

ORDERS FOR JUNE 21 THROUGH
OCTOBER 1, 1993

JUNE 21, 1993

Certiorari Granted—Vacated and Remanded

No. 91-1347. CURIALE, SUPERINTENDENT OF INSURANCE OF THE STATE OF NEW YORK, AS LIQUIDATOR OF UNION INDEMNITY INSURANCE COMPANY OF NEW YORK *v.* UNITED STATES. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Department of Treasury v. Fabe*, 508 U.S. 491 (1993). Reported below: 170 App. Div. 2d 342, 566 N. Y. S. 2d 853.

No. 92-1436. TEAMSTERS PENSION TRUST FUND OF PHILADELPHIA AND VICINITY ET AL. *v.* FUQUA INDUSTRIES, INC. C. A. 3d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Concrete Pipe & Products of Cal., Inc. v. Construction Laborers Pension Trust for Southern Cal.*, 508 U.S. 602 (1993). Reported below: 981 F. 2d 1248.

No. 92-7897. BILLY-EKO *v.* UNITED STATES. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the position asserted by the Acting Solicitor General in his brief for the United States filed May 28, 1993. Reported below: 968 F. 2d 281.

No. 92-8231. WILLIAMS *v.* UNITED STATES. C. A. 4th 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 *Crosby v. United States*, 506 U.S. 255 (1993). Reported below: 983 F. 2d 1059.

Miscellaneous Orders

No. 92-1074. JOHN HANCOCK MUTUAL LIFE INSURANCE CO. *v.* HARRIS TRUST & SAVINGS BANK, AS TRUSTEE OF THE SPERRY MASTER RETIREMENT TRUST NO. 2. C. A. 2d Cir. [Certiorari granted, 507 U.S. 983.] Motion of the Solicitor General for leave

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

No. 92-1223. UNITED STATES DEPARTMENT OF DEFENSE ET AL. *v.* FEDERAL LABOR RELATIONS AUTHORITY ET AL. C. A. 5th Cir. [Certiorari granted, 507 U. S. 1003.] Motion of National Right to Work Legal Defense Foundation, Inc., for leave to file a brief as *amicus curiae* granted.

No. 92-1441. STAPLES *v.* UNITED STATES. C. A. 10th Cir. [Certiorari granted, 508 U. S. 939.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 92-1637. IBARRA, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF SOCIAL SERVICES, ET AL. *v.* DUC VAN LE. Sup. Ct. Colo. Motion of respondent for leave to proceed *in forma pauperis* granted. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 92-8425. JONES *v.* SUTER, CLERK, SUPREME COURT OF THE UNITED STATES, ET AL. C. A. D. C. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [508 U. S. 949] denied.

No. 92-8484. IN RE DAY. Motion of petitioner for leave to proceed *in forma pauperis* denied. See this Court's Rule 39.8. Petitioner is allowed until July 12, 1993, 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 STEVENS would deny the petition for writ of mandamus.

No. 92-8532. ANTONELLI *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied. See this Court's Rule 39.8. Petitioner is allowed until July 12, 1993, 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 STEVENS would deny the petition for writ of certiorari.

No. 92-8351. IN RE SOHLER;

No. 92-8469. IN RE VELASQUEZ; and

No. 92-8588. IN RE DIVITO. Petitions for writs of mandamus denied.

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No. 92-1214. MILLIGAN-JENSEN *v.* MICHIGAN TECHNOLOGICAL UNIVERSITY. C. A. 6th Cir. Certiorari granted. Reported below: 975 F. 2d 302.

No. 92-1450. WATERS ET AL. *v.* CHURCHILL ET AL. C. A. 7th Cir. Certiorari granted. Reported below: 977 F. 2d 1114.

No. 92-1639. CITY OF CHICAGO ET AL. *v.* ENVIRONMENTAL DEFENSE FUND ET AL. C. A. 7th Cir. Certiorari granted. Reported below: 985 F. 2d 303.

No. 92-1750. FOGERTY *v.* FANTASY, INC. C. A. 9th Cir. Certiorari granted. Reported below: 984 F. 2d 1524.

Certiorari Denied

No. 92-216. SENN ET AL. *v.* UNITED DOMINION INDUSTRIES, INC., ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 951 F. 2d 806.

No. 92-718. MORRIS *v.* HILL. C. A. 6th Cir. Certiorari denied. Reported below: 962 F. 2d 1209.

No. 92-913. BANCO ESPANOL DE CREDITO ET AL. *v.* SECURITY PACIFIC NATIONAL BANK ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 973 F. 2d 51.

No. 92-1434. EDELMAN *v.* UNITED STATES; and

No. 92-1448. MANKO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 979 F. 2d 900.

No. 92-1489. MINES ET AL. *v.* SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. 9th Cir. Certiorari denied. Reported below: 981 F. 2d 1068.

No. 92-1541. SHERMOEN ET AL. *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 982 F. 2d 1312.

No. 92-1563. WATSON *v.* DEPARTMENT OF TRANSPORTATION. C. A. Fed. Cir. Certiorari denied. Reported below: 983 F. 2d 1088.

No. 92-1568. UNIFIED SCHOOL DISTRICT NO. 501, SHAWNEE COUNTY, KANSAS *v.* SMITH ET AL., MINOR CHILDREN, BY THEIR

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MOTHER AND NEXT FRIEND, SMITH, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 978 F. 2d 585.

No. 92-1574. CRAMER *v.* PENA, SECRETARY OF TRANSPORTATION, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 983 F. 2d 232.

No. 92-1586. DEAN WITTER REYNOLDS, INC. *v.* HARRISON ET AL.; and

No. 92-1740. HARRISON ET AL. *v.* DEAN WITTER REYNOLDS, INC. C. A. 7th Cir. Certiorari denied. Reported below: 974 F. 2d 873.

No. 92-1610. LONGO *v.* UNITED STATES POSTAL SERVICE ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 983 F. 2d 9.

No. 92-1616. LOCAL 32B-32J, SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 982 F. 2d 845.

No. 92-1617. CATAWBA INDIAN TRIBE OF SOUTH CAROLINA *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 982 F. 2d 1564.

No. 92-1621. PAYNE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 980 F. 2d 148.

No. 92-1622. O'NEILL ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. Reported below: 965 F. 2d 1522.

No. 92-1635. LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT *v.* UNITED STATES ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 983 F. 2d 1070.

No. 92-1640. AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES ET AL. *v.* MARTINEZ ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 980 F. 2d 1039.

No. 92-1642. MOOREHOUSE *v.* GRAND RIVER DAM AUTHORITY ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 982 F. 2d 529.

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No. 92-1643. *LIPPERT v. DELTA AIR LINES, INC., ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 609 So. 2d 1304.

No. 92-1645. *CITY OF LOS ANGELES v. JACKSON.* C. A. 9th Cir. Certiorari denied. Reported below: 975 F. 2d 648.

No. 92-1648. *RICHARDS, GOVERNOR OF TEXAS, ET AL. v. ALBERTI ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 978 F. 2d 893.

No. 92-1650. *CENTURY CENTRE PARTNERS, LTD. v. FEDERAL DEPOSIT INSURANCE CORPORATION.* C. A. 9th Cir. Certiorari denied. Reported below: 969 F. 2d 835.

No. 92-1655. *DISTRICT OF COLUMBIA v. HANSFORD ET AL.* Ct. App. Md. Certiorari denied. Reported below: 329 Md. 112, 617 A. 2d 1057.

No. 92-1659. *XYZ CORP. ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 979 F. 2d 939.

No. 92-1661. *WINKLEMAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 992 F. 2d 1472.

No. 92-1682. *LARISCEY v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 981 F. 2d 1244.

No. 92-1712. *WIGGINS v. VALENCIA.* C. A. 5th Cir. Certiorari denied. Reported below: 981 F. 2d 1440.

No. 92-1713. *LORAIN BOARD OF EDUCATION ET AL. v. OHIO DEPARTMENT OF EDUCATION.* C. A. 6th Cir. Certiorari denied. Reported below: 979 F. 2d 1141.

No. 92-1718. *HAMILTON TAFT & Co. v. FEDERAL EXPRESS CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 985 F. 2d 572.

No. 92-1720. *BRADY ET AL. v. NEW YORK ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 80 N. Y. 2d 596, 607 N. E. 2d 1060.

No. 92-1723. *ORANGE COUNTY POLITICAL COALITION ET AL. v. ORANGE COUNTY, FLORIDA, BOARD OF COUNTY COMMISSIONERS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 979 F. 2d 1504.

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No. 92-1728. *TAYLOR ET AL. v. LIBERTY NATIONAL LIFE INSURANCE CO. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 974 F. 2d 1279.

