULL ET AL.;

No. 91-618. SHEEHAN *v.* HULL ET AL.; and

No. 91-619. AVIRGAN ET AL. *v.* HULL ET AL. C. A. 11th Cir. Motions of Trial Lawyers for Public Justice and National Council of Churches of Christ et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 932 F. 2d 1572.

No. 91-704. RAY *v.* CONSOLIDATED RAIL CORPORATION, AKA CONRAIL. C. A. 7th Cir.; and

No. 91-6253. CARROLL *v.* CONSOLIDATED RAIL CORPORATION. C. A. 3d Cir. Certiorari denied. Reported below: No. 91-704, 938 F. 2d 704; No. 91-6253, 941 F. 2d 1200.

JUSTICE WHITE, with whom JUSTICE THOMAS joins, dissenting.

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These cases raise the issue whether the Federal Employers' Liability Act (FELA), 35 Stat. 65, as amended, 45 U. S. C. §§ 51–60, creates a cause of action for emotional injury brought about by acts that lack any physical contact or threat of physical contact. We had expressly reserved this question in *Atchison, T. & S. F. R. Co. v. Buell*, 480 U. S. 557, 570–571 (1987). In both cases the Courts of Appeals held that FELA authorizes no such claim.

By contrast with the approach undertaken by the Courts of Appeals in these cases, the Court of Appeals for the Fifth Circuit has propounded a contrary rule. In *Plaisance v. Texaco, Inc.*, 937 F. 2d 1004, 1009 (1991), after fully canvassing the decisions of the Courts of Appeals since *Buell*, the court stated: “We [are] persuaded that an emotional injury can be every bit as harmful, debilitating, and destructive of the quality of one’s life as a physical injury. We therefore hold that a claim for an emotional injury caused by emotional distress negligently inflicted, even without an accompanying physical injury or physical contact, is cognizable under the FELA.”

Because a uniform rule should be announced by this Court on this important and recurring issue, I would grant the petitions.

No. 91–713. *ACUNA CASTILLO ET AL. v. SHELL OIL CO. ET AL.* (two cases). C. A. 5th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 932 F. 2d 1518 (first case) and 1523 (second case).

No. 91–5661. *TOWNSEND v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 932 F. 2d 1529.

No. 91–5836. *BOOTH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 936 F. 2d 573.

No. 91–728. *PREFERRED RESEARCH, INC. v. WRIGHT*. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 937 F. 2d 1556.

No. 91–736. *MASSACHUSETTS v. MOREAU*. App. Ct. Mass. Motion of respondent for leave to proceed *in forma pauperis*

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granted. Certiorari denied. Reported below: 30 Mass. App. 677, 572 N. E. 2d 1382.

No. 91-776. *TENNESSEE v. TURNER*. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 940 F. 2d 1000.

No. 91-792. *SARGENT, WARDEN v. HENDERSON*. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 926 F. 2d 706 and 939 F. 2d 586.

No. 91-812. *PACIFIC BELL ET AL. v. PALLAS, AKA HUBBS*. C. A. 9th Cir. Motions of Equal Employment Advisory Council and California Employment Law Council for leave to file briefs as *amici curiae* granted. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of these motions and this petition. Reported below: 940 F. 2d 1324.

No. 91-6312. *DAMIAN v. FEDERAL EXPRESS CORP.* C. A. 5th Cir. Certiorari before judgment denied.

Rehearing Denied

No. 91-407. *SCHOONOVER v. KLAMATH COUNTY, OREGON*, *ante*, p. 940;

No. 91-412. *ROSENBAUM v. ROSENBAUM*, *ante*, p. 940;

No. 91-440. *GOLDBERG & FELDMAN FINE ARTS, INC., ET AL. v. AUTOCEPHALOUS GREEK-ORTHODOX CHURCH OF CYPRUS ET AL.*, *ante*, p. 941;

No. 91-496. *MAGYAR ET UX. v. OLAN ET AL.*, *ante*, p. 958;

No. 91-5734. *LAWHORN v. ALABAMA*, *ante*, p. 970;

No. 91-5751. *GROFF v. PEREZOUS ET AL.*, *ante*, p. 945;

No. 91-5769. *LIN v. FORDHAM UNIVERSITY ET AL.*, *ante*, p. 946;

No. 91-5780. *HERNANDEZ v. CITY OF TEMPLE, TEXAS, ET AL.*, *ante*, p. 946;

No. 91-5782. *JACKSON ET AL. v. WARD ET AL.*, *ante*, p. 946;

No. 91-5817. *TAYLOR v. GEORGIA*, *ante*, p. 947;

No. 91-5829. *MONTAGUE v. DEPARTMENT OF AGRICULTURE*, *ante*, p. 947;

No. 91-5830. *RESTREPO ET UX. v. FIRST NATIONAL BANK OF DONA ANA COUNTY, NEW MEXICO*, *ante*, p. 947;

No. 91-5897. *ROBISON v. MAYNARD, WARDEN, ET AL.*, *ante*, p. 970;

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No. 91-5920. BROWN ET AL. *v.* KERR GLASS MANUFACTURING INC. ET AL., *ante*, p. 970;

No. 91-6029. IN RE DEMPSEY, *ante*, p. 937; and

No. 91-6177. MARTIN ET AL. *v.* MEDICAL CENTER OF DELAWARE, *ante*, p. 991. Petitions for rehearing denied.

No. 90-7860. DONALD *v.* RAST ET AL., *ante*, p. 827;

No. 90-8223. D'SOUZA *v.* UNITED STATES, *ante*, p. 838;

No. 90-8436. RAMEL *v.* ALLEN ET AL., *ante*, p. 851;

No. 90-8453. JOHN *v.* IMMIGRATION AND NATURALIZATION SERVICE ET AL., *ante*, p. 851;

No. 91-91. EUERLE FARMS, INC., ET AL. *v.* FARM CREDIT SERVICES OF ST. PAUL ET AL., *ante*, p. 860;

No. 91-209. GILBERT ET AL. *v.* CITY OF CAMBRIDGE ET AL., *ante*, p. 866;

No. 91-5075. DAVIS *v.* CITY OF COLUMBUS, OHIO, ET AL., *ante*, p. 873;

No. 91-5231. SNYDER ET AL. *v.* ASHKENAZY ENTERPRISES, INC., *ante*, p. 882;

No. 91-5320. FERNOS-LOPEZ *v.* FIGARELLA LOPEZ, *ante*, p. 886;

No. 91-5380. DITTA *v.* BRANCH MOTOR EXPRESS ET AL., *ante*, p. 890;

No. 91-5473. PENSINGER *v.* CALIFORNIA, *ante*, p. 930;

No. 91-5475. HACKETT *v.* UNITED STATES ET AL., *ante*, p. 894;

No. 91-5522. WARMACK *v.* UNITED STATES, *ante*, p. 914;

No. 91-5603. RASHTY *v.* MICHIGAN, *ante*, p. 916;

No. 91-5627. FERRELL *v.* GEORGIA, *ante*, p. 927;

No. 91-5808. BILAL *v.* LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, *ante*, p. 928; and

No. 91-5847. RAFFAELE *v.* MURDOCK ET AL., *ante*, p. 928. Petitions for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of these petitions.

No. 91-5299. ECHOLS *v.* ASMUTH ET AL., *ante*, p. 885. Motion for leave to file petition for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of this motion.

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Miscellaneous Order

No. A-498. RICHARDS, GOVERNOR OF TEXAS, ET AL. *v.* TERRAZAS ET AL. D. C. W. D. Tex. Application for stay pending ap-

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peal, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

JANUARY 17, 1992

Certiorari Denied

No. 91-7018 (A-506). CLARK *v.* COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. The order heretofore entered by JUSTICE SCALIA is vacated. Reported below: 953 F. 2d 642.

JUSTICE STEVENS, with whom JUSTICE BLACKMUN joins, dissenting.

The direct review of petitioner's conviction was not completed until November 18, 1991, when this Court denied certiorari. See *ante*, p. 969. Petitioner's lawyer, a solo practitioner, was unable to represent petitioner in postconviction proceedings. Meanwhile, an execution date of January 17, 1992, had already been set by the trial court. Petitioner, who is indigent, was unable to find a lawyer to represent him until December 27, 1991. On January 3, 1992, petitioner's new lawyer requested a modification of the execution date so that he could familiarize himself with the record; however, his request was denied.

On January 15, 1992, petitioner filed an application for postconviction writ of habeas corpus in the trial court and the Texas Court of Criminal Appeals. The next day, the trial court denied a stay of execution. Within the span of a few hours, the Court of Criminal Appeals adopted the trial court's findings and denied the application; the District Court denied petitioner's first federal habeas petition an hour after it was filed; and the Court of Appeals for the Fifth Circuit affirmed the denial of federal habeas corpus relief by a divided court.

Writing in dissent, Judge Davis explained that he would "grant the stay in this initial federal habeas petition" because he was "unable to adequately assess Clark's claim of ineffective assistance of counsel without reviewing the pertinent portions of the trial record, which are not now available to [him]." No. 92-2036 (CA5, Jan. 16, 1992), p. 7, judgt. order reported at 953 F. 2d 642.

As a matter of policy, I believe that we should routinely grant the stay application in all first federal habeas corpus cases "in order to be sure that a death row inmate may have the same

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opportunity to have his or her federal claims considered by this Court as does any other applicant.” *Kyles v. Whitley*, 498 U. S. 931 (1990) (STEVENS, J., concurring in denial of application). This case, however, presents an extreme example of why this is so. The compressed schedule has denied state and federal courts the opportunity to review filings with adequate time for reflection, much less to review the record, or even to receive a full response from the State.* Indeed, it is doubtful that counsel has had a fair opportunity to discharge his professional obligations. Thus, the more prudent approach is to grant a stay and to have procedures follow in their proper course. Accordingly, I respectfully dissent.

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Certiorari Granted—Vacated and Remanded

No. 91-907. DEPARTMENT OF TAXATION AND FINANCE OF NEW YORK ET AL. *v.* MILHELM ATTEA & BROS., INC., ET AL. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. 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: 164 App. Div. 2d 300, 564 N. Y. S. 2d 491.

Miscellaneous Orders

No. — — —. BLUESTEIN ET AL. *v.* GROOVER ET AL.; and

No. — — —. NUSS *v.* OFFICE OF PERSONNEL MANAGEMENT. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. A-277 (91-963). COLORADO *v.* GARCIA. Sup. Ct. Colo. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. A-353. MICELI, AKA GUAGLIERI *v.* GUAGLIERI. Sup. Ct. N. J. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

*The State, in response to petitioner’s federal habeas petition, said that its “non-opposition” was based “on the recognition that additional time may be necessary in order for the Court to resolve the claims asserted by Clark,” and also because the State has had to prepare for several executions in the space of a week and “simply has not adequately digested the record in light of Clark’s claims, received only this morning.” Respondent’s Response to Petitioner’s Request for Stay of Execution 9-10.

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No. D-1047. IN RE DISBARMENT OF KATZ. Disbarment entered. [For earlier order herein, see *ante*, p. 955.]

No. D-1048. IN RE DISBARMENT OF CANNAVINO. Disbarment entered. [For earlier order herein, see *ante*, p. 955.]

No. D-1049. IN RE DISBARMENT OF BELTRE. Disbarment entered. [For earlier order herein, see *ante*, p. 965.]

No. D-1050. IN RE DISBARMENT OF FRIEDMAN. Disbarment entered. [For earlier order herein, see *ante*, p. 965.]

No. D-1052. IN RE DISBARMENT OF CAVACOS. Disbarment entered. [For earlier order herein, see *ante*, p. 966.]

No. D-1053. IN RE DISBARMENT OF MICHALEK. Disbarment entered. [For earlier order herein, see *ante*, p. 966.]

No. D-1063. IN RE DISBARMENT OF WEISS. Motion to defer further consideration granted. [For earlier order herein, see *ante*, p. 1011.]

No. D-1071. IN RE DISBARMENT OF WILEY. It is ordered that Buford B. Wiley, Jr., of San Diego, 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-1072. IN RE DISBARMENT OF TRUDGEON. It is ordered that Jeffrey C. Trudgeon, of Upland, 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-1073. IN RE DISBARMENT OF ZADAN. It is ordered that Michael E. Zadan, of San Diego, 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-1074. IN RE DISBARMENT OF CLEMENTS. It is ordered that James F. Clements, of Landover, Md., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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No. D-1075. IN RE DISBARMENT OF PACK. It is ordered that Edward E. Pack, of Livingston, 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-1076. IN RE DISBARMENT OF RATLIFF. It is ordered that John Herbert Ratliff, of Somerville, 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-1077. IN RE DISBARMENT OF SWICKLE. It is ordered that Harvey S. Swickle, of North Miami Beach, 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-1078. IN RE DISBARMENT OF BEHRENDT. It is ordered that Melville Herman Behrendt, Jr., of Alameda, 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-1079. IN RE DISBARMENT OF MCNAMEE. It is ordered that Robert P. McNamee, of San Jose, 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-1080. IN RE DISBARMENT OF BRYAN. It is ordered that Locksley Hugh Bryan, of Lawrence, Mass., 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. 108, Orig. NEBRASKA *v.* WYOMING ET AL. Motion of Basin Electric Power Cooperative for leave to file a brief granted. Motion of Central Nebraska Public Power and Irrigation District for leave to file a brief as *amicus curiae* granted. [For earlier order herein, see, *e. g.*, 500 U. S. 950.]

No. 90-1038. CIPOLLONE, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF CIPOLLONE *v.* LIGGETT GROUP, INC., ET

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AL. C. A. 3d Cir. [Certiorari granted, 499 U.S. 935.] Motion of petitioner for leave to file a supplemental brief after argument granted.

No. 90-1676. GADE, DIRECTOR, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY *v.* NATIONAL SOLID WASTES MANAGEMENT ASSN. C. A. 7th Cir. [Certiorari granted, *ante*, p. 1012.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 90-1912. NORDLINGER *v.* HAHN, IN HIS CAPACITY AS TAX ASSESSOR FOR LOS ANGELES COUNTY, ET AL. Ct. App. Cal., 2d App. Dist. [Certiorari granted, *ante*, p. 807.] Motion of Howard Jarvis Taxpayers Association et al. for leave to participate in oral argument as *amici curiae*, for divided argument, and for additional time for oral argument denied.

No. 91-122. PFZ PROPERTIES, INC. *v.* RODRIGUEZ ET AL. C. A. 1st Cir. [Certiorari granted, *ante*, p. 956.] Motion of National Association of Home Builders for leave to file a brief as *amicus curiae* granted.

No. 91-372. GEORGIA *v.* MCCOLLUM ET AL. Sup. Ct. Ga. [Certiorari granted, *ante*, p. 937.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

Certiorari Granted

No. 90-1918. KRAFT GENERAL FOODS, INC. *v.* IOWA DEPARTMENT OF REVENUE AND FINANCE. Sup. Ct. Iowa. Certiorari granted. Reported below: 465 N. W. 2d 664.

No. 91-872. UNITED STATES *v.* SALERNO ET AL. C. A. 2d Cir. Certiorari granted. Reported below: 937 F. 2d 797 and 952 F. 2d 623.

No. 91-744. PLANNED PARENTHOOD OF SOUTHEASTERN PENNSYLVANIA ET AL. *v.* CASEY, GOVERNOR OF PENNSYLVANIA, ET AL.; and

No. 91-902. CASEY, GOVERNOR OF PENNSYLVANIA, ET AL. *v.* PLANNED PARENTHOOD OF SOUTHEASTERN PENNSYLVANIA ET AL. C. A. 3d Cir. Certiorari granted limited to the following questions:

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“1. Did the Court of Appeals err in upholding the constitutionality of the following provisions of the Pennsylvania Abortion Control Act:

“a. 18 Pa. Cons. Stat. §3203 (1990) (definition of medical emergency)

“b. 18 Pa. Cons. Stat. §3205 (1990) (informed consent)

“c. 18 Pa. Cons. Stat. §3206 (1990) (parental consent)

“d. 18 Pa. Cons. Stat. §§3207 and 3214 (1990) (reporting requirements)?

“2. Did the Court of Appeals err in holding 18 Pa. Cons. Stat. §3209 (1990) (spousal notice) unconstitutional?” Cases consolidated and a total of one hour allotted for oral argument. Reported below: 947 F. 2d 682.

No. 91-913. PATTERSON, TRUSTEE *v.* SHUMATE. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 943 F. 2d 362.

Certiorari Denied

No. 90-8498. MARTIN *v.* BARR ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 931 F. 2d 58.

No. 91-423. HUYGE *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 937 F. 2d 623.

No. 91-519. DOSSETT *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 362, 404 S. E. 2d 548.

No. 91-640. PIZZACO OF NEBRASKA, INC., DBA DOMINOS PIZZA, ET AL. *v.* BRADLEY ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 939 F. 2d 610.

No. 91-652. 281-300 JOINT VENTURE *v.* ONION ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 938 F. 2d 35.

No. 91-655. MICHIGAN *v.* WATKINS ET AL. Sup. Ct. Mich. Certiorari denied. Reported below: 438 Mich. 627, 475 N. W. 2d 727.

No. 91-661. CALIFORNIA SAND & GRAVEL, INC. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 937 F. 2d 624.

No. 91-678. GREY ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 935 F. 2d 281.

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No. 91-700. *OLIVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 656.

No. 91-706. *MESA OPERATING LIMITED PARTNERSHIP v. DEPARTMENT OF THE INTERIOR*. C. A. 5th Cir. Certiorari denied. Reported below: 931 F. 2d 318.

No. 91-718. *HARRISON v. DOW CHEMICAL CO.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-731. *KERSTING v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1535.

No. 91-771. *MEYERS ET AL. v. IDEAL BASIC INDUSTRIES, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 940 F. 2d 1379.

No. 91-797. *CARIBE SHIPPING CO., INC. v. SOTO ET AL.* Sup. Ct. P. R. Certiorari denied. Reported below: 128 D. P. R. —.

No. 91-803. *BROWN v. AMERICAN HONDA MOTOR CO., INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 939 F. 2d 946.

No. 91-813. *FARMER v. MABUS, GOVERNOR OF MISSISSIPPI*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 921.

No. 91-814. *AMATO v. NEW YORK*; *AMATO v. NEW YORK*; and *RAFFA v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 173 App. Div. 2d 714, 570 N. Y. S. 2d 817 (first case); 173 App. Div. 2d 717, 570 N. Y. S. 2d 1017 (second case); 173 App. Div. 2d 748, 570 N. Y. S. 2d 819 (third case).

No. 91-815. *SANDLIN ET AL. v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 230 Cal. App. 3d 1310, 281 Cal. Rptr. 702.

No. 91-816. *NEW YORK ET AL. v. ASSOCIATION OF SURROGATES AND SUPREME COURT REPORTERS WITHIN THE CITY OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 766.

No. 91-817. *STAFFORD v. BROTMAN MEDICAL CENTER ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 91-824. *RALLY'S, INC. v. INTERNATIONAL SHORTSTOP, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 939 F. 2d 1257.

No. 91-825. *HEAVRIN v. JEFFERS.* C. A. 6th Cir. Certiorari denied. Reported below: 932 F. 2d 1160.

No. 91-826. *SCHULDT ET VIR, ON BEHALF OF THEMSELVES AND THEIR MINOR DAUGHTER, SCHULDT v. MANKATO INDEPENDENT SCHOOL DISTRICT No. 77.* C. A. 8th Cir. Certiorari denied. Reported below: 937 F. 2d 1357.

No. 91-827. *FARMERS GROUP, INC., ET AL. v. AMERICAN ASSOCIATION OF RETIRED PERSONS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 943 F. 2d 996.

No. 91-828. *VANDENBERG v. REGENTS OF THE UNIVERSITY OF CALIFORNIA ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 91-830. *AVALA OF TEXAS, INC., DBA THE AVALA GROUP, ET AL. v. WEST, JUDGE, 269TH DISTRICT COURT, HARRIS COUNTY, TEXAS, ET AL.* Sup. Ct. Tex. Certiorari denied.

No. 91-832. *REYER v. TODD ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-835. *CALDER v. JOB.* Sup. Ct. Utah. Certiorari denied.

No. 91-839. *SORO, AKA CITICORP MORTGAGE CO. INC. v. CITICORP ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1541.

No. 91-847. *JOHNSON v. JOHNSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 660.

No. 91-853. *DONAGHY v. CITY OF OMAHA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 933 F. 2d 1448.

No. 91-861. *TODD v. SMITH, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS FORMER CITY MANAGER OF THE CITY OF MYRTLE BEACH, SOUTH CAROLINA, ET AL.* Sup. Ct. S. C. Certiorari denied. Reported below: 305 S. C. 227, 407 S. E. 2d 644.

No. 91-863. *BARBE v. GREAT ATLANTIC & PACIFIC TEA CO. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 651.

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No. 91-864. *FIRST AMERICAN ARTIFICIAL FLOWERS, INC. v. PROMISEL*. C. A. 2d Cir. Certiorari denied. Reported below: 943 F. 2d 251.

No. 91-869. *CAMPBELL v. DAUGHERTY*. C. A. 6th Cir. Certiorari denied. Reported below: 935 F. 2d 780.

No. 91-889. *MCCOY ET AL. v. HEARST CORP. ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 91-892. *CALHOUN ET AL. v. ODINET ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 172.

No. 91-893. *DULUTH, WINNIPEG & PACIFIC RAILWAY CO. v. SMALLEY*. C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 296.

No. 91-895. *HAYES v. COMMUNITY GENERAL OSTEOPATHIC HOSPITAL*. C. A. 3d Cir. Certiorari denied. Reported below: 940 F. 2d 54.

No. 91-899. *SLOAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 939 F. 2d 499.

No. 91-909. *IN RE BUCKNAM*. C. A. Fed. Cir. Certiorari denied. Reported below: 944 F. 2d 912.

No. 91-911. *MICKENS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 926 F. 2d 1323.

No. 91-924. *PARDasANI v. SIEMENS ENERGY & AUTOMATION, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 943 F. 2d 1313.

No. 91-938. *BEVAN ET UX. v. TOWNSHIP OF BRANDON ET AL.* Sup. Ct. Mich. Certiorari denied. Reported below: 438 Mich. 385, 475 N. W. 2d 37.

No. 91-957. *BAEZ ET AL. v. WELLS FARGO ARMORED SERVICE CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 938 F. 2d 180.

No. 91-5613. *WADE v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 105, 401 S. E. 2d 701.

No. 91-5636. *LODGE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 928 F. 2d 1030.

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No. 91-5652. *LEAR v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 143 Ill. 2d 138, 572 N. E. 2d 876.

No. 91-5797. *HORNICK v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 942 F. 2d 105.

No. 91-5887. *HIGUERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 580.

No. 91-6024. *SORENSEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 614.

No. 91-6077. *HARRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 53.

No. 91-6090. *RICHARDSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 939 F. 2d 135.

No. 91-6113. *LUCAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 617.

No. 91-6118. *PARKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 614.

No. 91-6120. *HOM SUI CHING v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 940 F. 2d 650.

No. 91-6121. *TOMMASI v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 937 F. 2d 1077.

No. 91-6139. *CABALLERO v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 290 U. S. App. D. C. 235, 936 F. 2d 1292.

No. 91-6142. *SCHEETS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 670.

No. 91-6148. *MARTINS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 228 Cal. App. 3d 1632, 279 Cal. Rptr. 687.

No. 91-6181. *VALLES-VALDIVIESO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 655.

No. 91-6182. *FRIERSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 53 Cal. 3d 730, 808 P. 2d 1197.

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No. 91-6184. *ROLLINS v. LEONARDO*, SUPERINTENDENT, COM-STOCK CORRECTIONAL FACILITY, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 938 F. 2d 380.

No. 91-6205. *COX v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 53 Cal. 3d 618, 809 P. 2d 351.

No. 91-6214. *CORTEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 935 F. 2d 135.

No. 91-6215. *DURON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 669.

No. 91-6216. *ADAIR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 943 F. 2d 1314.

No. 91-6225. *AHMED v. STONE*, SECRETARY, DEPARTMENT OF THE ARMY. C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 318.

No. 91-6237. *EVANS v. CLARK*. C. A. 7th Cir. Certiorari denied.

No. 91-6242. *BOWERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 653.

No. 91-6246. *HARRELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 936 F. 2d 568.

No. 91-6254. *WILSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 938 F. 2d 785.

No. 91-6281. *KERLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 91-6287. *BRANDON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 944 F. 2d 1434.

No. 91-6308. *QUINONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 672.

No. 91-6315. *JONES, AKA HILTON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 91-6360. *EMBREY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 953 F. 2d 647.

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No. 91-6412. *CASTRO v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 814 P. 2d 158.

No. 91-6417. *ZILICH v. NICHOLS*. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 397.

No. 91-6429. *MADDOX v. UNITED STATES*;
No. 91-6499. *RUTHERFORD v. UNITED STATES*; and
No. 91-6558. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 944 F. 2d 1223.

No. 91-6435. *JOHNSON v. RODRIGUEZ ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 943 F. 2d 104.

No. 91-6456. *STREET v. VOSE ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 936 F. 2d 38.

No. 91-6463. *BARRIOS v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 91-6468. *CURTIS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 174 App. Div. 2d 899, 571 N. Y. S. 2d 595.

No. 91-6469. *SMYTHE v. GREEN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 573.

No. 91-6472. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 953 F. 2d 648.

No. 91-6474. *STONE v. DALLMAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 1210.

No. 91-6479. *DEYOUNG v. LEWIS, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 943 F. 2d 55.

No. 91-6480. *CASTLE v. URQUHART ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 91-6481. *VON CRONEY v. GARRETT, SECRETARY OF THE NAVY*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 577.

No. 91-6485. *HEARN ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 604.

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No. 91-6486. *FELKER v. ZANT, WARDEN*. Super. Ct. Ga., Butts County. Certiorari denied.

No. 91-6489. *GLEASON v. DE ANDA, CHIEF JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1529.

No. 91-6493. *SGARAGLINO v. STATE FARM FIRE & CASUALTY CO.* C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 275.

No. 91-6498. *MINTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1529.

No. 91-6505. *WORTH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 91-6506. *MOORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1208.

No. 91-6507. *OOSTENDORP v. KHANNA ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 937 F. 2d 1177.

No. 91-6508. *WHITAKER v. WELLS FARGO NATIONAL BANK*. Sup. Ct. Cal. Certiorari denied.

No. 91-6511. *TIPPINS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 173 App. Div. 2d 512, 570 N. Y. S. 2d 581.

No. 91-6513. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1325.

No. 91-6515. *WALKER v. MICHIGAN DEPARTMENT OF SOCIAL SERVICES*. Ct. App. Mich. Certiorari denied. Reported below: 189 Mich. App. 6, 472 N. W. 2d 13.

No. 91-6517. *VILLANUEVA v. NOONAN ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 91-6522. *MARTIN v. TRIEWEILER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-6523. *LOMBARD v. NEW YORK CITY BOARD OF EDUCATION ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 927 F. 2d 594.

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No. 91-6529. *HILL v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 91-6531. *THORNTON v. OGDEN ALLIED AVIATION FUELING Co., INC.* C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 728.

No. 91-6536. *KALTENBACH v. LOUISIANA.* C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1543.

No. 91-6540. *SHIELDS v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied. Reported below: 812 S. W. 2d 152.

No. 91-6556. *TWO BULLS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 380.

No. 91-6559. *ROBINSON v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied.

No. 91-6564. *DEVINE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1325.

No. 91-6566. *MARTINEZ v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 941 F. 2d 1213.

No. 91-6569. *FONT RAMIREZ v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 944 F. 2d 42.

No. 91-6572. *LOWRY v. W. R. GRACE & Co. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 930 F. 2d 24.

No. 91-6579. *DEERE v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 53 Cal. 3d 705, 808 P. 2d 1181.

No. 91-6582. *CAPEHART v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 583 So. 2d 1009.

No. 91-656. *MICHIGAN v. BANKS.* Sup. Ct. Mich. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 438 Mich. 408, 475 N. W. 2d 769.

No. 91-5997. *EPPERSON v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 809 S. W. 2d 835.

No. 91-6322. *BELTRAN-FELIX v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 934 F. 2d 1075.

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No. 91-6502. *RESTREPO-CONTRERAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 942 F. 2d 96.

No. 91-669. *SINGLETERY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS v. GORE*. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 933 F. 2d 904.

No. 91-906. *SAFFLE, WARDEN, ET AL. v. LILES*. C. A. 10th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 945 F. 2d 333.

No. 91-694. *WILLIAM E. SCHRAMBLING ACCOUNTANCY CORP. ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. JUSTICE WHITE, JUSTICE BLACKMUN, and JUSTICE THOMAS would grant certiorari. Reported below: 937 F. 2d 1485.

No. 91-819. *RUTGERS, THE STATE UNIVERSITY, ET AL. v. BEN-NUN*. C. A. 3d Cir. Motion of American Council on Education et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 941 F. 2d 154.

No. 91-849. *BOARD OF EDUCATION OF COMMUNITY CONSOLIDATED SCHOOL DISTRICT NO. 21 v. ILLINOIS STATE BOARD OF EDUCATION ET AL.*; and

No. 91-865. *ILLINOIS STATE BOARD OF EDUCATION v. BOARD OF EDUCATION OF COMMUNITY CONSOLIDATED SCHOOL DISTRICT NO. 21 ET AL.* C. A. 7th Cir. Motions of Illinois Association of School Boards and National School Boards Association et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 938 F. 2d 712.

No. 91-875. *TALLUTO ET AL. v. PLANNED PARENTHOOD MARGARET SANGER CLINIC (MANHATTAN) ET AL.* C. A. 2d Cir. Certiorari before judgment denied.

No. 91-5703. *RODRIGUEZ v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 202 Ill. App. 3d 839, 560 N. E. 2d 434.