No. 92-1731. *JOHNSON ET AL. v. LOS ANGELES COMMUNITY COLLEGE DISTRICT ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 92-1732. *MAYLE v. CALIFORNIA STATE LOTTERY COMMISSION ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 92-1733. *JACKSON, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF JACKSON, ET AL. v. ZAPATA HAYNIE CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 980 F. 2d 287.

No. 92-1736. *MOSS v. PARKS CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 985 F. 2d 736.

No. 92-1737. *FREY v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 982 F. 2d 399.

No. 92-1739. *NORMAN ET AL. v. REED ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 154 Ill. 2d 77, 607 N. E. 2d 1198.

No. 92-1748. *ESTATE OF BOHN ET AL. v. WADDELL, DIRECTOR, DEPARTMENT OF REVENUE OF ARIZONA, ET AL.; and ABBOTT ET AL. v. WADDELL, DIRECTOR, DEPARTMENT OF REVENUE OF ARIZONA, ET AL.* Ct. App. Ariz. Certiorari denied. Reported below: 174 Ariz. 239, 848 P. 2d 324 (first case).

No. 92-1749. *ICARD, TRUSTEE, ET AL. v. SARASOTA-MANATEE AIRPORT AUTHORITY.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 615 So. 2d 699.

No. 92-1753. *ROOS v. BANCFIRST OF SULPHUR, OKLAHOMA.* Ct. App. Okla. Certiorari denied.

No. 92-1769. *SALMINEN v. FREDIN.* Ct. App. Minn. Certiorari denied.

No. 92-1778. *GRAHAM v. MENGEL, CLERK, SUPREME COURT OF OHIO, AND SECRETARY, OHIO BOARD OF BAR EXAMINERS, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 986 F. 2d 1421.

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No. 92-1801. *DIVERSIFIED FOODS, INC., ET AL. v. FIRST NATIONAL BANK OF BOSTON ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 985 F. 2d 27.

No. 92-1822. *GACKENBACH v. DEXTER HYSOL CORP.* C. A. 3d Cir. Certiorari denied. Reported below: 986 F. 2d 1409.

No. 92-1840. *TORVIK, SUPERINTENDENT, DAYTON FORENSIC CENTER, ET AL. v. LEVINE.* C. A. 6th Cir. Certiorari denied. Reported below: 986 F. 2d 1506.

No. 92-1886. *HUDDLESTON, TENNESSEE COMMISSIONER OF REVENUE, ET AL. v. BLOOMINGDALE'S BY MAIL LTD.* Sup. Ct. Tenn. Certiorari denied. Reported below: 848 S. W. 2d 52.

No. 92-7562. *KREUZHAGE v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA.* C. A. 11th Cir. Certiorari denied.

No. 92-7877. *HOLLOMAN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 981 F. 2d 690.

No. 92-7978. *DRAKE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 980 F. 2d 739.

No. 92-8106. *FERREIRA-CHAVES v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 979 F. 2d 1538.

No. 92-8122. *ELLISON v. CONOCO, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 950 F. 2d 1196.

No. 92-8130. *RODRIGUEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 980 F. 2d 1375.

No. 92-8137. *BOYLAND v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 979 F. 2d 851.

No. 92-8154. *DODGE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 983 F. 2d 1069.

No. 92-8157. *MARSHALL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 983 F. 2d 237.

No. 92-8195. *SCOTT v. UNITED STATES*; and
No. 92-8226. *VIERA v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 979 F. 2d 212.

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- No. 92-8216. *CRAWFORD v. UNITED STATES*; and
No. 92-8221. *MASON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 979 F. 2d 369.
- No. 92-8233. *KONIOR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 990 F. 2d 622.
- No. 92-8261. *NEWTOP v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.
- No. 92-8270. *BAGGETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 983 F. 2d 1083.
- No. 92-8273. *TANTALO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 986 F. 2d 1410.
- No. 92-8292. *PHILLIPS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 608 So. 2d 778.
- No. 92-8310. *COBBS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 983 F. 2d 1082.
- No. 92-8326. *BOYD v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 839 P. 2d 1363.
- No. 92-8415. *TUAN ANH NGUYEN v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 844 P. 2d 176.
- No. 92-8420. *JOHNSON v. INTERNATIONAL BUSINESS MACHINES CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 986 F. 2d 1413.
- No. 92-8431. *GWYNN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.
- No. 92-8436. *ERWIN v. CITY OF ANGELS CAMP ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 983 F. 2d 1076.
- No. 92-8449. *BORDERS v. MISSOURI*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 844 S. W. 2d 49.
- No. 92-8450. *FUQUA v. BENOIT ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 613 So. 2d 15.
- No. 92-8451. *HARRIS v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 983 F. 2d 1083.

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No. 92-8452. *FERENC v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 92-8462. *WARD v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 985 F. 2d 578.

No. 92-8466. *THOMPSON v. CEISEL.* C. A. 8th Cir. Certiorari denied.

No. 92-8475. *BARTON v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 985 F. 2d 556.

No. 92-8477. *PERTSONI v. YLST, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 979 F. 2d 855.

No. 92-8478. *LAND v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 262 Ga. 898, 426 S. E. 2d 370.

No. 92-8483. *JOHNSON v. LYNCH ET AL.* Ct. App. D. C. Certiorari denied.

No. 92-8488. *HONKANEN v. DOYLE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 981 F. 2d 1258.

No. 92-8498. *DAVILLA v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 236 Ill. App. 3d 367, 603 N. E. 2d 666.

No. 92-8500. *LAWSON v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 983 F. 2d 1081.

No. 92-8501. *RODRIGUEZ ORTA v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 983 F. 2d 232.

No. 92-8508. *TOMASEK v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 423 Pa. Super. 640, 616 A. 2d 720.

No. 92-8512. *LLOYD v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 993 F. 2d 879.

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No. 92-8531. *CRUTCHFIELD v. CIANCA*. C. A. 11th Cir. Certiorari denied.

No. 92-8539. *LEVI-MONTGOMERY v. ADKINS, ASSISTANT SUPERINTENDENT, INDIANA STATE PRISON*. C. A. 7th Cir. Certiorari denied.

No. 92-8541. *MICKLAS v. POPE ET AL.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 92-8551. *VELARDE-GAVARETTE ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 975 F. 2d 672.

No. 92-8570. *DANIELSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 3 Cal. 4th 691, 838 P. 2d 729.

No. 92-8582. *HOWARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 976 F. 2d 666.

No. 92-8583. *JONES v. PILLSBURY CO.* C. A. 6th Cir. Certiorari denied. Reported below: 985 F. 2d 560.

No. 92-8592. *MANNING v. JABE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 985 F. 2d 560.

No. 92-8595. *FETZER ET UX. v. JUVENILE DEPARTMENT OF CURRY COUNTY, OREGON, ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 113 Ore. App. 233, 832 P. 2d 1276.

No. 92-8597. *GREEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 92-8603. *CARTER v. KEESEE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 988 F. 2d 1210.

No. 92-8604. *CRITES v. KAISER ALUMINUM & CHEMICAL CORP. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 983 F. 2d 1055.

No. 92-8615. *CLARK v. GOVERNMENT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. Reported below: 989 F. 2d 487.

No. 92-8630. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 986 F. 2d 134.

No. 92-8635. *TWYMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 985 F. 2d 554.

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No. 92-8648. *PAYTON v. MAASS, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 988 F. 2d 121.

No. 92-8665. *HEFLIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 993 F. 2d 879.

No. 92-8678. *ROGERS v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 983 F. 2d 1064.

No. 92-8683. *BLACK v. KIRKPATRICK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 983 F. 2d 1075.

No. 92-8716. *SEATON v. JABE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 983 F. 2d 1068.

No. 92-8735. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 986 F. 2d 86.

No. 92-8736. *STANFIELD v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 67 Wash. App. 1006.

No. 92-8740. *FISHER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 845 P. 2d 1272.

No. 92-8742. *NALBANTION v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 990 F. 2d 1264.

No. 92-8745. *MORRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 986 F. 2d 1416.

No. 92-8746. *PAYNE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 985 F. 2d 554.

No. 92-8747. *WIRES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 989 F. 2d 506.

No. 92-8748. *DEMAR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 986 F. 2d 507.

No. 92-8754. *FRANCO-MUNOZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 952 F. 2d 1055.

No. 92-8755. *JONES, AKA WHITE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 989 F. 2d 489.

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No. 92-8756. *HORNE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 989 F. 2d 496.

No. 92-8758. *IMOH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 992 F. 2d 319.

No. 92-8759. *HOLBROOK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 986 F. 2d 507.

No. 92-8760. *GAVIRIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 987 F. 2d 774.

No. 92-8762. *GILES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 988 F. 2d 123.

No. 92-8763. *PATTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 988 F. 2d 125.