No. 91-6199. *KENNEDY v. SINGLETERY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certio-

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rari denied. JUSTICE BLACKMUN, JUSTICE O'CONNOR, and JUSTICE KENNEDY would grant certiorari. Reported below: 933 F. 2d 905.

No. 91-7045 (A-509). HOPKINSON *v.* SHILLINGER, WARDEN, ET AL. C. A. 10th Cir. Application for stay of execution of sentence of death, presented to JUSTICE WHITE, and by him referred to the Court, denied. Certiorari denied. Reported below: 954 F. 2d 609.

No. 91-7061 (A-514). CORDOVA *v.* COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE BLACKMUN and JUSTICE STEVENS would grant the application for stay of execution. Reported below: 953 F. 2d 167.

Rehearing Denied

No. 91-5955. JOHNSTON *v.* TORRES ET AL., *ante*, p. 971;

No. 91-5996. MARTIN *v.* GREENSBORO HEALTH CARE, INC., *ante*, p. 987;

No. 91-6021. WAINSCOTT *v.* MARMAG INVESTMENTS, INC., ET AL., *ante*, p. 988;

No. 91-6022. CONNELLY *v.* KOVACHEVICH, *ante*, p. 988;

No. 91-6264. BAUER *v.* UNITED STATES ET AL., *ante*, p. 993; and

No. 91-6330. GEURIN *v.* DEPARTMENT OF VETERANS AFFAIRS, *ante*, p. 1016. Petitions for rehearing denied.

No. 91-5549. DOE *v.* UNITED STATES, *ante*, p. 896. Motion of petitioner for leave to file petition for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of this motion.

JANUARY 23, 1992

Dismissal Under Rule 46

No. 91-1013. RLI INSURANCE Co. *v.* COE. Sup. Ct. Ark. Certiorari dismissed under this Court's Rule 46. Reported below: 306 Ark. 337, 813 S. W. 2d 783.

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Miscellaneous Order

No. A-522. RECTOR *v.* CLINTON, GOVERNOR OF ARKANSAS, ET AL. Application for stay of execution of sentence of death, presented to JUSTICE BLACKMUN, and by him referred to the Court, denied.

Certiorari Denied

No. 91-7107 (A-530). RECTOR *v.* LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, ET AL. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE BLACKMUN, and by him referred to the Court, denied. Certiorari denied. Reported below: 971 F. 2d 751.

JANUARY 27, 1992

Appeal Dismissed

No. 91-1084. COTLOW ET AL. *v.* EMISON ET AL. Appeal from D. C. Minn. The order of January 10, 1992 [*ante*, p. 1022], having vacated the order from which the appeal is taken, the appeal is dismissed as moot.

Certiorari Granted—Vacated and Remanded

No. 90-1136. ARIZONA *v.* LENGYEL ET AL. Ct. App. Ariz. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *White v. Illinois*, *ante*, p. 346.

No. 91-724. GERSMAN ET AL. *v.* GROUP HEALTH ASSN., INC. C. A. D. C. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the Civil Rights Act of 1991. Reported below: 289 U. S. App. D. C. 332, 931 F. 2d 1565.

No. 91-5705. PROWS *v.* UNITED STATES. 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 *Smith v. Barry*, *ante*, p. 244.

Miscellaneous Orders

No. — — —. ABLES *v.* OFFICE OF PERSONNEL MANAGEMENT;
No. — — —. ANNIS ET AL. *v.* DAYTON, OHIO; and
No. — — —. HUDSON LIGHT AND POWER DEPARTMENT ET
AL. *v.* MASSACHUSETTS MUNICIPAL WHOLESALE ELECTRIC CO.

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Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. A-320. *MOORE v. UNITED STATES*. Application for bail, addressed to JUSTICE BLACKMUN and referred to the Court, denied.

No. 119, Orig. *CONNECTICUT ET AL. v. NEW HAMPSHIRE*. Motion to file bill of complaint granted. Defendant is allowed 60 days in which to file an answer. THE CHIEF JUSTICE and JUSTICE SCALIA would set the motion for oral argument. JUSTICE SOUTER took no part in the consideration or decision of this motion.

No. 90-1604. *MORALES, ATTORNEY GENERAL OF TEXAS v. TRANS WORLD AIRLINES, INC., ET AL.* C. A. 5th Cir. [Certiorari granted, *ante*, p. 976.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 90-6297. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. [Certiorari granted, 499 U. S. 918.] The parties are directed to file supplemental memoranda after argument addressing the following questions:

“1. When a district court departs from a properly constructed sentencing guideline range, and it relies on a factor disapproved by a policy statement that guides departures, has the district court for that reason or otherwise made an ‘incorrect application of the sentencing guidelines’ within the meaning of 18 U. S. C. §§ 3742(e)(2) and (f)(1)?

“2. Are the appellate ‘decision and disposition’ provisions, subsections (f)(1) and (f)(2) of 18 U. S. C. § 3742, which group the separate considerations of § 3742(e), mutually exclusive?

“3. When a district court bases a departure decision on an aggravating or mitigating circumstance that the court of appeals later determines is improper under 18 U. S. C. § 3553(b), has the district court imposed a sentence ‘in violation of law’ within the meaning of §§ 3742(e)(1) and (f)(1)?”

The briefs are to be filed simultaneously with the Clerk on or before Friday, February 14, 1992.

No. 90-8370. *MEDINA v. CALIFORNIA*. Sup. Ct. Cal. [Certiorari granted, *ante*, p. 924.] Motion of Committee on Legal Prob-

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lems of the Mentally Ill of the Association of the Bar of the City of New York for leave to file a brief as *amicus curiae* granted.

No. 91-269. *HELLING ET AL. v. MCKINNEY*, *ante*, p. 903. Motion of respondent to retax costs granted.

No. 91-594. *AMERICAN NATIONAL RED CROSS v. S. G. ET AL.* C. A. 1st Cir. [Certiorari granted, *ante*, p. 976.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 91-611. *BARKER ET AL. v. KANSAS ET AL.* Sup. Ct. Kan. [Certiorari granted, *ante*, p. 977.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 91-6382. *SAWYER v. WHITLEY, WARDEN.* C. A. 5th Cir. [Certiorari granted, *ante*, p. 965.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 91-6634. *DEMOS v. WASHINGTON.* Sup. Ct. Wash. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until February 18, 1992, 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 BLACKMUN and JUSTICE STEVENS would deny the petition for writ of certiorari.

No. 91-6584. *IN RE BAILEY.* Petition for writ of mandamus denied.

No. 91-6538. *IN RE JARRETT*; and

No. 91-6562. *IN RE JARVI.* Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 91-779. *BURLINGTON NORTHERN RAILROAD CO. v. FORD ET AL.* Sup. Ct. Mont. Certiorari granted. Reported below: 250 Mont. 188, 819 P. 2d 169.

No. 91-471. *CHEMICAL WASTE MANAGEMENT, INC. v. HUNT, GOVERNOR OF ALABAMA, ET AL.* Sup. Ct. Ala. Motions of American Iron & Steel Institute et al. and Hazardous Waste Treatment Council et al. for leave to file briefs as *amici curiae*

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granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 584 So. 2d 1367.

No. 91-810. CITY OF BURLINGTON *v.* DAGUE ET AL. C. A. 2d Cir. Certiorari granted limited to the following question: "May a court, in determining a reasonable attorney's fee award under § 7002(e) of the Solid Waste Disposal Act, 90 Stat. 2826, as amended, 42 U.S.C. § 6972(e), or § 505(d) of the Federal Water Pollution Control Act (Clean Water Act), 86 Stat. 889, as amended, 33 U.S.C. § 1365(d), enhance the fee award above the lodestar amount in order to reflect the fact that the attorneys had taken the case on a contingent-fee basis, thus assuming the risk of receiving no attorney's fees at all?" Reported below: 935 F. 2d 1343.

No. 91-971. TWO PESOS, INC. *v.* TACO CABANA, INC. C. A. 5th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 932 F. 2d 1113.

Certiorari Denied

No. 90-1499. ROWLAND, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* THOMPSON ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 915 F. 2d 1383.

No. 90-7940. ROY *v.* ILLINOIS. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 201 Ill. App. 3d 166, 558 N. E. 2d 1208.

No. 91-487. LARSON *v.* MINNESOTA. Sup. Ct. Minn. Certiorari denied. Reported below: 472 N. W. 2d 120.

No. 91-576. SCHNEIDER ET AL. *v.* UNITED STATES ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 936 F. 2d 956.

No. 91-589. GAF CORP. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 932 F. 2d 947.

No. 91-605. CHERIF ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 7th Cir. Certiorari denied. Reported below: 933 F. 2d 403.

No. 91-630. RICE ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 614.

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No. 91-667. *GULF COAST HELICOPTERS, INC., ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1290.

No. 91-697. *DIAL INFORMATION SERVICES CORPORATION OF NEW YORK ET AL. v. BARR, ATTORNEY GENERAL OF THE UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 938 F. 2d 1535.

No. 91-698. *BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT FUND OF INDIANA v. SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 936 F. 2d 988.

No. 91-721. *DAVIS v. RICE, SECRETARY OF THE AIR FORCE*. C. A. 10th Cir. Certiorari denied. Reported below: 932 F. 2d 975.

No. 91-726. *LUNAAS v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 936 F. 2d 1277.

No. 91-750. *KRABBENHOFT ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied. Reported below: 939 F. 2d 529.

No. 91-751. *ALLIBHAI ET UX. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 939 F. 2d 244.

No. 91-769. *FAMBRO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1296.

No. 91-838. *CHRISTIAN v. BUSEY, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1290.

No. 91-840. *COLLINS v. BAPTIST MEMORIALS GERIATRIC CENTER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 190.

No. 91-854. *GOMEZ, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL. v. SUPERIOR COURT OF CALIFORNIA, KINGS COUNTY (HAMILTON, REAL PARTY IN INTEREST)*. Ct. App. Cal., 5th App. Dist. Certiorari denied. Reported below: 230 Cal. App. 3d 1592, 281 Cal. Rptr. 900.

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No. 91-866. ADAMS ET AL. *v.* LTV STEEL MINING CO. ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 936 F. 2d 368.

No. 91-868. ROBINSON *v.* POURCIAU ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 943 F. 2d 1313.

No. 91-870. PEIGHTAL *v.* METROPOLITAN DADE COUNTY ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1394.

No. 91-874. BELLEVILLE INDUSTRIES, INC. *v.* LUMBERMENS MUTUAL CASUALTY CO. C. A. 1st Cir. Certiorari denied. Reported below: 938 F. 2d 1423.

No. 91-878. JOYNER ET AL. *v.* HEWITT ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1561.

No. 91-879. KOREAN UNITED PRESBYTERIAN CHURCH OF LOS ANGELES *v.* PRESBYTERY OF THE PACIFIC ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 230 Cal. App. 3d 480, 281 Cal. Rptr. 396.

No. 91-881. TONY P. SELLITTI CONSTRUCTION CO. *v.* CARYL, TAX COMMISSIONER, STATE TAX DEPARTMENT OF WEST VIRGINIA. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 185 W. Va. 584, 408 S. E. 2d 336.

No. 91-890. FARBER *v.* COMMITTEE ON LEGAL ETHICS OF THE WEST VIRGINIA STATE BAR. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 185 W. Va. 522, 408 S. E. 2d 274.

No. 91-901. MADERO DEVELOPMENT & CONSTRUCTION CO., INC., ET AL. *v.* CITY OF EL PASO, TEXAS, ET AL. Ct. App. Tex., 8th Dist. Certiorari denied. Reported below: 803 S. W. 2d 396.

No. 91-903. MURRAY ET AL. *v.* STUCKEY'S INC. ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 939 F. 2d 614.

No. 91-912. ULVIN ET AL. *v.* NORTHWESTERN NATIONAL LIFE INSURANCE CO. C. A. 8th Cir. Certiorari denied. Reported below: 943 F. 2d 862.

No. 91-920. ROWLAND ET VIR *v.* PATTERSON ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 652.

No. 91-921. ATUN, C. A. *v.* LUCAS. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 432.

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No. 91-923. *GEARY DISTRIBUTING CO., INC. v. ALL BRAND IMPORTERS, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 1431.

No. 91-925. *GREATER SOUTH SUBURBAN BOARD OF REALTORS ET AL. v. CITY OF BLUE ISLAND ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 935 F. 2d 868.

No. 91-927. *TE-CHIA v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-928. *TAYLOR v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 934 F. 2d 218.

No. 91-930. *FOSTER ET UX. v. NORTH TEXAS PRODUCTION CREDIT ASSN.* C. A. 5th Cir. Certiorari denied. Reported below: 945 F. 2d 400.

No. 91-935. *DEFRIES ET AL. v. LICENSED DIVISION, DISTRICT No. 1—MEBA/NMU, AFL-CIO.* C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 474.

No. 91-936. *THOMPSON v. UNITED STATES.* Ct. Mil. App. Certiorari denied. Reported below: 33 M. J. 218.

No. 91-939. *DELGADO v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 936 F. 2d 303.

No. 91-940. *COUNTY OF SAN DIEGO ET AL. v. REDMAN.* C. A. 9th Cir. Certiorari denied. Reported below: 942 F. 2d 1435.

No. 91-945. *OSADCHY v. DEPARTMENT OF THE ARMY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 898.

No. 91-951. *OKSANEN v. PAGE MEMORIAL HOSPITAL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 945 F. 2d 696.

No. 91-955. *PROPST v. WEIR ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 937 F. 2d 338.

No. 91-958. *STAY, INC. v. CHENEY, SECRETARY OF DEFENSE, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1457.

No. 91-960. *MASTRANDREA v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 942 F. 2d 1291.

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No. 91-970. *RYDEEN v. QUIGG, COMMISSIONER OF PATENTS AND TRADEMARKS*. C. A. Fed. Cir. Certiorari denied. Reported below: 937 F. 2d 623.

No. 91-978. *COLEMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-984. *ADAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 96.

No. 91-1000. *CROOK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 936 F. 2d 1012.

No. 91-1008. *ROBINSON v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 945 F. 2d 405.

No. 91-1012. *INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA, AFL-CIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 91-1029. *ANDERSON ET AL. v. CONSOL-PENNSYLVANIA COAL CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 394, 395, and 396.

No. 91-1033. *CASCADE DEVELOPMENT CO., INC. v. MADIGAN, SECRETARY OF AGRICULTURE, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 91-1046. *THOMPSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 1249.

No. 91-1051. *CASHMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 896.

No. 91-1054. *SHUTZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 922 F. 2d 845.

No. 91-5290. *SCHAAL v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 806 S. W. 2d 659.

No. 91-5477. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 927 F. 2d 406.

No. 91-5891. *BOLES v. MCGINNIS, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTION*. C. A. 7th Cir. Certiorari denied.

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No. 91-6057. *SCHULZ v. WASHINGTON COUNTY ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 164 App. Div. 2d 469, 565 N. Y. S. 2d 239.

No. 91-6066. *VURAL v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 268.

No. 91-6122. *WHITAKER v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 938 F. 2d 1551.

No. 91-6159. *GOMEZ v. NEW MEXICO.* C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 616.

No. 91-6223. *NEWSOME v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 673.

No. 91-6240. *SANCHEZ-BERRIDI v. MONCUR ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 275.

No. 91-6244. *LEE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 1388.

No. 91-6291. *SHAIID v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 228.

No. 91-6297. *MUNOZ HERRERA v. UNITED STATES;*

No. 91-6375. *MARIN-PINEDA v. UNITED STATES;* and

No. 91-6398. *SEGURA PRETEL ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 939 F. 2d 233.

No. 91-6320. *PADRON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 935 F. 2d 1277.

No. 91-6333. *BURKES v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 937 F. 2d 603.

No. 91-6514. *WHITE v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 587 So. 2d 1236.

No. 91-6543. *STURGILL v. THORNBURG, ATTORNEY GENERAL OF NORTH CAROLINA.* C. A. 4th Cir. Certiorari denied. Reported below: 934 F. 2d 320.

No. 91-6544. *THOMAS v. PARCEL OF REAL PROPERTY KNOWN AS 3201 CAUGHEY ROAD ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 397.

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No. 91-6546. *BERENS v. CHAIKEN*. C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1200.

No. 91-6547. *BARNETT v. COLLINS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-6554. *STOWE v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION (AND DIAGNOSTIC AND CLASSIFICATION CENTER) AT GRATERFORD*. C. A. 3d Cir. Certiorari denied.

No. 91-6563. *BRYMER v. HESSON, ACTING WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 572.

No. 91-6568. *O'NEILL ET UX. v. TOWAMENSING TOWNSHIP, PENNSYLVANIA*. Commw. Ct. Pa. Certiorari denied. Reported below: 135 Pa. Commw. 670, 582 A. 2d 439.

No. 91-6573. *BARRIOS v. FOLTZ*. C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 51.

No. 91-6574. *RANA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 123.

No. 91-6575. *HEATH v. JONES, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 941 F. 2d 1126.

No. 91-6577. *TUFAIL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 945 F. 2d 414.

No. 91-6581. *ANTOINE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 945 F. 2d 413.

No. 91-6583. *SCHAEFER v. VERMONT*. Sup. Ct. Vt. Certiorari denied. Reported below: 157 Vt. 339, 599 A. 2d 337.

No. 91-6585. *SCOTT ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 935 F. 2d 1294.

No. 91-6589. *HALL v. KNOTT COUNTY BOARD OF EDUCATION ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 402.

No. 91-6590. *HALEY v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

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No. 91-6594. *FERRITTO v. OHIO DEPARTMENT OF HIGHWAY SAFETY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 928 F. 2d 404.

No. 91-6595. *GIBBS v. LAJOYE, SHERIFF, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-6596. *HANSON v. MINNESOTA.* Ct. App. Minn. Certiorari denied.

No. 91-6598. *HERDMAN v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-6599. *GONZALEZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 669.

No. 91-6600. *MUCA v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 945 F. 2d 88.

No. 91-6604. *PUCKETT v. SOCIAL SECURITY OFFICE OF DISABILITY AND INTERNAL OPERATION.* C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 652.

No. 91-6605. *BROOKS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 944 F. 2d 396.

No. 91-6606. *BELL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 927 F. 2d 599.

No. 91-6608. *BEAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 614.

No. 91-6609. *COLE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 943 F. 2d 55.

No. 91-6610. *ASHLEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 53.

No. 91-6612. *DUNAGAN v. COWLEY, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 946 F. 2d 900.

No. 91-6613. *RAPHELD v. DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 324.

No. 91-6614. *ARLEDGE v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

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No. 91-6615. *DIAZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-6617. *SMYLIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 949 F. 2d 1161.

No. 91-6622. *CASTROMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1317.

No. 91-6623. *BARLATIER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 945 F. 2d 414.

No. 91-6625. *NGUYEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 892.

No. 91-6626. *NATANEL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 938 F. 2d 302.

No. 91-6628. *NIMROD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 1186.

No. 91-6629. *LOWERY ET AL. v. FERNWOOD INDUSTRIES, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 943 F. 2d 1314.

No. 91-6630. *BLEGEN v. UNITED TRUCK MAINTENANCE ET AL.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 91-6632. *WOODS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied. Reported below: 806 S. W. 2d 205.

No. 91-6636. *HUTCHINGS VON LUDWITZ v. COMMONS ET AL.* Sup. Ct. Ore. Certiorari denied.

No. 91-6641. *HART v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 902.

No. 91-6642. *HILL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 947 F. 2d 1490.

No. 91-6643. *GOOD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 50.

No. 91-6645. *GLOVER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 946 F. 2d 1354.

No. 91-6647. *FAZZINI v. UNITED STATES DEPARTMENT OF JUSTICE*. C. A. 7th Cir. Certiorari denied.

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No. 91-6648. *ENO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 946 F. 2d 881.

No. 91-6649. *GREENE v. TELEDYNE ELECTRONICS*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 577.

No. 91-6650. *NUNES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 943 F. 2d 56.

No. 91-6651. *BAILEY, AKA NICHOLSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 944 F. 2d 911.

No. 91-6652. *ROEMMICH v. WASHINGTON*; and *CARTER v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 60 Wash. App. 1041 (first case) and 1049 (second case).

No. 91-6654. *FREEMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 946 F. 2d 896.

No. 91-6656. *HOLLOWAY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 395.

No. 91-6657. *SCOTT v. NEW YORK*. Sup. Ct. N. Y., Kings County. Certiorari denied.

No. 91-6660. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 873.

No. 91-6664. *NICHOLS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 937 F. 2d 1257.

No. 91-6665. *CALVO RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 899.

No. 91-6667. *RESTREPO ET UX. v. UNITED STATES SMALL BUSINESS ADMINISTRATION*. C. A. 5th Cir. Certiorari denied.

No. 91-6670. *ERNEST v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 902.

No. 91-6671. *ELMENDORF v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 945 F. 2d 989.

No. 91-6675. *TYLER v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 904.

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No. 91-6678. *SWEENEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 933 F. 2d 1002.

No. 91-6680. *VANTREES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 664.

No. 91-6683. *GRECNI v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 663.

No. 91-6688. *CUMMINGS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 948 F. 2d 1290.

No. 91-6752. *LUBRANO v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 91-577. *PASCHAL ET AL. v. DIDRICKSON, DIRECTOR, ILLINOIS DEPARTMENT OF EMPLOYMENT SECURITY, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 936 F. 2d 940.

JUSTICE WHITE, dissenting.

This case presents the question whether the Eleventh Amendment bars a suit for retroactive monetary relief against a State, if recovery is sought from funds which are segregated from the general revenues or which come from the Federal Government. Two forms of unemployment benefits are at issue in this case. Both are paid from funds segregated from general state funds. One is wholly financed by the Federal Government. The Court of Appeals for the Seventh Circuit took the position that the source of state funds should be disregarded and declined to follow the “‘trust fund doctrine.’” *Paschal v. Jackson*, 936 F. 2d 940, 944 (1991). The court held that a claim for retroactive monetary relief against the State was barred by the Eleventh Amendment, notwithstanding the segregation of funds and the fact of federal financing. *Id.*, at 945. In another case involving a suit seeking payment of unemployment benefits, the Court of Appeals for the Tenth Circuit has similarly rejected the view that a State’s sovereign immunity may be abrogated where relief would be paid out of a special revenue fund. *Esparza v. Valdez*, 862 F. 2d 788, 794 (1988). That court held that, no matter what fund a judgment for past damages comes from, it is still a judgment against the State and as such is barred by the Eleventh Amendment. *Id.*, at 795.

Other Courts of Appeals have taken a contrary view of the effect of the Eleventh Amendment in similar circumstances. In

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Brown v. Porcher, the Court of Appeals for the Fourth Circuit held that a federal court could award a judgment against the South Carolina unemployment compensation fund, because that fund was segregated from general state revenues. 660 F. 2d 1001 (1981), cert. denied, 459 U. S. 1150 (1983) (WHITE, Powell, and REHNQUIST, JJ., dissenting). The Court of Appeals for the Third Circuit has held that a federal court could order retroactive relief against the Pennsylvania Department of Public Welfare (DPW), at least to the extent that the DPW would be reimbursed by the Federal Government. *Bennett v. White*, 865 F. 2d 1395, 1408, cert. denied, 492 U. S. 920 (1989). In *Foggs v. Block*, the Court of Appeals for the First Circuit found that the Eleventh Amendment did not bar a federal court from ordering the restoration of food stamp benefits where the Federal Government bore the cost of the program. 722 F. 2d 933, 941, n. 6 (1983), rev'd on other grounds *sub nom. Atkins v. Parker*, 472 U. S. 115 (1985).

The issue is important. I would grant certiorari to resolve this conflict among the Courts of Appeals.

No. 91-745. *KARR ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 11th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 924 F. 2d 1018.

No. 91-6376. *LEE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 940 F. 2d 663.

No. 91-959. *SHELL OIL CO. v. PEDRAZA ET AL.* C. A. 1st Cir. Motion of Chemical Manufacturers Association for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 942 F. 2d 48.

Rehearing Denied

No. 91-371. *TAMPAM, INC. v. OGLE COUNTY BOARD OF REVIEW ET AL.*, *ante*, p. 981;

No. 91-509. *KEELS v. WAITES ET AL.*, *ante*, p. 942;

No. 91-572. *ALLRIGHT, COLORADO, INC., ET AL. v. CITY AND COUNTY OF DENVER ET AL.*, *ante*, p. 983; and

No. 91-5798. *LEE v. KEMPER GROUP, T/A LUMBERMEN'S MUTUAL INSURANCE CO., ET AL.*, *ante*, p. 946. Petitions for rehearing denied.

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JANUARY 28, 1992

Dismissal Under Rule 46

No. 91-917. ALABAMA GREAT SOUTHERN RAILROAD Co. *v.* JACKSON. Sup. Ct. Ala. Certiorari dismissed under this Court's Rule 46. Reported below: 587 So. 2d 959.

JANUARY 31, 1992

Miscellaneous Order

No. A-551. BAKER, SECRETARY OF STATE, ET AL. *v.* HAITIAN REFUGEE CENTER, INC., ET AL. Application of the Solicitor General for stay, presented to JUSTICE KENNEDY, and by him referred to the Court, granted. It is ordered that the order of the United States District Court for the Southern District of Florida, case No. 91-2635-CIV-Atkins, filed December 20, 1991, is stayed pending disposition of the appeal by the United States Court of Appeals for the Eleventh Circuit. JUSTICE BLACKMUN, JUSTICE STEVENS, and JUSTICE THOMAS would deny the application.

FEBRUARY 7, 1992

Dismissal Under Rule 46

No. 91-1050. DIVERSITECH GENERAL, INC. *v.* SIMPSON. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 945 F. 2d 156.

FEBRUARY 10, 1992

Certiorari Denied

No. 91-7233 (A-570). GARRETT *v.* COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE BLACKMUN and JUSTICE STEVENS would grant the application for stay of execution. Reported below: 951 F. 2d 57.

No. 91-7248 (A-578). GARRETT *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE BLACKMUN and JUSTICE STEVENS would grant the application for stay of execution. Reported below: 831 S. W. 2d 304.

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No. 91-7270 (A-583). *GARRETT v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. JUSTICE SCALIA took no part in the consideration or decision of this application and this petition.

FEBRUARY 11, 1992

Miscellaneous Order

No. A-581 (91-1292). *HAITIAN REFUGEE CENTER, INC., ET AL. v. BAKER, SECRETARY OF STATE, ET AL.* C. A. 11th Cir. Application for stay of mandate of the United States Court of Appeals for the Eleventh Circuit, presented to JUSTICE KENNEDY, has been referred to the Court by him. Motion of petitioners for temporary waiver of this Court's Rule 33 granted. The Solicitor General is directed to file a response to the application for stay and the petition for writ of certiorari on or before 3 p.m., Friday, February 14, 1992. JUSTICE BLACKMUN would grant the application for stay at this time.

FEBRUARY 15, 1992

Miscellaneous Order

No. A-587 (91-1270). *RICHARDS, GOVERNOR OF TEXAS, ET AL. v. TERRAZAS ET AL.* Appeal from D. C. W. D. Tex. Application for limited stay, presented to JUSTICE SCALIA, and by him referred to the Court, denied. JUSTICE STEVENS would grant the application.

FEBRUARY 18, 1992

Dismissals Under Rule 46

No. 91-272. *FELIX ET AL. v. INDIANA DEPARTMENT OF STATE REVENUE ET AL.* Sup. Ct. Ind. Certiorari dismissed under this Court's Rule 46. Reported below: 571 N. E. 2d 287.

No. 91-855. *KISSICK, PERSONAL REPRESENTATIVE OF THE ESTATE OF KISSICK v. SCHMIERER, PERSONAL REPRESENTATIVE OF THE ESTATE OF SCHMIERER, ET AL.* Sup. Ct. Alaska. Certiorari dismissed under this Court's Rule 46. Reported below: 816 P. 2d 188.

Assignment Order

Pursuant to the authority conferred by the Constitution and Statutes of the United States, and more particularly by 28 U. S. C.

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§ 42, the Court hereby assigns and allots ASSOCIATE JUSTICE CLARENCE THOMAS as a Circuit Justice for the United States Court of Appeals for the District of Columbia Circuit for the day of February 19, 1992.

FEBRUARY 19, 1992

Miscellaneous Orders

No. A-599. *SLAGLE v. TERRAZAS ET AL.* D. C. W. D. Tex. Application for stay pending appeal, presented to JUSTICE SCALIA, and by him referred to the Court, denied. JUSTICE BLACKMUN and JUSTICE STEVENS would grant the application.

No. A-604. *HERRERA v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. JUSTICE BLACKMUN, JUSTICE STEVENS, JUSTICE O'CONNOR, and JUSTICE SOUTER would grant the application for stay of execution.

No. A-604. *HERRERA v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* Motion to treat the application for stay of execution as a petition for writ of certiorari denied. JUSTICE BLACKMUN, JUSTICE STEVENS, JUSTICE O'CONNOR, and JUSTICE SOUTER would grant the motion and would grant the petition for writ of certiorari.

Certiorari Granted

No. 91-7328 (A-604). *HERRERA v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted. The order of this date denying the application for stay of execution of sentence of death is to remain in effect. Reported below: 954 F. 2d 1029.

Certiorari Denied

No. 91-7146 (A-586). *HERRERA v. TEXAS.* Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE BLACKMUN and JUSTICE STEVENS would grant the application for stay of execution and the petition for writ of certiorari. Reported below: 819 S. W. 2d 528.

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FEBRUARY 23, 1992

Miscellaneous Order

No. A-615. DUKE ET AL. *v.* CLELAND, SECRETARY OF STATE OF GEORGIA, ET AL. Application for injunction and stay, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. JUSTICE BLACKMUN and JUSTICE STEVENS would grant the application.