No. 92-8765. *CLARKE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 989 F. 2d 489.

No. 92-8767. *REYNOLDS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 986 F. 2d 1431.

No. 92-8770. *PHILIPP v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 982 F. 2d 1241.

No. 92-8779. *BROOKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 983 F. 2d 1061.

No. 92-8782. *SAMUELS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 986 F. 2d 1418.

No. 92-8784. *SALAZAR v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 173 Ariz. 399, 844 P. 2d 566.

No. 92-8785. *WILSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 986 F. 2d 1410.

No. 92-8793. *BARNETT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 988 F. 2d 125.

No. 92-8799. *GUTIERREZ-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 986 F. 2d 1419.

No. 92-8801. *DONELSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 990 F. 2d 1263.

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No. 92-8803. *MADYUN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 986 F. 2d 1416.

No. 92-8804. *MARTINEAU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 985 F. 2d 576.

No. 92-8821. *JACK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 988 F. 2d 124.

No. 92-8828. *GOMEZ-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 986 F. 2d 1419.

No. 92-8857. *MEADOR-BEY v. JONES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 989 F. 2d 500.

No. 92-1390. *LEE ET UX. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 980 F. 2d 1337.

No. 92-7685. *RODRIGUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE WHITE would grant certiorari. Reported below: 979 F. 2d 1424.

No. 92-1668. *WITKOWSKI, WARDEN, ET AL. v. GOLDSMITH*. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 981 F. 2d 697.

No. 92-1716. *TEXAS v. CORLEY*. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 92-1684. *MCI TELECOMMUNICATIONS CORP. v. AMERICAN TELEPHONE & TELEGRAPH CO.* C. A. D. C. Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 298 U. S. App. D. C. 230, 978 F. 2d 727.

No. 92-1717. *BROWN & ROOT, INC. v. MISTICH*. Ct. App. La., 4th Cir. Motion of National Ocean Industries Association et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 609 So. 2d 921.

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No. 92-7985. *GUY v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 172 Wis. 2d 86, 492 N. W. 2d 311.

JUSTICE WHITE, with whom JUSTICE THOMAS joins, dissenting.

In this case, the Wisconsin Supreme Court held that police executing a search warrant for narcotics in a private residence were justified in frisking all persons found on the premises for weapons. Because that holding places the Wisconsin Supreme Court in conflict with other state courts, I would grant certiorari.

While executing a search warrant for cocaine at a residence, Milwaukee police rounded up the five persons found on the premises, handcuffed them, and frisked them for weapons. While patting down petitioner, an officer felt a soft bulge in petitioner's pocket that she believed to be cocaine or marijuana. The officer asked petitioner what it was and petitioner told the officer to "[f]ind out for [her]self." The officer then reached into the pocket and retrieved a baggie containing bindles of cocaine. In upholding petitioner's conviction for possession of cocaine, the Wisconsin Supreme Court held that the patdown search of petitioner was permissible under *Terry v. Ohio*, 392 U.S. 1 (1968), and that the seizure of the cocaine was proper under a "plain-touch corollary to the plain-view doctrine." 172 Wis. 2d 86, 101, 492 N. W. 2d 311, 317 (1992).

In holding that police had reasonable suspicion to frisk petitioner, the court below noted that "[a] magistrate had found probable cause to believe that cocaine trafficking was taking place in the residence in which officers found [petitioner]" and that "weapons are often 'tools of the trade' for drug dealers." *Id.*, at 96, 492 N. W. 2d, at 315. Other state courts have upheld patdown searches of persons encountered during the execution of a narcotics search warrant in a private residence on the same rationale. See, e.g., *State v. Alamont*, 577 A. 2d 665, 667-668 (R. I. 1990); *State v. Zearley*, 444 N. W. 2d 353, 357 (N. D. 1989); *People v. Thurman*, 209 Cal. App. 3d 817, 824, 257 Cal. Rptr. 517, 520 (1989). Others, however, have disallowed patdown searches on essentially identical facts, holding that a defendant's "'mere presence' at a private residence being searched pursuant to a search warrant cannot justify a frisk of [the defendant's] person." *State v. Broadnax*, 98 Wash. 2d 289, 295, 654 P. 2d 96, 101 (1982); see also *United States v. Harvey*, 897 F. 2d 1300, 1304, n. 2 (CA5 1990). Specifically, the courts disagree over whether this Court's

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holding in *Ybarra v. Illinois*, 444 U. S. 85 (1979), that police could not frisk all persons present in a public tavern while executing a search warrant based merely on their presence there applies where a search warrant for drugs is executed in a private home. The court below distinguished *Ybarra* on the grounds that occupants found in a private residence, unlike those found in a public tavern, are “very likely” to be associated with any illegal narcotics activity on the premises and thus likely to be armed and dangerous. 172 Wis. 2d, at 98, 492 N. W. 2d, at 316; accord, *Alamont, supra*, at 668; *Zearley, supra*, at 357; *Thurman, supra*, at 824–825, 257 Cal. Rptr., at 520–521. The Washington Supreme Court in *Broadnax*, however, rejected this reasoning and held *Ybarra* to be controlling. *Broadnax, supra*, at 295, 654 P. 2d, at 101.

In my view, the issue is of significant practical importance to law enforcement officers executing search warrants and to the citizens they encounter while doing so. I would grant certiorari to resolve the constitutional question.

No. 92–8725 (A–890). *ZUCKERMAN v. UNITED STATES*. C. A. 3d Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied. Certiorari denied. Reported below: 981 F. 2d 1249.

Rehearing Denied

No. 92–1309. *McFERRIN v. UNITED STATES*, 508 U. S. 906;

No. 92–1532. *MARITIME OVERSEAS CORP. ET AL. v. HAE WOO YOUN*, 508 U. S. 910;

No. 92–1542. *TIJERINA v. STOWBRIDGE*, 508 U. S. 910;

No. 92–7683. *DIAZ v. CALIFORNIA*, 508 U. S. 916;

No. 92–7729. *VITANZA v. ABRAMS, ATTORNEY GENERAL OF NEW YORK*, 508 U. S. 916;

No. 92–7789. *BLAIR v. ARMONTROUT, ASSISTANT DIRECTOR/ZONE II, MISSOURI DIVISION OF ADULT INSTITUTIONS, ET AL.*, 508 U. S. 916;

No. 92–7988. *COOPER v. KANSAS*, 508 U. S. 919;

No. 92–7994. *ABATE v. IMMIGRATION AND NATURALIZATION SERVICE*, 508 U. S. 919;

No. 92–8054. *SIMMONS v. HENRY FORD HOSPITAL*, 508 U. S. 921;

No. 92–8127. *MALIK v. DuCHARME, SUPERINTENDENT, WASHINGTON STATE REFORMATORY*, 508 U. S. 924;

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No. 92-8162. *JOHNS v. DUFNER CATERING CENTER ET AL.*, 508 U. S. 925;

No. 92-8181. *McGRAW ET AL. v. UNITED STATES*, 508 U. S. 926;

No. 92-8236. *ROBBINS v. LEWIS, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.*, 508 U. S. 928; and

No. 92-8266. *MARKS v. OKLAHOMA TAX COMMISSION*, 508 U. S. 943. Petitions for rehearing denied.

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Certiorari Granted—Vacated and Remanded

No. 91-882. *LEWY ET AL. v. VIRGINIA DEPARTMENT OF TAXATION*. Sup. Ct. Va. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harper v. Virginia Dept. of Taxation*, ante, p. 86. Reported below: 242 Va. 322, 410 S. E. 2d 629.

No. 91-1436. *SWANSON ET AL. v. NORTH CAROLINA ET AL.* Sup. Ct N. C. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harper v. Virginia Dept. of Taxation*, ante, p. 86. Reported below: 330 N. C. 390, 410 S. E. 2d 490.

No. 91-1473. *SHEEHY ET AL. v. MONTANA DEPARTMENT OF REVENUE*. Sup. Ct. Mont. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harper v. Virginia Dept. of Taxation*, ante, p. 86. Reported below: 250 Mont. 437, 820 P. 2d 1257.

No. 91-1697. *BASS ET AL. v. SOUTH CAROLINA ET AL.* Sup. Ct. S. C. Motion of Tax Section, South Carolina Bar, for leave to file a brief as *amicus curiae* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harper v. Virginia Dept. of Taxation*, ante, p. 86. Reported below: 307 S. C. 113, 414 S. E. 2d 110.

No. 91-1913. *OHIO v. DEMUTH*. Ct. App. Ohio, Erie County. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Dixon*, ante, p. 688.