FEBRUARY 24, 1992

Certiorari Granted—Vacated and Remanded

No. 90-1246. IMMIGRATION AND NATURALIZATION SERVICE *v.* CANAS-SEGOVIA ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *INS v. Elias-Zacarias*, ante, p. 478. Reported below: 902 F. 2d 717.

No. 91-974. HOLLAND *v.* FIRST VIRGINIA BANKS, INC., ET AL. C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the Civil Rights Act of 1991. Reported below: 937 F. 2d 603.

No. 91-5447. JONES *v.* MILLER. C. A. 6th 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 *Smith v. Barry*, ante, p. 244. Reported below: 956 F. 2d 269.

Miscellaneous Orders

No. — — —. DAVIS *v.* CLERK OF THE SUPREME COURT OF THE UNITED STATES ET AL. Motion to direct the Clerk to file petition for writ of certiorari denied.

No. — — —. DOE *v.* GROSS ET AL. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. — — —. GOLSTON *v.* ATTORNEY GENERAL OF ALABAMA. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. — — —. STOUFFER *v.* OKLAHOMA. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

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No. A-541 (91-1193). NEW BERLIN GRADING CO., INC., ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. D-1045. IN RE DISBARMENT OF COHEN. Disbarment entered. [For earlier order herein, see *ante*, p. 935.]

No. D-1051. IN RE DISBARMENT OF URROZ. Disbarment entered. [For earlier order herein, see *ante*, p. 966.]

No. D-1054. IN RE DISBARMENT OF NORRIS. Disbarment entered. [For earlier order herein, see *ante*, p. 978.]

No. D-1055. IN RE DISBARMENT OF ROGERS. Disbarment entered. [For earlier order herein, see *ante*, p. 978.]

No. D-1081. IN RE DISBARMENT OF STELLA. It is ordered that Michael J. Stella, of Harrison, 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-1082. IN RE DISBARMENT OF SOLODKY. It is ordered that Lawrence Wayne Solodky, of Longwood, 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-1083. IN RE DISBARMENT OF GATTSEK. It is ordered that Harold Jack Gattsek, of Annandale, 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. D-1084. IN RE DISBARMENT OF GREENSPAN. It is ordered that Jeffrey Lee Greenspan, of Rockville, Md., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 65, Orig. TEXAS *v.* NEW MEXICO. Motion of the River Master for approval of fees and expenses granted, and the River Master is awarded \$7,644 for the period October 1 through De-

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ember 31, 1991, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, *ante*, p. 979.]

No. 111, Orig. DELAWARE *v.* NEW YORK. Report of the Special Master received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed by the parties within 45 days. Replies, if any, may be filed within 30 days. [For earlier order herein, see, *e. g.*, *ante*, p. 904.]

No. 90-1488. SUTER ET AL. *v.* ARTIST M. ET AL. C. A. 7th Cir. [Certiorari granted, 500 U. S. 915.] Motion of respondents for leave to file a supplemental brief after argument granted. Motion of petitioners for leave to file a supplemental brief after argument granted.

No. 90-1604. MORALES, ATTORNEY GENERAL OF TEXAS *v.* TRANS WORLD AIRLINES, INC., ET AL. C. A. 5th Cir. [Certiorari granted, *ante*, p. 976.] Motion of Public Citizen et al. for leave to participate in oral argument as *amici curiae*, for divided argument, and for additional time for oral argument denied.

No. 90-1676. GADE, DIRECTOR, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY *v.* NATIONAL SOLID WASTES MANAGEMENT ASSN. C. A. 7th Cir. [Certiorari granted, *ante*, p. 1012.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 91-542. WRIGHT, WARDEN, ET AL. *v.* WEST. C. A. 4th Cir. [Certiorari granted, *ante*, p. 1012.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 90-1745. UNITED STATES *v.* WILSON. C. A. 6th Cir. [Certiorari granted, *ante*, p. 807.] Motion of the Solicitor General for leave to file a supplemental brief after argument granted.

No. 90-1912. NORDLINGER *v.* HAHN, IN HIS CAPACITY AS TAX ASSESSOR FOR LOS ANGELES COUNTY, ET AL. Ct. App. Cal., 2d App. Dist. [Certiorari granted, *ante*, p. 807.] Motions of United States Justice Foundation et al. and People's Advocate, Inc., et al. for leave to file briefs as *amici curiae* granted.

No. 90-1918. KRAFT GENERAL FOODS, INC. *v.* IOWA DEPARTMENT OF REVENUE AND FINANCE. Sup. Ct. Iowa. [Certiorari

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granted, *ante*, p. 1056.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 91-501. APONTE, MAYOR OF THE MUNICIPALITY OF CAROLINA, ET AL. *v.* HIRALDO-CANCEL ET AL., *ante*, p. 1004. Motion of respondents for attorney's fees denied.

No. 91-860. UNITED STATES DEPARTMENT OF COMMERCE ET AL. *v.* MONTANA ET AL. D. C. Mont. [Probable jurisdiction noted, *ante*, p. 1012.] Motion of Attorney General of Washington for leave to participate in oral argument as *amicus curiae*, for divided argument, and for additional time for oral argument denied. Motion of Attorney General of Massachusetts for leave to participate in oral argument as *amicus curiae*, for divided argument, and for additional time for oral argument denied.

No. 91-1270. RICHARDS, GOVERNOR OF TEXAS, ET AL. *v.* TERRAZAS ET AL. Appeal from D. C. W. D. Tex. Motion of appellants to expedite consideration of the statement as to jurisdiction denied.

No. 91-5771. WADE *v.* UNITED STATES. C. A. 4th Cir. [Certiorari granted, *ante*, p. 1003.] Motion of National Association of Criminal Defense Lawyers for leave to participate in oral argument as *amicus curiae*, for divided argument, and for additional time for oral argument denied.

No. 91-6734. NESHEWAT *v.* HAGSTROM ET AL. Ct. App. N. Y.; and

No. 91-6854. INGALLS *v.* ROOSEVELT COUNTY, NEW MEXICO, ET AL. Sup. Ct. N. M. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until March 16, 1992, within which to pay the docketing fee required by Rule 38(a) and to submit petitions in compliance with Rule 33 of the Rules of this Court.

JUSTICE STEVENS, dissenting.

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

No. 91-6444. IN RE CARROLL;

No. 91-6578. IN RE HALL ET AL.;

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No. 91-6696. IN RE ARTEAGA; and
No. 91-6714. IN RE ANDERSON. Petitions for writs of mandamus denied.

No. 91-6687. IN RE BURKE; and
No. 91-6695. IN RE ARTEAGA. Petitions for writs of prohibition denied.

Certiorari Granted

No. 91-321. ITEL CONTAINERS INTERNATIONAL CORP. *v.* HUDLESTON, COMMISSIONER OF REVENUE OF TENNESSEE. Sup. Ct. Tenn. Certiorari granted. Reported below: 814 S. W. 2d 29.

No. 91-740. NIXON *v.* UNITED STATES ET AL. C. A. D. C. Cir. Certiorari granted. Reported below: 290 U. S. App. D. C. 420, 938 F. 2d 239.

No. 91-767. REPUBLIC NATIONAL BANK OF MIAMI *v.* UNITED STATES. C. A. 11th Cir. Certiorari granted. Reported below: 932 F. 2d 1433.

No. 91-886. REVES ET AL. *v.* ERNST & YOUNG. C. A. 8th Cir. Certiorari granted. Reported below: 937 F. 2d 1310.

No. 91-990. FARRAR ET AL., COADMINISTRATORS OF ESTATE OF FARRAR, DECEASED *v.* HOBBY. C. A. 5th Cir. Certiorari granted. Reported below: 941 F. 2d 1311.

Certiorari Denied

No. 91-521. BANCO POPULAR DE PUERTO RICO *v.* MUNICIPALITY OF MAYAGUEZ. Sup. Ct. P. R. Certiorari denied. Reported below: 120 D. P. R. 692 and 126 D. P. R. ____.

No. 91-597. HOUSTON BUILDING SERVICE, INC. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 936 F. 2d 178.

No. 91-650. MARYLAND CLASSIFIED EMPLOYEES ASSN., INC., ET AL. *v.* SCHAEFER, GOVERNOR OF MARYLAND, ET AL. Ct. App. Md. Certiorari denied. Reported below: 325 Md. 19, 599 A. 2d 91.

No. 91-659. FARMIGONI *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 63.

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No. 91-674. CHAVES COUNTY HOME HEALTH SERVICES, INC., ET AL. *v.* SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. D. C. Cir. Certiorari denied. Reported below: 289 U. S. App. D. C. 276, 931 F. 2d 914.

No. 91-714. PUGET SOUND POWER & LIGHT CO. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 944 F. 2d 912.

No. 91-715. HERZFELD & RUBIN *v.* ROBINSON ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 940 F. 2d 1369.

No. 91-717. SENESE ET AL. *v.* UNITED STATES ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 941 F. 2d 1292.

No. 91-723. AERONAUTICAL INDUSTRIAL DISTRICT LODGE NO. 91, INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 934 F. 2d 1288.

No. 91-733. FRIEOUF *v.* UNITED STATES ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 938 F. 2d 1099.

No. 91-760. PETRONE *v.* SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 428.

No. 91-762. BAGLEY *v.* CMC REAL ESTATE CORP., AKA CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 923 F. 2d 758.

No. 91-766. COLEMAN ET AL. *v.* CORPORATE RISK MANAGEMENT CORP. ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 936 F. 2d 572.

No. 91-768. GREMLICH *v.* UNITED STATES ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 937 F. 2d 597.

No. 91-778. HELMSLEY *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 941 F. 2d 71.

No. 91-780. CURTIS ET AL., ADMINISTRATORS OF THE ESTATES OF GOFF ET UX., ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1318.

No. 91-804. MOGAN *v.* MONTANA. Sup. Ct. Mont. Certiorari denied.

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No. 91-809. *GRIFFIN v. FIRST GIBRALTAR BANK, FSB.* C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 691.

No. 91-829. *ESTATE OF JONES v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 1210.

No. 91-833. *CROWLEY v. BARNETT BANK OF PASCO COUNTY.* C. A. 11th Cir. Certiorari denied.

No. 91-836. *UNION BANK OF SWITZERLAND v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 904.

No. 91-837. *KRESS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 155.

No. 91-841. *COLORADO v. AULD.* Ct. App. Colo. Certiorari denied. Reported below: 815 P. 2d 956.

No. 91-845. *VOGT v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 184.

No. 91-846. *MILZMAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1325.

No. 91-848. *ROANOKE RIVER BASIN ASSN. ET AL. v. HUDSON, NORFOLK DISTRICT ENGINEER, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 58.

No. 91-850. *ENGLAND v. UNITED STATES.* Ct. Mil. App. Certiorari denied. Reported below: 33 M. J. 37.

No. 91-867. *ESTATE OF MCALLISTER, DECEASED, ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 942 F. 2d 1473.

No. 91-877. *ERNST & YOUNG v. REVES ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 937 F. 2d 1310.

No. 91-880. *PUMA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 151.

No. 91-887. *KRUGLIAK ET AL. v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 942 F. 2d 1055.

No. 91-888. *WERME v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 939 F. 2d 108.

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No. 91-894. *MAXIE ET AL. v. FELIX*. C. A. 9th Cir. Certiorari denied. Reported below: 939 F. 2d 699.

No. 91-896. *PERRY v. COMMAND PERFORMANCE*. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 395.

No. 91-897. *RHODES v. LUMMUS INDUSTRIES, INC.* C. A. 9th Cir. Certiorari denied.

No. 91-910. *SUMMERS ET AL. v. JOHNSON*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 411 Mass. 82, 577 N. E. 2d 301.

No. 91-916. *COCHRAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 939 F. 2d 337.

No. 91-922. *STROH BREWERY CO. v. DIRECTOR OF THE NEW MEXICO DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL ET AL.* Sup. Ct. N. M. Certiorari denied. Reported below: 112 N. M. 468, 816 P. 2d 1090.

No. 91-926. *LINDE v. CARRIER COAL ENTERPRISES, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 943 F. 2d 335.

No. 91-931. *STEPHENS ET AL. v. MCKINNEY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 934 F. 2d 1265.

No. 91-932. *JAMES v. SUBSEQUENT INJURY TRUST FUND ET AL.* Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 548, 406 S. E. 2d 77.

No. 91-933. *UNITED MINE WORKERS OF AMERICA 1974 BENEFIT PLAN AND TRUST ET AL. v. LTV STEEL CO., INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 945 F. 2d 1205.

No. 91-937. *STEIGERWALD v. RODEHEAVER, COUNTY CLERK OF HARRIS COUNTY, TEXAS, ET AL.* Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 807 S. W. 2d 790.

No. 91-943. *UNITED STATES v. WALKER*. C. A. 10th Cir. Certiorari denied. Reported below: 933 F. 2d 812.

No. 91-949. *HOLLAENDER MANUFACTURING CO. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 6th Cir. Certiorari denied. Reported below: 942 F. 2d 321.

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No. 91-950. KOMEN, TRUSTEE IN BANKRUPTCY FOR SHENKER *v.* ROBBINS ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 937 F. 2d 613.

No. 91-953. ANTELOPE VALLEY HOSPITAL DISTRICT *v.* LANCASTER COMMUNITY HOSPITAL. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 397.

No. 91-954. SANTIAGO *v.* NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES. C. A. 2d Cir. Certiorari denied. Reported below: 945 F. 2d 25.

No. 91-964. DOHERTY *v.* MASSACHUSETTS. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 411 Mass. 95, 578 N. E. 2d 411.

No. 91-965. CHRIST COLLEGE, INC., ET AL. *v.* BOARD OF SUPERVISORS, FAIRFAX COUNTY, VIRGINIA, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 901.

No. 91-968. JIM BEAM BRANDS CO. *v.* BEAMISH & CRAWFORD, LTD. C. A. 2d Cir. Certiorari denied. Reported below: 937 F. 2d 729.

No. 91-972. AMERICAN TRAIN DISPATCHERS ASSN. ET AL. *v.* CSX TRANSPORTATION, INC., ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 290 U. S. App. D. C. 405, 938 F. 2d 224.

No. 91-973. ILLINOIS EX REL. BURRIS, ATTORNEY GENERAL OF ILLINOIS *v.* PANHANDLE EASTERN PIPE LINE CO. C. A. 7th Cir. Certiorari denied. Reported below: 935 F. 2d 1469.

No. 91-975. SONNENBURG ET AL. *v.* BAYH, GOVERNOR OF INDIANA, ET AL. Sup. Ct. Ind. Certiorari denied. Reported below: 573 N. E. 2d 398.

No. 91-979. LARSON *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-981. CODAY ET AL. *v.* CITY OF SPRINGFIELD, MISSOURI. C. A. 8th Cir. Certiorari denied. Reported below: 939 F. 2d 666.

No. 91-985. ROZBICKI *v.* STATEWIDE GRIEVANCE COMMITTEE. Sup. Ct. Conn. Certiorari denied. Reported below: 219 Conn. 473, 595 A. 2d 819.

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No. 91-988. *FINLEY ET AL. v. HOECHST CELANESE CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1206.

No. 91-989. *CRYTES ET AL. v. SCHAFER, DIRECTOR OF MENTAL HEALTH OF MISSOURI.* C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 1182.

No. 91-993. *TOLOKAN, DBA JOE & MIKE'S SERVICE STATION v. MOBIL OIL CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 946 F. 2d 882.

No. 91-1003. *MCGLOTHLIN v. VIRGINIA.* Ct. App. Va. Certiorari denied.

No. 91-1004. *SCHEETZ ET VIR v. THE MORNING CALL, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 946 F. 2d 202.

No. 91-1005. *KIDWELL ET AL. v. WAKEFIELD PROPERTIES, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 946 F. 2d 895.

No. 91-1011. *HALE ET AL. v. CARLSON.* C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 186.

No. 91-1015. *TEMKIN ET VIR v. FREDERICK COUNTY COMMISSIONERS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 945 F. 2d 716.

No. 91-1016. *INTERNATIONAL UNION, UNITED MINE WORKERS OF AMERICA v. BIG HORN COAL CO.* C. A. 10th Cir. Certiorari denied. Reported below: 916 F. 2d 1499.

No. 91-1017. *HOWE v. GOLDCORP INVESTMENTS LTD. ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 946 F. 2d 944.

No. 91-1018. *NORTHERN TRUST CO., SUCCESSOR GUARDIAN OF THE ESTATE OF MORAN v. UPJOHN CO. ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 213 Ill. App. 3d 390, 572 N. E. 2d 1030.

No. 91-1020. *ROSE v. FULTZ ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-1022. *YOUNG ET AL. v. MATSUSHITA ELECTRIC INDUSTRIAL Co., LTD., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 939 F. 2d 19.

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No. 91-1023. *CLARK ET AL. v. VELSCOL CHEMICAL CORP. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 196.

No. 91-1024. *GUERRERO v. UNITED STATES.* Ct. Mil. App. Certiorari denied. Reported below: 33 M. J. 295.

No. 91-1027. *WALDRON-SHAH v. BOARD OF RETIREMENT OF LOS ANGELES COUNTY EMPLOYEES' RETIREMENT ASSN.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-1028. *MILLER ET AL. v. CAMPBELL COUNTY, WYOMING, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 945 F. 2d 348.

No. 91-1031. *STUART HACK CO. ET AL. v. SHOFER.* Ct. App. Md. Certiorari denied. Reported below: 324 Md. 92, 595 A. 2d 1078.

No. 91-1034. *GENERAL DYNAMICS CORP. ET AL. v. BAREFORD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 891.

No. 91-1037. *GENUINE PARTS CO., INC., ET AL. v. CRAWFORD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 947 F. 2d 1405.

No. 91-1038. *ALPHA LYRACOM SPACE COMMUNICATIONS, INC., ET AL. v. COMMUNICATIONS SATELLITE CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 946 F. 2d 168.

No. 91-1039. *WALTER FULLER AIRCRAFT SALES, INC. v. FAY-SOUND LTD.* C. A. 8th Cir. Certiorari denied. Reported below: 940 F. 2d 339.

No. 91-1042. *DOYLE ET AL. v. PECSI.* C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 661.

No. 91-1044. *NEWPORT LTD. v. SEARS, ROEBUCK & Co.* C. A. 5th Cir. Certiorari denied. Reported below: 941 F. 2d 302.

No. 91-1047. *HOSPITAL AUTHORITY OF GWINNETT COUNTY, GEORGIA, INDIVIDUALLY AND DBA GWINNETT AMBULANCE SERVICES v. JONES, ADMINISTRATOR OF ESTATE OF O'KELLEY, DECEASED.* Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 613, 409 S. E. 2d 501.

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No. 91-1049. RUCKER ET AL. *v.* HARFORD COUNTY ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 278.

No. 91-1053. SPROULL *v.* UNION TEXAS PRODUCTS CORP., DBA UNION TEXAS PETROLEUM. C. A. 10th Cir. Certiorari denied. Reported below: 944 F. 2d 911.

No. 91-1055. RWM ENTERPRISES, INC., ET AL. *v.* ES DEVELOPMENT, INC., ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 939 F. 2d 547.

No. 91-1056. NEILSON *v.* CALIFORNIA. App. Dept., Super. Ct. Cal., County of Kern. Certiorari denied.

No. 91-1057. FOXWORTH *v.* OHIO. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 91-1060. DARLING, DBA DARLING ENTERPRISES *v.* STANDARD ALASKA PRODUCTION CO. ET AL. Sup. Ct. Alaska. Certiorari denied. Reported below: 818 P. 2d 677.

No. 91-1061. CURTIS *v.* UNITED STATES. Ct. Mil. App. Certiorari denied. Reported below: 33 M. J. 101.

No. 91-1063. KNUBBE ET AL. *v.* N. S. ASSOCIATES, DBA NORTH SHORE APARTMENTS CO. Ct. App. Mich. Certiorari denied.

No. 91-1064. LOZIER ET AL. *v.* SCOTT. C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 655.

No. 91-1065. THOMPSON *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 944 F. 2d 1331.

No. 91-1066. YAMAHA CORPORATION OF AMERICA ET AL. *v.* ABC INTERNATIONAL TRADERS, INC., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1537.

No. 91-1067. SHROY, DEPUTY SHERIFF, ET AL. *v.* SHOOP. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 396.

No. 91-1069. J. G. BOSWELL Co. *v.* WEGIS ET AL. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 91-1070. MESSA *v.* FRANKFORD QUAKER GROCERY ET AL. Super. Ct. Pa. Certiorari denied. Reported below: 406 Pa. Super. 671, 583 A. 2d 839.

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No. 91-1071. *STANTON v. DISTRICT OF COLUMBIA COURT OF APPEALS*. Ct. App. D. C. Certiorari denied. Reported below: 589 A. 2d 425.

No. 91-1077. *WILLIAMS, EXECUTOR OF THE ESTATE OF WEBSTER, DECEASED v. HARDY ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 214 Ill. App. 3d 1014, 574 N. E. 2d 245.

No. 91-1078. *ATTORNEY Q v. MISSISSIPPI STATE BAR*. Sup. Ct. Miss. Certiorari denied. Reported below: 587 So. 2d 228.

No. 91-1079. *SELINGER v. CITY OF REDLANDS*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 91-1080. *PESCE v. COUNTY OF DUPAGE*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 213 Ill. App. 3d 1107, 621 N. E. 2d 305.

No. 91-1086. *ALABAMA v. SIMS*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 587 So. 2d 1271.

No. 91-1087. *PRINCE GEORGE'S COUNTY, MARYLAND v. KOPF, PERSONAL REPRESENTATIVE OF THE ESTATE OF CASELLA*. C. A. 4th Cir. Certiorari denied. Reported below: 942 F. 2d 265.

No. 91-1088. *UNITED MINE WORKERS OF AMERICA v. ADKINS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 392.

No. 91-1089. *ELYSIUM INSTITUTE, INC., ET AL. v. COUNTY OF LOS ANGELES ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 232 Cal. App. 3d 408, 283 Cal. Rptr. 688.

No. 91-1091. *ALCAN ALUMINIO DO BRASIL, S. A. v. ROBLES PEREZ ET AL.* Super. Ct. P. R. Certiorari denied.

No. 91-1092. *BEEKMAN PAPER Co. v. CRANE & Co., INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1276.

No. 91-1093. *BOSEK v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 210 Ill. App. 3d 573, 569 N. E. 2d 551.

No. 91-1094. *FIGUEROA-SOTO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 938 F. 2d 1015.

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No. 91-1096. COBIN ET AL. *v.* CASTLEBERRY, CO-EXECUTOR OF ESTATE OF CASTLEBERRY, DECEASED, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 185.

No. 91-1098. ALFORD *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 945 F. 2d 417.

No. 91-1099. WALTON, DBA WALTON BACKHOE SERVICE, ET AL. *v.* OPERATING ENGINEERS PENSION TRUST ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 668.

No. 91-1101. INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION No. 76 *v.* FOWLKES ET UX. Ct. App. Wash. Certiorari denied. Reported below: 58 Wash. App. 759, 795 P. 2d 137.

No. 91-1105. CIT GROUP/EQUIPMENT FINANCING, INC., ET AL. *v.* VILLAGE OF GERMANTOWN, WISCONSIN. Ct. App. Wis. Certiorari denied. Reported below: 163 Wis. 2d 426, 471 N. W. 2d 610.

No. 91-1107. BIDWILL ET AL. *v.* GARVEY ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 498.

No. 91-1112. CULLEN CENTER BANK & TRUST *v.* BARCLAYS BANK PLC. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 91-1115. DIERNISSE *v.* BUSINESS COMMUNICATIONS CO., INC., ET AL. C. A. 2d Cir. Certiorari denied.

No. 91-1120. ASSOCIATES IN ADOLESCENT PSYCHIATRY, S. C., ET AL. *v.* HOME LIFE INSURANCE COMPANY OF NEW YORK ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 941 F. 2d 561.

No. 91-1134. SLEDGE *v.* DEPARTMENT OF JUSTICE. C. A. Fed. Cir. Certiorari denied. Reported below: 923 F. 2d 870.

No. 91-1138. HUGHES DEVELOPMENT CO., INC., ET AL. *v.* GREAT PLAINS CAPITAL CORP. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 889.

No. 91-1142. FELDMAN, AKA FLEMING, AKA GIVNER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 673.

No. 91-1157. COUNTY OF LOS ANGELES *v.* MEILICKE. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 91-1163. *MANNELLO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 396.

No. 91-1164. *NEVADA ET AL. v. SCOTSMAN MANUFACTURING CO., INC.* Sup. Ct. Nev. Certiorari denied. Reported below: 107 Nev. 127, 808 P. 2d 517.

No. 91-1169. *JARAMILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1543.

No. 91-1170. *SNOWSHOE CO. ET AL. v. BRAY ET AL.*;
No. 91-1171. *SNOWSHOE CO. ET AL. v. BRAY ET AL.*; and
No. 91-1172. *SNOWSHOE CO. v. BRAY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 948 F. 2d 1283.

No. 91-1173. *SMITH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 947 F. 2d 938.

No. 91-1185. *RATCHFORD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 942 F. 2d 702.

No. 91-5727. *WALTON v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 933 F. 2d 1010.

No. 91-5975. *TAYLOR v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 821 S. W. 2d 72.

No. 91-6026. *WION v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1261.

No. 91-6086. *SOTELO-RIVERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 931 F. 2d 1317.

No. 91-6101. *DISHEROON v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 935 F. 2d 1291.

No. 91-6145. *DILORETO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 941 F. 2d 1203.

No. 91-6170. *SHAKUR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 932 F. 2d 1210.

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No. 91-6173. *EDMUNDSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 937 F. 2d 609.

No. 91-6267. *BARNES v. FIRST NATIONAL BANK ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 658.

No. 91-6325. *BUTTS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 653.

No. 91-6331. *SPOTTED WAR BONNET v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 933 F. 2d 1471.

No. 91-6338. *ATHERTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 936 F. 2d 728.

No. 91-6340. *TIBBS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1288.

No. 91-6342. *SALEM v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 11th Cir. Certiorari denied. Reported below: 942 F. 2d 796.

No. 91-6349. *ZOLICOFFER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 91-6361. *GIBSON v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 261 Ga. 313, 404 S. E. 2d 781.

No. 91-6363. *HALEY v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 1210.

No. 91-6366. *HOLSEY v. AIKENS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 940 F. 2d 665.

No. 91-6371. *MORGENSTERN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 933 F. 2d 1108.

No. 91-6377. *WILLIAMS v. UNITED STATES*; and
No. 91-6455. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 935 F. 2d 1531.

No. 91-6381. *RUTH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 946 F. 2d 110.

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No. 91-6394. *LIERA-JUAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 936 F. 2d 580.

No. 91-6397. *NICHOLS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 787.

No. 91-6414. *FOX v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 941 F. 2d 480.

No. 91-6424. *MORGAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 1561.

No. 91-6425. *PAVLICO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 653.

No. 91-6430. *RICANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 933 F. 2d 1021.

No. 91-6449. *TANNER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 941 F. 2d 574.

No. 91-6454. *ALLEN v. MADIGAN, SECRETARY OF AGRICULTURE*. C. A. 8th Cir. Certiorari denied. Reported below: 951 F. 2d 355.

No. 91-6457. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1208.

No. 91-6484. *GREEN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 583 So. 2d 647.

No. 91-6492. *BASEMORE v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 525 Pa. 512, 582 A. 2d 861.

No. 91-6495. *TAYLOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 931 F. 2d 842.

No. 91-6496. *CHASE v. PETERSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1533.

No. 91-6504. *MARTIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 941 F. 2d 1210.

No. 91-6512. *TRACY ET AL. v. CALIFORNIA*. App. Dept., Super. Ct. Cal., County of Los Angeles. Certiorari denied.

No. 91-6519. *MCBRIDE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

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No. 91-6520. *PECINA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 944 F. 2d 910.

No. 91-6527. *ANDRESS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 622.

No. 91-6528. *GRIMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 945 F. 2d 414.

No. 91-6532. *SIMS v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 304 S. C. 409, 405 S. E. 2d 377.

No. 91-6535. *JIMENO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1542.

No. 91-6541. *WILLIAMS v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 91-6545. *WILHITE v. COLORADO*. Sup. Ct. Colo. Certiorari denied. Reported below: 817 P. 2d 1017.

No. 91-6555. *WHITE v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 813 S. W. 2d 862.

No. 91-6557. *HAIRABEDIAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 938 F. 2d 186.

No. 91-6565. *BROWN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 87, 946 F. 2d 1567.

No. 91-6567. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1413.

No. 91-6570. *WILSON v. JACKSON ET AL.* C. A. 7th Cir. Certiorari denied.

No. 91-6580. *PEREZ AZCUY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 728.

No. 91-6588. *SANTOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 1413.

No. 91-6591. *ONALAJA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1278.

No. 91-6592. *RICCHE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 947 F. 2d 938.

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No. 91-6593. *MAHONEY v. VONDERGRITT*. C. A. 1st Cir. Certiorari denied. Reported below: 938 F. 2d 1490.

No. 91-6597. *EGNER v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied. Reported below: 936 F. 2d 582.

No. 91-6601. *McMILLER v. HARTMAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-6602. *RYAN v. LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 91-6603. *O'CONNOR ET UX. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 935 F. 2d 275.

No. 91-6618. *D. S. A. v. CIRCUIT COURT BRANCH 1 ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 942 F. 2d 1143.

No. 91-6620. *ZULIANI v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 91-6621. *BRANCH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 943 F. 2d 1313.

No. 91-6631. *HUTCHINGS VON LUDWITZ v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1534.

No. 91-6637. *DAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1306.

No. 91-6639. *CULLUM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 934 F. 2d 1325.

No. 91-6640. *BROWN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 207 Ill. App. 3d 1105, 604 N. E. 2d 578.

No. 91-6644. *FULLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 669.