No. 91-1924. *AYUDA, INC., ET AL. v. RENO, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari granted, judgment

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vacated, and case remanded for further consideration in light of *Reno v. Catholic Social Services, Inc.*, ante, p. 43. Reported below: 292 U. S. App. D. C. 150, 948 F. 2d 742.

No. 91-2047. NORWEST BANK DULUTH, N. A., ET AL. *v.* MCCLUNG, MINNESOTA COMMISSIONER OF REVENUE, ET AL. Sup. Ct. Minn. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harper v. Virginia Dept. of Taxation*, ante, p. 86. Reported below: 480 N. W. 2d 647.

No. 91-6745. RICHARDSON *v.* TEXAS. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Johnson v. Texas*, ante, p. 350. Reported below: 886 S. W. 2d 769.

No. 91-8105. EARHART *v.* TEXAS. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Johnson v. Texas*, ante, p. 350. Reported below: 823 S. W. 2d 607.

No. 91-8435. GRANVIEL *v.* TEXAS. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Johnson v. Texas*, ante, p. 350.

No. 92-335. ALABAMA *v.* LEIGHTON. Ct. Crim. App. Ala. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Dixon*, ante, p. 688. Reported below: 586 So. 2d 308.

No. 92-451. RENO, ATTORNEY GENERAL, ET AL. *v.* PERALES ET AL. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Reno v. Catholic Social Services, Inc.*, ante, p. 43. Reported below: 967 F. 2d 798.

No. 92-521. DUFFY ET AL. *v.* WETZLER ET AL. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harper v. Virginia Department of Taxation*, ante, p. 86. Reported below: 174 App. Div. 2d 253, 579 N. Y. S. 2d 684.

No. 92-773. RENO, ATTORNEY GENERAL OF THE UNITED STATES *v.* ADULT VIDEO ASSN. ET AL. C. A. 9th Cir. Certiorari

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granted, judgment vacated, and case remanded for further consideration in light of *Alexander v. United States*, ante, p. 544. Reported below: 960 F. 2d 781.

No. 92-849. IMMIGRATION AND NATURALIZATION SERVICE ET AL. *v.* ZAMBRANO ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Reno v. Catholic Social Services, Inc.*, ante, p. 43. Reported below: 972 F. 2d 1122.

No. 92-1276. REICH *v.* COLLINS ET AL. Sup. Ct. Ga. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harper v. Virginia Dept. of Taxation*, ante, p. 86. Reported below: 262 Ga. 625, 422 S. E. 2d 846.

No. 92-1522. AMERICAN NATIONAL BANK & TRUST CO. *v.* HANSON ET AL. Sup. Ct. Ky. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *TXO Production Corp. v. Alliance Resources Corp.*, ante, p. 443. Reported below: 844 S. W. 2d 408.

No. 92-5580. LUCAS *v.* TEXAS. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Johnson v. Texas*, ante, p. 350. Reported below: 834 S. W. 2d 339.

No. 92-7433. HALE *v.* UNITED STATES DEPARTMENT OF JUSTICE ET AL. 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 *Department of Justice v. Landano*, 508 U. S. 165 (1993). Reported below: 973 F. 2d 894.

No. 92-7567. HAWKINS *v.* TEXAS. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Johnson v. Texas*, ante, p. 350.

Certiorari Granted—Vacated

No. 92-528. SALE, ACTING COMMISSIONER, IMMIGRATION AND NATURALIZATION SERVICE, ET AL. *v.* HAITIAN CENTERS COUNCIL, INC., ET AL. C. A. 2d Cir. Certiorari granted and judgment of the Court of Appeals vacated as moot. See *United States v.*

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Munsingwear, 340 U. S. 36, 39–40 (1950); *University of Texas v. Camenisch*, 451 U. S. 390 (1981). Reported below: 969 F. 2d 1326.

Miscellaneous Orders

No. — — —. IN RE BURGESS. Motion for reconsideration of denial of admission to the Bar of this Court denied.

No. — — —. IN RE BREWSTER. Motion for further consideration of application for admission to the Bar of this Court denied.

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

No. A-909. LEWIS *v.* UNITED STATES. C. A. 1st Cir. Application for stay, addressed to JUSTICE BLACKMUN and referred to the Court, denied.

No. A-927 (92–1971). MOORE ET AL. *v.* ESPY, SECRETARY OF AGRICULTURE, ET AL. C. A. 8th Cir. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. D-1236. IN RE DISBARMENT OF PROTOKOWICZ. Disbarment entered. [For earlier order herein, see 507 U. S. 903.]

No. D-1248. IN RE DISBARMENT OF HAYES. Disbarment entered. [For earlier order herein, see 507 U. S. 982.]

No. 109, Orig. OKLAHOMA ET AL. *v.* NEW MEXICO. The Solicitor General is invited to file a brief in this case expressing the views of the United States on the Joint Motion for Entry of Stipulated Judgment and Decree. [For earlier order herein, see, *e. g.*, 506 U. S. 996.]

No. 91–1950. AMERICAN DREDGING Co. *v.* MILLER. Sup. Ct. La. [Certiorari granted, 507 U. S. 1028.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 92–519. JOHNSON, SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES, ET AL. *v.* DE GRANDY ET AL. D. C. N. D. Fla. [Probable jurisdiction noted *sub nom.* *Wetherell v. De Grandy*, 507 U. S. 907.] Motion of Lawyers' Committee for Civil Rights Under Law for leave to file a brief as *amicus curiae* granted.

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No. 92-989. *TENNESSEE v. MIDDLEBROOKS*; and *TENNESSEE v. EVANS*. Sup. Ct. Tenn. [Certiorari granted, 507 U. S. 1028.] Motion of Appellate Committee of the California District Attorneys' Association for leave to file a brief as *amicus curiae* granted.

No. 92-1012. *SIMPSON PAPER (VERMONT) Co. v. DEPARTMENT OF ENVIRONMENTAL CONSERVATION ET AL.* Sup. Ct. Vt. Motion of respondent Vermont to strike the supplement denied.

No. 92-1482. *WEISS v. UNITED STATES*; and *HERNANDEZ v. UNITED STATES*. Ct. Mil. App. [Certiorari granted, 508 U. S. 939.] Motion of petitioners to dispense with printing the joint appendix granted.

No. 92-1510. *CAVANAUGH, EXECUTIVE DIRECTOR, SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES, ET AL. v. ROLLER*. C. A. 4th Cir. [Certiorari granted, 508 U. S. 939.] Motion for appointment of counsel granted, and it is ordered that W. Gaston Fairey, Esq., of Columbia, S. C., be appointed to serve as counsel for respondent in this case.

No. 92-6921. *LITEKY ET AL. v. UNITED STATES*. C. A. 11th Cir. [Certiorari granted, 508 U. S. 939.] Motion for appointment of counsel granted, and it is ordered that Peter Thompson, Esq., of Minneapolis, Minn., be appointed to serve as counsel for petitioners in this case.

No. 92-7549. *SCHIRO v. CLARK, SUPERINTENDENT, INDIANA STATE PRISON, ET AL.* C. A. 7th Cir. [Certiorari granted, 508 U. S. 905.] Motion of petitioner to enlarge the record granted.

No. 92-8643. *QURESHI v. ALEXANDRIA HOSPITAL ET AL.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until July 19, 1993, 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. 92-8937. *IN RE ZIEGLER*. Petition for writ of habeas corpus denied.

No. 92-8587. *IN RE VIGIL*;

No. 92-8599. *IN RE BENNY*;

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No. 92-8649. IN RE DAY; and
No. 92-8710. IN RE ANDERSON. Petitions for writs of mandamus denied.

No. 92-8472. IN RE VEY;
No. 92-8473. IN RE VEY; and
No. 92-8646. IN RE O'LEARY. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 92-1479. MCDERMOTT, INC. *v.* AMCLYDE ET AL. C. A. 5th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 979 F. 2d 1068.

No. 92-1662. UNITED STATES *v.* GRANDERSON. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 969 F. 2d 980.

No. 92-8579. ELDER *v.* HOLLOWAY ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 975 F. 2d 1388.

Certiorari Denied

No. 91-375. PLEDGER, DIRECTOR, DEPARTMENT OF FINANCE AND ADMINISTRATION OF ARKANSAS, ET AL. *v.* BOSNICK ET AL. Sup. Ct. Ark. Certiorari denied. Reported below: 306 Ark. 45, 811 S. W. 2d 286.

No. 91-1131. WINTERTHUR REINSURANCE CORPORATION OF AMERICA *v.* CALIFORNIA; and

No. 91-1146. UNIONAMERICA INSURANCE CO. LTD. ET AL. *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 938 F. 2d 919.

No. 91-5862. BOGGESS *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. Reported below: 855 S. W. 2d 645.

No. 91-7399. JACKSON *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. Reported below: 822 S. W. 2d 18.

No. 91-7669. WILKERSON *v.* COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 950 F. 2d 1054.

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No. 91-8433. *GOSCH v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 829 S. W. 2d 775.

No. 91-8516. *Goss v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 826 S. W. 2d 162.

No. 91-8742. *JAMES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 91-8768. *FULLER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 827 S. W. 2d 919.

No. 92-844. *OWENS-CORNING FIBERGLAS CORP. v. ADAMS*; *OWENS-CORNING FIBERGLAS CORP. v. BURTON*; *OWENS-CORNING FIBERGLAS CORP. v. CAMPBELL*; *OWENS-CORNING FIBERGLAS CORP. v. CARR*; *OWENS-CORNING FIBERGLAS CORP. v. CHAPMAN*; *OWENS-CORNING FIBERGLAS CORP. v. DALTON*; *OWENS-CORNING FIBERGLAS CORP. v. DARRAH*; *OWENS-CORNING FIBERGLAS CORP. v. DUNN*; *OWENS-CORNING FIBERGLAS CORP. v. ENGLAND*; *OWENS-CORNING FIBERGLAS CORP. v. GABBERT*; *OWENS-CORNING FIBERGLAS CORP. v. HOSCHAR*; *OWENS-CORNING FIBERGLAS CORP. v. JOHNSON*; *OWENS-CORNING FIBERGLAS CORP. v. KIRK*; *OWENS-CORNING FIBERGLAS CORP. v. KITTLE*; *OWENS-CORNING FIBERGLAS CORP. v. LIPSCOMB*; *OWENS-CORNING FIBERGLAS CORP. v. LOTT*; *OWENS-CORNING FIBERGLAS CORP. v. MEHALIC*; *OWENS-CORNING FIBERGLAS CORP. v. ROOT*; *OWENS-CORNING FIBERGLAS CORP. v. ROWE*; *OWENS-CORNING FIBERGLAS CORP. v. SEBERNA*; *OWENS-CORNING FIBERGLAS CORP. v. SHILOT*; *OWENS-CORNING FIBERGLAS CORP. v. BARNES*; *OWENS-CORNING FIBERGLAS CORP. v. CAMPBELL*; *OWENS-CORNING FIBERGLAS CORP. v. FITZSIMMONS*; *OWENS-CORNING FIBERGLAS CORP. v. FRAZIER*; *OWENS-CORNING FIBERGLAS CORP. v. HARRAH*; *OWENS-CORNING FIBERGLAS CORP. v. HEABERLIN*; *OWENS-CORNING FIBERGLAS CORP. v. HUNT*; *OWENS-CORNING FIBERGLAS CORP. v. MANO*; *OWENS-CORNING FIBERGLAS CORP. v. MCCORMICK*; *OWENS-CORNING FIBERGLAS CORP. v. MOORE*; *OWENS-CORNING FIBERGLAS CORP. v. NEIDERT*; *OWENS-CORNING FIBERGLAS CORP. v. SCOTKA*; *OWENS-CORNING FIBERGLAS CORP. v. SISLER*; *OWENS-CORNING FIBERGLAS CORP. v. THORNE*; and *OWENS-CORNING FIBERGLAS CORP. v. TIMBERLAKE*. Cir. Ct. Monongalia County, W. Va. Certiorari denied.

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No. 92-1366. *DECAMP v. DOUGLAS COUNTY FRANKLIN GRAND JURY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 978 F. 2d 1047.

No. 92-1376. *NICKERSON AMERICAN PLANT BREEDERS INC. v. LATHAM SEED CO. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 978 F. 2d 1493.

No. 92-1453. *COLLINS ET AL. v. REICH.* Sup. Ct. Ga. Certiorari denied. Reported below: 262 Ga. 625, 422 S. E. 2d 846.

No. 92-1471. *CELOTEX CORP. v. POOL ET AL.*; and
No. 92-1474. *FIBREBOARD CORP. v. POOL ET AL.* Ct. App. Tex., 6th Dist. Certiorari denied. Reported below: 813 S. W. 2d 658.

No. 92-1505. *COLLAGEN CORP. v. KENNEDY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 974 F. 2d 1342.

No. 92-1508. *WOODARD ET AL. v. SEGHETTI ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 977 F. 2d 1392.

No. 92-1708. *NORTHWESTERN MUTUAL LIFE INSURANCE CO. v. DEFENDER INDUSTRIES, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 989 F. 2d 492.

No. 92-1746. *BOSTIC v. CITY OF CHICAGO ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 981 F. 2d 965.

No. 92-1754. *JACOBSON v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 232 Ill. App. 3d 1112, 650 N. E. 2d 26.

No. 92-1755. *LAMBORNE v. HAYNES ET AL.* Sup. Ct. Va. Certiorari denied.

No. 92-1756. *SEVER ET AL. v. FELICE.* C. A. 3d Cir. Certiorari denied. Reported below: 985 F. 2d 1221.

No. 92-1760. *DECOSTA, EXECUTOR OF THE ESTATE OF DECOSTA, DECEASED v. VIACOM INTERNATIONAL.* C. A. 1st Cir. Certiorari denied. Reported below: 981 F. 2d 602.

No. 92-1763. *VALENTINE SUGARS INC. v. DONAU CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 981 F. 2d 210.

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No. 92-1765. *CULLEN v. HOUSING AUTHORITY OF SACRAMENTO COUNTY*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 92-1773. *WALKER v. WINDOM ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 612 So. 2d 1167.

No. 92-1775. *RAWL SALES & PROCESSING CO. v. UNITED MINE WORKERS OF AMERICA 1974 PENSION TRUST ET AL.*; and

No. 92-1945. *PITTSTON CO. ET AL. v. UNITED MINE WORKERS OF AMERICA 1974 PENSION TRUST ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 299 U. S. App. D. C. 339, 984 F. 2d 469.

No. 92-1776. *JOHNSON v. LYNCH, DBA FORREST HILLS SHOPPING CENTER, ET AL.* Ct. App. Ky. Certiorari denied.

No. 92-1779. *CARTER ET AL. v. CITY OF ST. LOUIS ET AL.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 844 S. W. 2d 529.

No. 92-1780. *GEICK v. KAY, PRESIDENT, BOARD OF TRUSTEES OF THE VILLAGE OF LAKE ZURICH, ILLINOIS, ET AL.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 236 Ill. App. 3d 868, 603 N. E. 2d 121.

No. 92-1781. *CASEY ET AL. v. NATIONSBANK OF TEXAS, N. A., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 985 F. 2d 557.

No. 92-1785. *IHC HOSPITALS, INC., ET AL. v. DECKER*. C. A. 10th Cir. Certiorari denied. Reported below: 982 F. 2d 433.

No. 92-1787. *NEWMAN v. VOINOVICH, GOVERNOR OF OHIO*. C. A. 6th Cir. Certiorari denied. Reported below: 986 F. 2d 159.

No. 92-1792. *HELINSKI v. ROSENBERG*. Ct. App. Md. Certiorari denied. Reported below: 328 Md. 664, 616 A. 2d 866.

No. 92-1796. *SANDERS v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 613 So. 2d 64.

No. 92-1800. *LEWIS ET AL. v. BABCOCK INDUSTRIES, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 985 F. 2d 83.

No. 92-1811. *MCCULLOM ET AL. v. BOARD OF EDUCATION OF THE PRINCETON CITY SCHOOL DISTRICT ET AL.* Ct. App. Ohio, Hamilton County. Certiorari denied.

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No. 92-1815. *HEFTI ET UX. v. MCGRATH ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 982 F. 2d 525.

No. 92-1816. *GREER ET UX. v. GASTON.* Ct. App. S. C. Certiorari denied.

No. 92-1853. *RANGE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 982 F. 2d 196.

No. 92-1858. *SIMPSON ET AL. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 986 F. 2d 507.

No. 92-1859. *KRAWSHUK v. HOUSTON ET AL.* App. Ct. Conn. Certiorari denied.

No. 92-1875. *PARDUE v. UNITED STATES;*

No. 92-8724. *PARDUE v. UNITED STATES;* and

No. 92-8771. *PARDUE v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: No. 92-1875, 983 F. 2d 843; No. 92-8724, 983 F. 2d 850; No. 92-8771, 983 F. 2d 835.

No. 92-1876. *UNDERWOOD v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 982 F. 2d 426.

No. 92-5088. *HOLLAND v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 962 F. 2d 417.

No. 92-5153. *JOINER v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 825 S. W. 2d 701.

No. 92-5182. *KELLY v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 832 S. W. 2d 44.

No. 92-5841. *BRIDGE v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 963 F. 2d 767.

No. 92-5846. *HARRIS v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 963 F. 2d 369.

No. 92-5865. *DREW v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 964 F. 2d 411.