No. 91-6655. *KYLE v. STORY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 944 F. 2d 905.

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No. 91-6662. *SPENCE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 903.

No. 91-6669. *HALL v. KELNHOFER, ARKANSAS DEPARTMENT OF CORRECTIONS SCHOOL DISTRICT, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 91-6673. *SPENCE v. NIX, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 945 F. 2d 1030.

No. 91-6674. *YOUNG v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 579 So. 2d 721.

No. 91-6677. *STRANGE v. SAFFEL, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 940 F. 2d 1539.

No. 91-6679. *SCHULTZ ET UX. v. DIVERSIFIED SERVICES CO., INC.* C. A. 7th Cir. Certiorari denied. Reported below: 943 F. 2d 54.

No. 91-6684. *CARPENTER v. MISSOURI*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 813 S. W. 2d 33.

No. 91-6689. *CASEY ET AL. v. HARRELL ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 937 F. 2d 619.

No. 91-6691. *TEJADA v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 941 F. 2d 1551.

No. 91-6692. *WHITE v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 168 Ariz. 500, 815 P. 2d 869.

No. 91-6697. *TURNER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 87, 946 F. 2d 1567.

No. 91-6698. *SAUNDERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 388.

No. 91-6699. *PEREZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 946 F. 2d 883.

No. 91-6701. *TAYLOR v. DOMOVICH ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 91-6702. *BROOME v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 200 Ga. App. 64, 406 S. E. 2d 537.

No. 91-6704. *AKANA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 944 F. 2d 910.

No. 91-6705. *WILLIE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 941 F. 2d 1384.

No. 91-6706. *WHORF v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied.

No. 91-6707. *BERTRAM v. YLST, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 942 F. 2d 790.

No. 91-6708. *WHITEHEAD v. SENKOWSKI, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 943 F. 2d 230.

No. 91-6710. *BURDEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 653.

No. 91-6711. *CARRANDI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 902.

No. 91-6713. *DIXON v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 586 So. 2d 300.

No. 91-6715. *EDWARDS v. DELOACH, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 904.

No. 91-6716. *COZZETTI v. ALASKA*. Super. Ct. Alaska, 3d Jud. Dist. Certiorari denied.

No. 91-6718. *D'AMARIO v. RUSSO ET AL.* C. A. 1st Cir. Certiorari denied.

No. 91-6719. *BERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 902.

No. 91-6720. *DAVENPORT v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 173 App. Div. 2d 633, 570 N. Y. S. 2d 219.

No. 91-6721. *RYCE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 903.

No. 91-6723. *HORN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 945 F. 2d 402.

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No. 91-6725. *O'BRIEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 952 F. 2d 394.

No. 91-6727. *FUSSELL v. PRICE*. C. A. 5th Cir. Certiorari denied. Reported below: 928 F. 2d 712.

No. 91-6728. *MICHEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 937 F. 2d 606.

No. 91-6729. *LONG v. PETSOCK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH*. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 897.

No. 91-6730. *PRICE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 947 F. 2d 942.

No. 91-6731. *DOWELL v. BRUNSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 945 F. 2d 401.

No. 91-6733. *LEDBETTER v. WEST SACRAMENTO POLICE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 942 F. 2d 792.

No. 91-6735. *LAVOLD v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 91-6736. *FOREMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1276.

No. 91-6737. *GIBBS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 819 S. W. 2d 821.

No. 91-6738. *SUAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 949 F. 2d 1161.

No. 91-6739. *ASSET ET VIR v. HAHN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1536.

No. 91-6740. *BONNELL v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 61 Ohio St. 3d 179, 573 N. E. 2d 1082.

No. 91-6741. *JONES v. PUCKETT, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 91-6743. *ANGLIN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

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No. 91-6744. *LEACH v. IOWA DISTRICT COURT FOR POLK COUNTY*. Sup. Ct. Iowa. Certiorari denied.

No. 91-6746. *STEADING v. THOMPSON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 941 F. 2d 498.

No. 91-6747. *MORRIS v. UNIVERSITY OF ARKANSAS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 91-6748. *MCGORE v. GEARIN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-6749. *NORTON v. MYERS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 943 F. 2d 55.

No. 91-6753. *MILBURN v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 947 F. 2d 1486.

No. 91-6754. *MARTIN v. LARSON ET AL.* C. A. 7th Cir. Certiorari denied.

No. 91-6755. *PECORARO v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 144 Ill. 2d 1, 578 N. E. 2d 942.

No. 91-6756. *MYERS v. BORG, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 1137.

No. 91-6759. *MUSSES-TORRES ET AL. v. PEREZ-MATOS ET AL.* Sup. Ct. P. R. Certiorari denied.

No. 91-6760. *RESTREPO ET UX. v. FIRST NATIONAL BANK OF DONA ANA COUNTY, NEW MEXICO*. C. A. 5th Cir. Certiorari denied.

No. 91-6761. *RESTREPO ET UX. v. FIRST NATIONAL BANK OF DONA ANA COUNTY, NEW MEXICO*. C. A. 5th Cir. Certiorari denied.

No. 91-6764. *AGE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 944 F. 2d 910.

No. 91-6765. *HALSEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1288.

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No. 91-6766. *MEDINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 903.

No. 91-6767. *KREBS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 728.

No. 91-6768. *ROBINSON v. CHAMBERS ET AL.* Sup. Ct. Va. Certiorari denied.

No. 91-6769. *GABRIC v. HIGHLAND FEDERAL SAVINGS & LOAN ASSN. ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 91-6770. *WEST v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 948 F. 2d 1042.

No. 91-6772. *WATKINS v. COMMISSIONER OF SOCIAL SERVICES OF THE CITY OF NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 78 N. Y. 2d 1006, 580 N. E. 2d 1059.

No. 91-6773. *BARTON v. OHIO*. Ct. App. Ohio, Hamilton County. Certiorari denied. Reported below: 71 Ohio App. 3d 455, 594 N. E. 2d 702.

No. 91-6776. *DRIVER, AKA MOUSSEAU v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 945 F. 2d 1410.

No. 91-6777. *STAPLETON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1208.

No. 91-6778. *SIMPSON v. MISSOURI*. Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 813 S. W. 2d 323.

No. 91-6779. *CHASE v. PETERSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 940 F. 2d 1533.

No. 91-6780. *ROSARIO v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 78 N. Y. 2d 583, 585 N. E. 2d 766.

No. 91-6782. *KYLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 902.

No. 91-6783. *WOODARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 938 F. 2d 1255.

No. 91-6786. *SIMMONS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 50.

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No. 91-6787. *SMITH v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 61 Ohio St. 3d 284, 574 N. E. 2d 510.

No. 91-6789. *TORBERT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 1547.

No. 91-6790. *BRUNDRIDGE v. OREGON BOARD OF PAROLE*. C. A. 9th Cir. Certiorari denied. Reported below: 944 F. 2d 908.

No. 91-6791. *SCHIMMEL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 943 F. 2d 802.

No. 91-6792. *MAYNARD v. DIXON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 407.

No. 91-6793. *GARCIA-CASTILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 890.

No. 91-6794. *BIBBS v. ARMONTROUT, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 943 F. 2d 26.

No. 91-6795. *BRITTAIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1542.

No. 91-6796. *DUNCAN v. LYNN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 891.

No. 91-6797. *THOMAS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 951 F. 2d 351.

No. 91-6798. *ANTONIO CONTRERAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 942 F. 2d 1543.

No. 91-6799. *BASS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 943 F. 2d 1313.

No. 91-6800. *WASHINGTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 1106.

No. 91-6802. *ANDREWS v. DELAND, DIRECTOR, UTAH DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 943 F. 2d 1162.

No. 91-6803. *CERVANTES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 815 S. W. 2d 569.

No. 91-6804. *SANDERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 937 F. 2d 1495.

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No. 91-6807. *JAMES v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 818 P. 2d 918.

No. 91-6808. *JOHNSON v. MILLER BREWING Co.* C. A. 11th Cir. Certiorari denied. Reported below: 940 F. 2d 673.

No. 91-6812. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 891.

No. 91-6813. *JOHNSON v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 438 Mich. 55, 475 N. W. 2d 231.

No. 91-6815. *BLOCKER v. UNITED STATES*. Ct. Mil. App. Certiorari denied. Reported below: 33 M. J. 349.

No. 91-6818. *COLEMAN v. KOPF ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 656.

No. 91-6819. *MONTGOMERY v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 61 Ohio St. 3d 410, 575 N. E. 2d 167.

No. 91-6820. *TOLBERT v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 60 Ohio St. 3d 89, 573 N. E. 2d 617.

No. 91-6826. *MCCORMACK v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 117 Wash. 2d 141, 812 P. 2d 483.

No. 91-6827. *MILLER v. DEPARTMENT OF THE TREASURY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 934 F. 2d 1161.

No. 91-6829. *PORTER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 91-6831. *PARMAN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 87, 946 F. 2d 1567.

No. 91-6832. *ROMMANN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 945 F. 2d 405.

No. 91-6834. *LOHR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1208.

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No. 91-6835. *McMAHON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 945 F. 2d 412.

No. 91-6836. *O'CONNELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 940 F. 2d 653.

No. 91-6838. *MAHLERWEIN v. FEDERAL LAND BANK OF LOUISVILLE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 91-6840. *MAURER v. LOS ANGELES COUNTY*. C. A. 9th Cir. Certiorari denied. Reported below: 944 F. 2d 909.

No. 91-6841. *CITRON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 948 F. 2d 1288.

No. 91-6842. *COBBINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 50.

No. 91-6843. *CHAMBERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 944 F. 2d 1253.

No. 91-6844. *TABOIS v. NEW YORK TELEPHONE Co.* C. A. 2d Cir. Certiorari denied.

No. 91-6845. *BUGH v. OHIO*. Ct. App. Ohio, Carroll County. Certiorari denied.

No. 91-6846. *HAM, AKA HAMM, AKA BREWER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 902.

No. 91-6847. *EVENSTAD v. LAS VEGAS METROPOLITAN POLICE DEPARTMENT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 922 F. 2d 844.

No. 91-6848. *EGAN v. RUNDA*. C. A. 6th Cir. Certiorari denied. Reported below: 945 F. 2d 404.

No. 91-6851. *BAEZ v. GOVERNMENT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. Reported below: 800 F. 2d 1133.

No. 91-6852. *FITZGERALD v. THOMPSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 943 F. 2d 463.

No. 91-6855. *FENNELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 945 F. 2d 411.

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No. 91-6856. *BARNES v. SAUNDERS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 935 F. 2d 1285.

No. 91-6857. *WESTERN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 944 F. 2d 1223.

No. 91-6860. *LUCKETT v. ILLINOIS HUMAN RIGHTS COMMISSION ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 141 Ill. 2d 543, 580 N. E. 2d 117.

No. 91-6861. *MURRAY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 1547.

No. 91-6862. *REESE v. NIX, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 942 F. 2d 1276.

No. 91-6863. *PETERS v. WHITLEY, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 937.

No. 91-6864. *HUDSON v. HILL ET AL.; and HUDSON v. PULLIN ET AL.* C. A. 5th Cir. Certiorari denied.

No. 91-6865. *GIANO v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-6866. *HENLEY v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 940 F. 2d 1530.

No. 91-6867. *GREER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 946 F. 2d 896.

No. 91-6868. *FLEMING v. COLORADO.* Sup. Ct. Colo. Certiorari denied. Reported below: 817 P. 2d 985.

No. 91-6870. *HAWTHORNE v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 195 Ill. App. 3d 1106, 582 N. E. 2d 324.

No. 91-6871. *HUNTER v. UNITED STATES.* Ct. App. D. C. Certiorari denied.

No. 91-6873. *BOYD v. GEORGIA.* Sup. Ct. Ga. Certiorari denied.

No. 91-6874. *ELDER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 943 F. 2d 53.

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No. 91-6875. *GORE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 212 Ill. App. 3d 984, 571 N. E. 2d 1041.

No. 91-6877. *JOKINEN v. UNITED STATES* (two cases). C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 663 (first case).

No. 91-6880. *DAVIS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 190, 948 F. 2d 782.

No. 91-6882. *VARELA v. SENKOWSKI, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-6883. *TORRES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 944 F. 2d 899.

No. 91-6884. *SEKANDARY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 903.

No. 91-6885. *COUTIN v. PRESIDENT OF HASTINGS COLLEGE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 928 F. 2d 408.

No. 91-6888. *BERRIO-LONDONO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 946 F. 2d 158.

No. 91-6889. *CORTEZ-GOMEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 946 F. 2d 901.

No. 91-6892. *CLARK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 934 F. 2d 322.

No. 91-6893. *DEMPSEY v. MASSACHUSETTS*. C. A. 1st Cir. Certiorari denied. Reported below: 953 F. 2d 633.

No. 91-6895. *DUVE v. DUVE*. App. Ct. Conn. Certiorari denied. Reported below: 25 Conn. App. 262, 594 A. 2d 473.

No. 91-6896. *BURGE v. WHITLEY, WARDEN*. Sup. Ct. La. Certiorari denied. Reported below: 585 So. 2d 562.

No. 91-6897. *COX v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 91-6898. *LEWIS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 594 A. 2d 542.

No. 91-6900. *MOSELY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 888.

No. 91-6901. *MACFADDEN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 37, 946 F. 2d 127.

No. 91-6902. *ROULAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 934 F. 2d 325.

No. 91-6903. *LONDONO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 887.

No. 91-6904. *MALDONADO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 945 F. 2d 396.

No. 91-6906. *NICHOLS v. MCCORMICK, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 929 F. 2d 507.

No. 91-6907. *MILLER v. DIGGS*. C. A. 4th Cir. Certiorari denied. Reported below: 944 F. 2d 901.

No. 91-6908. *MICHEAUX v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE*. C. A. 5th Cir. Certiorari denied. Reported below: 944 F. 2d 231.

No. 91-6909. *JONES v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD*. C. A. 3d Cir. Certiorari denied. Reported below: 952 F. 2d 1392.

No. 91-6911. *SMITH v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 91-6914. *BROFFORD v. TATE, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Reported below: 62 Ohio St. 3d 1452, 579 N. E. 2d 1391.

No. 91-6915. *RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 945 F. 2d 409.

No. 91-6916. *REILLY v. WARDEN, FEDERAL CORRECTIONS INSTITUTION, PETERSBURG*. C. A. 2d Cir. Certiorari denied. Reported below: 947 F. 2d 43.

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No. 91-6917. *LANE v. PARRIS ET AL.*; *LANE v. STARR, JUDGE*; and *LANE v. TUNNELL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 943 F. 2d 1314 (first case); 946 F. 2d 892 (second and third cases).

No. 91-6918. *MOTON v. CASPARI.* C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 725.

No. 91-6919. *OLUWA v. KOENIG, CHAIRMAN, BOARD OF PRISON TERMS.* C. A. 9th Cir. Certiorari denied. Reported below: 942 F. 2d 791.

No. 91-6920. *LAUREANO v. SULLIVAN, SUPERINTENDENT, OS-SINING CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 91-6921. *CUDEJKO v. OVERTON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 91-6922. *WEBB v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 945 F. 2d 967.

No. 91-6923. *HICKS v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1277.

No. 91-6924. *CRAWFORD v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 91-6925. *PETERSON ET UX. v. KAHN.* C. A. 9th Cir. Certiorari denied.

No. 91-6927. *REID v. CITY OF FLINT.* Sup. Ct. Mich. Certiorari denied. Reported below: 437 Mich. 1013.

No. 91-6928. *ELORTEGUI v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1317.

No. 91-6932. *RAMIREZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 947 F. 2d 1490.

No. 91-6935. *PARTEE v. LANE, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 926 F. 2d 694.

No. 91-6936. *FLETCHER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 945 F. 2d 725.

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No. 91-6940. *AMIRI v. WUSA-TV, CHANNEL NINE*. C. A. D. C. Cir. Certiorari denied. Reported below: 292 U. S. App. D. C. 83, 946 F. 2d 1563.

No. 91-6941. *MAXWELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 947 F. 2d 1487.

No. 91-6942. *RODRIGUEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 948 F. 2d 1276.

No. 91-6954. *ALEXANDER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 948 F. 2d 1002.

No. 91-6956. *SINGLETON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 23.

No. 91-6958. *CRANFILL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1543.

No. 91-6959. *ANDERSON v. KIRK, SUPERINTENDENT, WALL-KILL CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 91-6961. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 948 F. 2d 1290.

No. 91-6968. *HILLNER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1543.

No. 91-6969. *TROUTMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 942 F. 2d 786.

No. 91-6970. *ROCHA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1543.

No. 91-6973. *JACKSON ET AL. v. DIXON-BOOKMAN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 951 F. 2d 344.

No. 91-6977. *PLATT ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 888.

No. 91-6978. *WRIGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 947 F. 2d 939.

No. 91-6979. *STIKES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 585.

No. 91-6986. *BRADFORD-BEY v. TOOMBS, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 91-6991. *RISON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 946 F. 2d 1497.

No. 91-6996. *SHUMATE v. CREASY*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1207.

No. 91-6999. *WEST v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 947 F. 2d 943.

No. 91-7001. *SWINICK v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 91-7004. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 888.

No. 91-7008. *BLAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 947 F. 2d 1320.

No. 91-7012. *GORDON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 947 F. 2d 942.

No. 91-7014. *HINES, AKA MURRAY v. SHANNON ET AL.* C. A. 1st Cir. Certiorari denied.

No. 91-7016. *SANTAMARIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 946 F. 2d 899.

No. 91-7019. *MONTGOMERY v. CLARK, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 91-7021. *MAUWEE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 107 Nev. 1127, 838 P. 2d 949.

No. 91-7023. *RUB ET AL. v. PRODUCTION CREDIT ASSOCIATION OF MANDAN*. Sup. Ct. N. D. Certiorari denied. Reported below: 475 N. W. 2d 532.

No. 91-7027. *DEFOREST v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 946 F. 2d 523.

No. 91-7028. *WELCH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 945 F. 2d 1378.

No. 91-7030. *TRAYLOR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 940 F. 2d 662.

No. 91-7031. *DRINNON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 945 F. 2d 405.

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No. 91-7034. *HUGHES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 887.

No. 91-7036. *GONZALES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 946 F. 2d 896.

No. 91-7038. *HALL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1542.

No. 91-7039. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1208.

No. 91-7040. *HATHAWAY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 949 F. 2d 609.

No. 91-7041. *OSAMOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 888.

No. 91-7047. *WALTERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 888.

No. 91-7049. *ANDERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 1543.

No. 91-7059. *KING v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 91-7067. *GIAMPA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 947 F. 2d 938.

No. 91-7069. *HOYE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 941 F. 2d 1208.

No. 91-7073. *THORNTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 950 F. 2d 1223.

No. 91-7076. *MATTISON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 946 F. 2d 896.

No. 91-7077. *MANLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 946 F. 2d 887.

No. 91-7078. *MUHAMMAD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 948 F. 2d 1449.

No. 91-7080. *LIPSEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 936 F. 2d 1243.

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No. 91-7086. *PLEWNIAK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 947 F. 2d 1284.

No. 91-7087. *JACKSON v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 946 F. 2d 1546.

No. 91-7092. *ROGERS v. FRANK, POSTMASTER GENERAL*. C. A. 8th Cir. Certiorari denied. Reported below: 950 F. 2d 728.

No. 91-7097. *BAKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 946 F. 2d 890.

No. 91-7105. *ROSSY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 953 F. 2d 321.

No. 91-7106. *COLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 944 F. 2d 910.

No. 91-7108. *BROWN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 947 F. 2d 938.

No. 91-7109. *GROOM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 943 F. 2d 1317.

No. 91-7116. *FEARON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 951 F. 2d 350.

No. 91-7119. *COX, AKA PILIERE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 949 F. 2d 399.

No. 91-7124. *BORCHERS v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 947 F. 2d 934.

No. 91-540. *CHANCE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 304 S. C. 406, 405 S. E. 2d 375.

No. 91-699. *WALTMAN v. FAHNESTOCK & CO., INC.* C. A. 2d Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 935 F. 2d 512.

No. 91-772. *PRINSKI v. TERMAR NAVIGATION CO., INC., ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 944 F. 2d 898.

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No. 91-777. CENAC TOWING CO., INC. *v.* SOUTH TEXAS TOWING CO., INC. C. A. 5th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 938 F. 2d 599.

No. 91-844. BENNETT *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 941 F. 2d 1210.

No. 91-6324. DETRICH *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 940 F. 2d 37.

No. 91-690. THOMAS ET AL. *v.* ELLIOTT. C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 937 F. 2d 338.

No. 91-963. COLORADO *v.* GARCIA. Sup. Ct. Colo. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 815 P. 2d 937.

No. 91-1048. KENTUCKY *v.* TAYLOR. Sup. Ct. Ky. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 821 S. W. 2d 72.

No. 91-1180. ARIZONA *v.* DANIEL. Ct. App. Ariz. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 169 Ariz. 73, 817 P. 2d 18.

No. 91-746 (A-344). BEST ET AL. *v.* UNITED STATES; and

No. 91-748. CONARTY *v.* UNITED STATES. C. A. 7th Cir. Application for an order to direct the Clerk of the United States Court of Appeals for the Seventh Circuit to transmit certain looseleaf binders to the Court for use during consideration of the petitions for writs of certiorari, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 939 F. 2d 425.

No. 91-798. SOUTH DAKOTA PUBLIC UTILITIES COMMISSION ET AL. *v.* FEDERAL ENERGY REGULATORY COMMISSION. C. A. D. C. Cir. Motion of National Association of Regulatory Utility Commissioners et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 290 U. S. App. D. C. 58, 934 F. 2d 346.

No. 91-983. ALLSTATE INSURANCE CO. *v.* FORTUNATO, COMMISSIONER OF INSURANCE OF NEW JERSEY. Super. Ct. N. J.,

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App. Div. Motion of National Association of Independent Insurers et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 248 N. J. Super. 367, 591 A. 2d 631.

No. 91-999. GARMAN CONSTRUCTION CO. *v.* MARTIN ET AL. C. A. 7th Cir. Motion of Associated Builders & Contractors, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 945 F. 2d 1000.

No. 91-1021. CURRY *v.* NASCO, INC. C. A. 5th Cir. Motion of David L. Hoskins et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 945 F. 2d 401.

No. 91-1059. VIACOM INTERNATIONAL, INC. *v.* ICAHN ET AL. C. A. 2d Cir. Motion of petitioner to seal part of petition for writ of certiorari granted. Certiorari denied. Reported below: 946 F. 2d 998.

No. 91-1073. ARIZONA *v.* MULLET. Ct. App. Ariz. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this motion and this petition. Reported below: 168 Ariz. 594, 816 P. 2d 251.

No. 91-1132. FREEPORT-MCMORAN INC. ET AL. *v.* K N ENERGY, INC. C. A. 10th Cir. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition. Reported below: 942 F. 2d 765.

No. 91-1292 (A-581). HAITIAN REFUGEE CENTER, INC., ET AL. *v.* BAKER, SECRETARY OF STATE, ET AL. (two cases). C. A. 11th Cir. Application for stay of mandates, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 953 F. 2d 1498 (first case); 949 F. 2d 1109 (second case).

JUSTICE STEVENS, respecting the denial of certiorari.

It is important to emphasize that the denial of the petition for writ of certiorari is not a ruling on any of the unsettled and important questions of law presented in the petition. See *Singleton v. Commissioner*, 439 U. S. 940, 942 (1978) (STEVENS, J., respecting denial of certiorari).

JUSTICE THOMAS, respecting the denial of certiorari.

On January 31, 1992, I voted to deny the Government's application to stay the District Court's injunctions in this case because, in my view, the petitioners deserved the additional 24 hours they had requested for the purpose of taking depositions and filing a response. *Ante*, p. 1083. The petitioners have since briefed the merits of their petition for certiorari, and I now conclude that under the standards this Court has traditionally employed, cf. this Court's Rule 10.1, the petition should be denied.

The affidavits filed throughout this litigation have sought to describe the conditions in Haiti and the treatment the returnees have received there. I am deeply concerned about these allegations. However, this matter must be addressed by the political branches, for our role is limited to questions of law. Because none of the legal issues presented in this petition provides a basis for review, I join the Court's denial of certiorari.

JUSTICE BLACKMUN, dissenting from denial of certiorari.

The world has followed with great concern the fate of thousands of individuals who fled Haiti in the wake of that country's September 1991 military coup. As the complex procedural history of this case reveals, the legal issues surrounding the rights of Haitians interdicted on the high seas by the United States Coast Guard have deeply divided the four federal judges who have considered their claims. Each of the issues presented—whether the United States Government is violating the First Amendment by denying lawyers from the Haitian Refugee Center a right of access to the Haitians held at Guantanamo Bay; whether international or domestic law affords the Haitians a substantive right not to be returned to a country where they face possible persecution; and whether the Haitians may challenge the adequacy of procedures employed by the United States Government to identify those facing political persecution—is difficult and susceptible to competing interpretations.

A quick glance at this Court's docket reveals not only that we have room to consider these issues, but that they are at least as significant as any we have chosen to review today. If indeed the Haitians are to be returned to an uncertain future in their strife-torn homeland, that ruling should come from this Court, after full and careful consideration of the merits of their claims.

I dissent from the Court's decision to deny a writ of certiorari.

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No. 91-6607. *BURNS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE WHITE and JUSTICE BLACKMUN would grant certiorari. Reported below: 934 F. 2d 1157.

No. 91-6653. *SALEEM v. 3-M Co.* C. A. 3d Cir. Certiorari denied. JUSTICE BLACKMUN took no part in the consideration or decision of this petition. Reported below: 945 F. 2d 396.

Rehearing Denied

- No. 91-282. *HALAS v. DEPARTMENT OF ENERGY*, *ante*, p. 953;
No. 91-388. *POWELL v. UNITED STATES*, *ante*, p. 981;
No. 91-541. *MANES v. NEW MEXICO*, *ante*, p. 942;
No. 91-561. *UBEROI v. UNIVERSITY OF COLORADO ET AL.*, *ante*, p. 982;
No. 91-616. *DILLER v. SELVIN & WEINER ET AL.*, *ante*, p. 1013;
No. 91-635. *DILLER v. SELVIN & WEINER*, *ante*, p. 1013;
No. 91-654. *CAFARO v. NEW YORK*, *ante*, p. 1005;
No. 91-5440. *STRIPLING v. GEORGIA*, *ante*, p. 985;
No. 91-5586. *IN RE SEAGRAVE*, *ante*, p. 1028;
No. 91-5597. *MCCALLUM ET UX. v. UNITED STATES*, *ante*, p. 970;
No. 91-5604. *IRVIN v. KENTUCKY*, *ante*, p. 995;
No. 91-5721. *TAXEY v. ILLINOIS*, *ante*, p. 945;
No. 91-5810. *WILLIAMS v. UNITED STATES POSTAL SERVICE ET AL.*, *ante*, p. 1006;
No. 91-5852. *MARTIN v. KNOX ET AL.*, *ante*, p. 999;
No. 91-5977. *HAUGEN v. BRADY ET AL.*; and *HAUGEN v. CLARK COUNTY, NEVADA, ET AL.*, *ante*, p. 974;
No. 91-5981. *KAFFENBERGER v. CITY OF BULLHEAD, ARIZONA, ET AL.*, *ante*, p. 987;
No. 91-6013. *ARGENTINA v. DEBENEDICTUS*, *ante*, p. 987;
No. 91-6014. *BOYD v. TOWN OF CABOT, ARKANSAS, ET AL.*, *ante*, p. 987;
No. 91-6039. *PORTNOY v. UNITED STATES POSTAL SERVICE ET AL.*, *ante*, p. 988;
No. 91-6059. *REED v. BELEW, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, ET AL.*, *ante*, p. 989;
No. 91-6094. *STEVENS v. OHIO ET AL.*, *ante*, p. 989;
No. 91-6110. *DOKE v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF ARKANSAS*, *ante*, p. 1015;
No. 91-6129. *DOWLING v. KAMBER ET AL.*, *ante*, p. 1007;

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No. 91-6144. LOMELINO *v.* McDONNELL DOUGLAS AIRCRAFT CORP. ET AL., *ante*, p. 990;

No. 91-6169. BAKER *v.* LOPATIN, MILLER, FREEDMAN, BLUESTONE, ERLICH, ROSEN & BARTNICK, ATTORNEYS AT LAW, P. C., *ante*, p. 1008;

No. 91-6178. MARTIN *v.* KNOX ET AL., *ante*, p. 1015;

No. 91-6208. BORYSIK ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 1016;

No. 91-6210. CLARK *v.* UNITED STATES, *ante*, p. 992;

No. 91-6224. IN RE WILLIAMS, *ante*, p. 1028;

No. 91-6245. JOHNSON *v.* PETERSON, *ante*, p. 1039;

No. 91-6336. CERVEN *v.* WORKERS' COMPENSATION APPEALS BOARD OF CALIFORNIA, *ante*, p. 1041; and

No. 91-6389. LAMASNEY *v.* SULLIVAN, SECRETARY OF HEALTH AND HUMAN SERVICES, *ante*, p. 1042. Petitions for rehearing denied.

No. 90-1809. WHITMER *v.* CITY OF CHICAGO ET AL., *ante*, p. 814;

No. 90-6352. GRIFFIN *v.* UNITED STATES, *ante*, p. 46;

No. 90-8020. COSNER *v.* ILLINOIS, *ante*, p. 830; and

No. 90-8199. VENERI *v.* JACOBS ET AL., *ante*, p. 837. Petitions for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of these petitions.

No. 90-1877. SINGAL *v.* GENERAL MOTORS CORP., *ante*, p. 817; and

No. 90-8473. FOORE *v.* MARRA ET AL., *ante*, p. 853. Motions for leave to file petitions for rehearing denied. JUSTICE THOMAS took no part in the consideration or decision of these motions.