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No. 92-6035. *DRAUGHON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 831 S. W. 2d 331.

No. 92-6394. *CANTU v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 967 F. 2d 1006.

No. 92-6439. *CLARK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 943 F. 2d 775.

No. 92-6942. *NEWTON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 92-6953. *DUNN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 92-7120. *CANTU v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 842 S. W. 2d 667.

No. 92-7213. *BONHAM v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 92-7360. *SALDIVAR-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 976 F. 2d 730.

No. 92-7499. *JARVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 978 F. 2d 720.

No. 92-7530. *JACOBS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 843 S. W. 2d 517.

No. 92-7919. *BLUE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 92-7972. *RABBANI v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 847 S. W. 2d 555.

No. 92-7979. *HAMPEL ET VIR v. AUTORIDAD DE ENERGIA ELECTRICA DE PUERTO RICO ET AL.* C. A. 1st Cir. Certiorari denied.

No. 92-8191. *FUNKHOUSER v. SAFFLE, REGIONAL DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 986 F. 2d 1427.

No. 92-8212. *HUNTER v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 840 S. W. 2d 850.

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No. 92-8318. *HARRELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 983 F. 2d 1073.

No. 92-8323. *JAMES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 983 F. 2d 1078.

No. 92-8344. *COOKS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 844 S. W. 2d 697.

No. 92-8412. *LEE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 983 F. 2d 1070.

No. 92-8455. *NANTZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 979 F. 2d 209.

No. 92-8513. *SANCHEZ v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 92-8514. *SAPP v. BRADY*. C. A. 4th Cir. Certiorari denied. Reported below: 991 F. 2d 790.

No. 92-8516. *HERNANDEZ v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied. Reported below: 842 S. W. 2d 306.

No. 92-8518. *GOTCHEY v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 4th Cir. Certiorari denied. Reported below: 981 F. 2d 1251.

No. 92-8520. *HOWE v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 92-8521. *FARMELANT v. CITY OF NEW YORK ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 187 App. Div. 2d 281, 590 N. Y. S. 2d 411.

No. 92-8535. *MITCHELL v. IRVIN, SUPERINTENDENT, WENDE CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 92-8538. *LEWIS v. LYNN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 990 F. 2d 625.

No. 92-8540. *RODGERS v. TRIGG, SUPERINTENDENT, INDIANA YOUTH CENTER*. C. A. 7th Cir. Certiorari denied.

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No. 92-8543. *KLEINSCHMIDT v. UNITED STATES FIDELITY & GUARANTY INSURANCE CO. ET AL.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 599 So. 2d 208.

No. 92-8545. *JENKINS ET AL. v. UTAH.* Ct. App. Utah. Certiorari denied.

No. 92-8552. *TAGGART v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 233 Ill. App. 3d 530, 599 N. E. 2d 501.

No. 92-8555. *SLUSHER v. COLORADO.* Ct. App. Colo. Certiorari denied. Reported below: 844 P. 2d 1222.

No. 92-8564. *PALMER v. CALIFORNIA.* C. A. 9th Cir. Certiorari denied. Reported below: 985 F. 2d 456.

No. 92-8572. *BROWNE v. IOWA.* Sup. Ct. Iowa. Certiorari denied. Reported below: 494 N. W. 2d 241.

No. 92-8573. *ENDRES v. DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 986 F. 2d 502.

No. 92-8574. *FAIRCHILD v. ENDELL, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied. Reported below: 979 F. 2d 636.

No. 92-8575. *JONES v. CITY OF ST. PAUL, MINNESOTA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 989 F. 2d 505.

No. 92-8577. *HINES v. BORG, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 92-8580. *HUNT v. MILLS, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 989 F. 2d 499.

No. 92-8584. *JEFFERS v. CLARK, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 985 F. 2d 563.

No. 92-8585. *SULLIVAN v. FREEMAN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 92-8586. *SNYDER v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

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No. 92-8589. *WEST v. TRUMAN MEDICAL CENTER WEST, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 977 F. 2d 586.

No. 92-8596. *JAMES v. IVINS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 989 F. 2d 505.

No. 92-8607. *STEEL v. STEEL ET AL.* C. A. 2d Cir. Certiorari denied.

No. 92-8612. *HILLESHEIM v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 172 Wis. 2d 1, 492 N. W. 2d 381.

No. 92-8619. *PARKER v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 610 So. 2d 1181.

No. 92-8627. *LEWIS v. LYNN, SECRETARY, LOUISIANA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 92-8628. *MITCHELL v. OHIO.* Ct. App. Ohio, Licking County. Certiorari denied.

No. 92-8636. *JASINSKI v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 989 F. 2d 489.

No. 92-8640. *O'BRIEN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 987 F. 2d 774.

No. 92-8642. *PANADERO v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 92-8644. *MCCLAIN v. AETNA CASUALTY & SURETY CO.* C. A. 5th Cir. Certiorari denied. Reported below: 985 F. 2d 557.

No. 92-8647. *LEON v. CARROLL, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 980 F. 2d 737.

No. 92-8650. *WASHINGTON v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 238 Ill. App. 3d 371, 610 N. E. 2d 88.

No. 92-8659. *BASS v. BASS.* Sup. Ct. N. J. Certiorari denied.

No. 92-8663. *HUNT v. VASQUEZ, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 988 F. 2d 119.

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No. 92-8664. *IVY v. CITY OF MERIDIAN, MISSISSIPPI, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 983 F. 2d 1062.

No. 92-8668. *CAMACHO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 978 F. 2d 903.

No. 92-8674. *MASSENGILL v. DORSEY, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 986 F. 2d 1428.

No. 92-8675. *NOBLE v. JOHNSON.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 240 Ill. App. 3d 731, 608 N. E. 2d 537.

No. 92-8676. *MILLER v. FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF MONESSEN.* C. A. 3d Cir. Certiorari denied.

No. 92-8677. *MCCOY v. LOCKHART, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied. Reported below: 980 F. 2d 1162.

No. 92-8681. *RICHEY v. YARBOROUGH, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 991 F. 2d 796.

No. 92-8684. *GARCIA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 987 F. 2d 153.

No. 92-8695. *COX v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 983 F. 2d 237.

No. 92-8698. *MUINA v. KKK ORGANIZATION OF AMERICA ET AL.* C. A. 2d Cir. Certiorari denied.

No. 92-8714. *MAXWELL v. CONNECTICUT.* App. Ct. Conn. Certiorari denied. Reported below: 29 Conn. App. 704, 618 A. 2d 43.

No. 92-8718. *CRAIG v. BURTON, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 92-8720. *CRONEY v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 978 F. 2d 720.

No. 92-8750. *CHIA v. BABBITT, SECRETARY OF THE INTERIOR.* C. A. 9th Cir. Certiorari denied. Reported below: 967 F. 2d 584.

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No. 92-8768. *MILTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 983 F. 2d 1070.

No. 92-8790. *WARMSLEY v. COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 92-8813. *SIMMONS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 993 F. 2d 1548.

No. 92-8815. *EDNEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 986 F. 2d 1416.

No. 92-8816. *SPIVEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 980 F. 2d 740.

No. 92-8818. *VONGSAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 988 F. 2d 126.

No. 92-8819. *SALAZAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 988 F. 2d 1210.

No. 92-8820. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 987 F. 2d 773.

No. 92-8824. *GRANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 969 F. 2d 980.

No. 92-8826. *COOK v. FLORIDA*. C. A. 11th Cir. Certiorari denied. Reported below: 989 F. 2d 1198.

No. 92-8829. *THOMPSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 989 F. 2d 752.

No. 92-8830. *TRAINER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 988 F. 2d 126.

No. 92-8833. *SALCIDO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 990 F. 2d 51.

No. 92-8837. *MONTGOMERY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 990 F. 2d 1264.

No. 92-8838. *WHITE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 990 F. 2d 1266.

No. 92-8839. *RUNNELLS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 985 F. 2d 554.

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No. 92-8840. *MEDINA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 986 F. 2d 1430.

No. 92-8842. *ROMON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 979 F. 2d 212.

No. 92-8844. *PICART v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 985 F. 2d 579.

No. 92-8848. *DIAMOND v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 993 F. 2d 879.

No. 92-8852. *HATHORN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 848 S. W. 2d 101.

No. 92-8854. *CURE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 987 F. 2d 774.

No. 92-8858. *ARIAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 984 F. 2d 1139.

No. 92-8859. *ROQUEMORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 990 F. 2d 1268.

No. 92-8868. *SAN-MIGUEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 987 F. 2d 771.

No. 92-8880. *ROCCIO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 981 F. 2d 587.

No. 92-8881. *RYMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 986 F. 2d 1416.

No. 92-8882. *LADY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 980 F. 2d 1568.

No. 92-8885. *HOSTEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 987 F. 2d 774.

No. 92-8898. *DENNIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 987 F. 2d 774.

No. 92-8900. *RAMSEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 985 F. 2d 579.

No. 92-8901. *LOVE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 986 F. 2d 1425.

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No. 92-8913. HEARN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 992 F. 2d 1218.

No. 92-361. SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES *v.* GUTIERREZ. C. A. 10th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 953 F. 2d 579.

No. 92-1241. OWENS-ILLINOIS, INC. *v.* POOL ET AL. Ct. App. Tex., 6th Dist. Motion of Continental Casualty Co. for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 813 S. W. 2d 658.

No. 92-9100 (A-960). HARRIS *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: 990 F. 2d 185.

No. 93-5005 (A-7). STEVENS *v.* ZANT, WARDEN. C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

No. 93-5006 (A-6). STEVENS *v.* ZANT, WARDEN. Sup. Ct. Ga. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

No. 93-5007 (A-8). DUFF-SMITH *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. Reported below: 995 F. 2d 545.

Rehearing Denied

No. 91-1030. WITHROW *v.* WILLIAMS, 507 U. S. 680;

No. 92-259. OKLAHOMA TAX COMMISSION *v.* SAC AND FOX NATION, 508 U. S. 114;

No. 92-1512. MONROE AUTO EQUIPMENT CO. *v.* INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICUL-

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TURAL IMPLEMENT WORKERS OF AMERICA (UAW), MONROE AUTO EQUIPMENT COMPANY UNIT OF LOCAL 878, 508 U. S. 931;

No. 92-1551. *IN RE McDONALD*, 508 U. S. 905;

No. 92-1565. *SELTZER v. OFFICE OF PERSONNEL MANAGEMENT*, 508 U. S. 911;

No. 92-1724. *DiNOLA v. STEWART ET AL.*, 508 U. S. 961;

No. 92-7249. *HOLLY v. TRUE, WARDEN, ET AL.*, 508 U. S. 914;

No. 92-7893. *BEAUMONT ET AL. v. UNITED STATES*, 507 U. S. 1054;

No. 92-7955. *VEY v. WOLFE, ATTORNEY GENERAL OF PENNSYLVANIA*, 508 U. S. 918;

No. 92-7958. *HUGHES v. BORGERT, WARDEN*, 508 U. S. 918;

No. 92-7974. *MIX v. CITY OF HAZEL PARK ET AL.*, 508 U. S. 919;

No. 92-8009. *MORRISON v. ESTELLE, WARDEN*, 508 U. S. 920;

No. 92-8092. *RAPHLAH v. TEXAS*, 508 U. S. 922;

No. 92-8103. *IN RE HARRIS*, 508 U. S. 905;

No. 92-8107. *WATTS v. MAZURKIEWICZ, WARDEN, ET AL.*, 508 U. S. 923; and

No. 92-8259. *DEMPSEY v. HARSHBARGER, ATTORNEY GENERAL OF MASSACHUSETTS*, 508 U. S. 943. Petitions for rehearing denied.

Assignment Order

Pursuant to the provisions of 28 U. S. C. §42, it is ordered that JUSTICE THOMAS be, and he is hereby, assigned to the Tenth Circuit as Circuit Justice pending further order of the Court.

JUNE 30, 1993

Certiorari Denied

No. 93-5037 (A-9). *HARRIS 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.

JULY 12, 1993

Dismissal Under Rule 46

No. 92-2011. *DUNCAN v. GEORGIA*. Ct. App. Ga. Certiorari dismissed under this Court's Rule 46. Reported below: 193 Ga. App. 793, 389 S. E. 2d 365.

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Miscellaneous Order. (See No. A-69, *ante*, p. 823.)

Certiorari Denied

No. 93-5249 (A-50). BLAIR *v.* DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. Sup. Ct. Mo. Application for stay of execution of sentence of death, presented to JUSTICE BLACKMUN, and by him referred to the Court, denied. Certiorari denied.

JULY 22, 1993

Miscellaneous Orders

No. A-856. CLAY *v.* MURRAY, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. Application for bail, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. A-13 (O. T. 1993). CHOUDHARY *v.* VERMONT. Application for injunctive relief pending appeal, addressed to JUSTICE BLACKMUN and referred to the Court, denied.

No. D-1246. IN RE DISBARMENT OF SIMRING. Disbarment entered. [For earlier order herein, see 507 U. S. 982.]

No. D-1253. IN RE DISBARMENT OF PERRIN. Disbarment entered. [For earlier order herein, see 507 U. S. 1015.]

No. D-1254. IN RE DISBARMENT OF BODNER. Disbarment entered. [For earlier order herein, see 507 U. S. 1016.]

No. D-1257. IN RE DISBARMENT OF GATES. Disbarment entered. [For earlier order herein, see 507 U. S. 1028.]

No. D-1258. IN RE DISBARMENT OF SMITH. Disbarment entered. [For earlier order herein, see 508 U. S. 903.]

No. D-1260. IN RE DISBARMENT OF BLACKBURN. Disbarment entered. [For earlier order herein, see 508 U. S. 904.]

No. D-1262. IN RE DISBARMENT OF WARWICK. Disbarment entered. [For earlier order herein, see 508 U. S. 904.]

No. D-1263. IN RE DISBARMENT OF IZZI. Disbarment entered. [For earlier order herein, see 508 U. S. 904.]

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No. D-1264. *IN RE DISBARMENT OF CLARK*. Disbarment entered. [For earlier order herein, see 508 U. S. 904.]

No. D-1265. *IN RE DISBARMENT OF ELLSWORTH*. Disbarment entered. [For earlier order herein, see 508 U. S. 904.]

No. D-1266. *IN RE DISBARMENT OF PARIS*. Disbarment entered. [For earlier order herein, see 508 U. S. 904.]

No. D-1270. *IN RE DISBARMENT OF GUBBINS*. Disbarment entered. [For earlier order herein, see 508 U. S. 936.]

No. D-1277. *IN RE DISBARMENT OF GOLDBERG*. It is ordered that Robert P. Goldberg, of Honolulu, Haw., 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-1278. *IN RE DISBARMENT OF RAPP*. It is ordered that John Joseph Rapp, of Honolulu, Haw., 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-1279. *IN RE DISBARMENT OF PIPKINS*. It is ordered that Richard Lloyd Pipkins, of Las Vegas, Nev., 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-1280. *IN RE DISBARMENT OF WOOD*. It is ordered that George F. Wood, of Sanford, Me., 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-1281. *IN RE DISBARMENT OF BEAR*. It is ordered that F. James Bear, of National City, 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-1282. *IN RE DISBARMENT OF KEITHLEY*. It is ordered that Richard Ernest Keithley, of Kansas City, Kan., be suspended

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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-1283. IN RE DISBARMENT OF COHEN. It is ordered that Jerome David Cohen, of Brooklyn, 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-1284. IN RE DISBARMENT OF ROSENBERG. It is ordered that Roger M. Rosenberg, of Mineola, 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-1285. IN RE DISBARMENT OF SLIFFMAN. It is ordered that Marc Harvey Sliffman, of Wheaton, 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-1286. IN RE DISBARMENT OF NEDER. It is ordered that Ellis Emeen Neder, Jr., of New York, 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-1287. IN RE DISBARMENT OF HELINGER. It is ordered that James A. Helinger, Jr., of Clearwater, 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-1288. IN RE DISBARMENT OF CORREA. It is ordered that Dennis D. Correa, of St. Petersburg, 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-1289. IN RE DISBARMENT OF LASHKOWITZ. It is ordered that Shelley J. Lashkowitz, of Denver, Colo., be suspended from the practice of law in this Court and that a rule issue,

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returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

JULY 26, 1993

Miscellaneous Order

No. A-71 (O. T. 1993). BOARD OF EDUCATION OF THE KIRYAS JOEL VILLAGE SCHOOL DISTRICT *v.* GRUMET ET AL.; and

No. A-72 (O. T. 1993). BOARD OF EDUCATION OF THE MONROE-WOODBURY CENTRAL SCHOOL DISTRICT *v.* GRUMET ET AL. Applications for stay of the judgment of the Court of Appeals of New York, case No. 120, presented to JUSTICE THOMAS, and by him referred to the Court, granted pending the timely filing and disposition by this Court of a 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.

JULY 28, 1993

Certiorari Denied

No. 93-5381 (A-95). LASHLEY *v.* DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. 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: 997 F. 2d 512.

JULY 29, 1993

Certiorari Denied

No. 93-5400 (A-99). HARRIS *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.

JULY 30, 1993

Miscellaneous Order

No. A-64 (O. T. 1993). DEBOER, AKA BABY GIRL CLAUSEN, BY HER NEXT FRIEND, DARROW *v.* DEBOER ET AL.; and

No. A-65 (O. T. 1993). DEBOER ET AL. *v.* SCHMIDT. Applications for stay, presented to JUSTICE BLACKMUN, and by him referred to the Court, denied.

JUSTICE BLACKMUN, with whom JUSTICE O'CONNOR joins, dissenting.

This is a case that touches the raw nerves of life's relationships. We have before us, in Jessica, a child of tender years who for her entire life has been nurtured by the DeBoers, a loving couple led to believe through the adoption process and the then-single biological mother's consent, that Jessica was theirs. Now, the biological father appears, marries the mother, and claims paternal status toward Jessica.

The Supreme Court of Iowa has ruled that Jessica must be returned to her biological parents regardless of whether such action would be in her best interests. See *In re B. G. C.*, 496 N. W. 2d 239 (1992). Jessica, through her next friend, filed an action in Michigan state court, claiming that she has a constitutional right to a determination of her best interests in awarding custody. The DeBoers also filed suit, arguing that federal law authorizes the Michigan state court to modify the custody decree issued in Iowa since the Iowa courts did not at all consider Jessica's best interests, an argument supported by a unanimous decision of the Supreme Court of New Jersey. See *E. E. B. v. D. A.*, 89 N. J. 595, 446 A. 2d 871 (1982), cert. denied *sub nom. Angle v. Bowen*, 459 U. S. 1210 (1983). The Supreme Court of Michigan rejected the New Jersey decision and concluded that federal law requires deference to the custody decree issued in Iowa even if Jessica's best interests are left unconsidered. See *In re Clausen*, 442 Mich. 648, 502 N. W. 2d 649 (1993).

Jessica, through her next friend, asks that we stay the decision of the Supreme Court of Michigan until we have had an opportunity to review the issues presented. While I am not sure where the ultimate legalities or equities lie, I am sure that I am not willing to wash my hands of this case at this stage, with the personal vulnerability of the child so much at risk, and with the Supreme Court of New Jersey and the Supreme Court of Michigan in fundamental disagreement over the duty and authority of state courts to consider the best interests of a child when rendering a custody decree.

I therefore would grant the application for a stay, pending our careful and thoughtful consideration of the petition for certiorari and its disposition in due course. I dissent.

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Miscellaneous Order

No. A-111 (O. T. 1993). SNYDER, WARDEN *v.* DESHIELDS. Application to vacate the stay of execution of sentence of death, presented to JUSTICE SOUTER, and by him referred to the Court, denied.

AUGUST 4, 1993

Dismissal Under Rule 46

No. 92-8807. NGUYEN *v.* ELLSWORTH ASSOCIATES, INC. C. A. 4th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 991 F. 2d 790.

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Miscellaneous Orders

No. A-32 (O. T. 1993). NIZNIK *v.* FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF ROCHESTER ET AL. Application for stay, addressed to JUSTICE BLACKMUN and referred to the Court, denied.

No. D-1239. IN RE DISBARMENT OF MATAR. Disbarment entered. [For earlier order herein, see 507 U. S. 957.]

No. D-1274. IN RE DISBARMENT OF KRAEMER. Disbarment entered. [For earlier order herein, see 508 U. S. 970.]

No. D-1290. IN RE DISBARMENT OF LEATHERS. It is ordered that Karl Derwin Leathers, of Durham, N. C., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

Rehearing Denied

No. 91-8674. SMITH *v.* UNITED STATES, 508 U. S. 223;

No. 91-8768. FULLER *v.* TEXAS, *ante*, p. 922;

No. 92-466. BROOKE GROUP LTD. *v.* BROWN & WILLIAMSON TOBACCO CORP., *ante*, p. 209;

No. 92-1541. SHERMOEN ET AL. *v.* UNITED STATES ET AL., *ante*, p. 903;

No. 92-1549. RESHARD ET AL. *v.* BRITT ET AL., 508 U. S. 911;

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No. 92-1608. *BOWMAN ET AL. v. CITY OF FRANKLIN, WISCONSIN, ET AL.*, 508 U. S. 940;

No. 92-1650. *CENTURY CENTRE PARTNERS, LTD. v. FEDERAL DEPOSIT INSURANCE CORPORATION*, *ante*, p. 905;

No. 92-1670. *FERGUSON v. UNION CITY DAILY MESSENGER ET AL.*, 508 U. S. 961;

No. 92-1671. *CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND ET AL. v. CROWN CORK & SEAL CO., INC.*, 508 U. S. 972;

No. 92-1705. *MALONEY v. SALAFIA ET AL.*, 508 U. S. 951;

No. 92-1731. *JOHNSON ET AL. v. LOS ANGELES COMMUNITY COLLEGE DISTRICT ET AL.*, *ante*, p. 906;

No. 92-1748. *ESTATE OF BOHN ET AL. v. WADDELL, DIRECTOR, DEPARTMENT OF REVENUE OF ARIZONA, ET AL.*; and *ABBOTT ET AL. v. WADDELL, DIRECTOR, DEPARTMENT OF REVENUE OF ARIZONA, ET AL.*, *ante*, p. 906;

No. 92-1749. *ICARD, TRUSTEE, ET AL. v. SARASOTA-MANATEE AIRPORT AUTHORITY*, *ante*, p. 906;

No. 92-1766. *BRICKNER v. VOINOVICH, GOVERNOR OF OHIO, ET AL.*, 508 U. S. 974;

No. 92-1822. *GACKENBACH v. DEXTER HYSOL CORP.*, *ante*, p. 907;

No. 92-1886. *HUDDLESTON, TENNESSEE COMMISSIONER OF REVENUE, ET AL. v. BLOOMINGDALE'S BY MAIL LTD.*, *ante*, p. 907;

No. 92-5653. *JOHNSON v. TEXAS*, *ante*, p. 350;

No. 92-6494. *CARNEY v. DEPARTMENT OF VETERANS AFFAIRS*, 506 U. S. 1061;

No. 92-6730. *SWARTZ v. FLORIDA BAR ET AL.*, 508 U. S. 914;

No. 92-7120. *CANTU v. TEXAS*, *ante*, p. 926;

No. 92-7802. *RESNOVER v. CARTER, ATTORNEY GENERAL OF INDIANA, ET AL.*, 508 U. S. 962;

No. 92-7862. *HAWTHORNE v. VASQUEZ, WARDEN*, 507 U. S. 1053;

No. 92-7914. *WARD v. WHITLEY, WARDEN*, 508 U. S. 963;

No. 92-7942. *JENKINS v. FIRST FIDELITY MORTGAGE CO.*, 508 U. S. 918;

No. 92-7998. *LOGAN v. GRAMLEY, WARDEN*, 507 U. S. 1042;

No. 92-8038. *TAVAKOLI-NOURI v. CENTRAL INTELLIGENCE AGENCY*, 508 U. S. 942;

No. 92-8061. *BANKS v. SAN DIEGO*, 508 U. S. 921;

No. 92-8062. *BANKS v. CALIFORNIA*, 508 U. S. 921;

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- No. 92-8063. *BANKS v. SAN DIEGO*, 508 U. S. 921;
No. 92-8094. *ANDERS v. UNITED STATES*, 507 U. S. 1057;
No. 92-8120. *BANKS v. RYAN ET AL.*, 508 U. S. 923;
No. 92-8133. *INOCELDA v. DEPARTMENT OF THE ARMY*, 508 U. S. 924;
No. 92-8146. *SIMANONOK v. SIMANONOK ET AL.*, 508 U. S. 925;
No. 92-8220. *HUGHLEY v. TENNESSEE ET AL.*, 508 U. S. 927;
No. 92-8249. *SANDERS v. INTERNAL REVENUE SERVICE*, 508 U. S. 963;
No. 92-8251. *HUGHLEY v. UNITED STATES*, 508 U. S. 928;
No. 92-8298. *HART v. ALABAMA*, 508 U. S. 953;
No. 92-8301. *GILBERT v. BAY AREA RAPID TRANSIT DISTRICT*, 508 U. S. 963;
No. 92-8314. *LUGO v. INDEPENDENT MANAGEMENT ASSN. ET AL.*, 508 U. S. 975;
No. 92-8317. *REID v. GUDMANSON, WARDEN, ET AL.*, 508 U. S. 964;
No. 92-8333. *IN RE LEUELLYN*, 508 U. S. 958;
No. 92-8338. *SMITH v. CUSTOM MICRO, INC.*, 508 U. S. 976;
No. 92-8349. *MORELAND v. TEXAS*, 508 U. S. 976;
No. 92-8353. *PARRIS v. UNITED STATES*, 508 U. S. 954;
No. 92-8354. *MYER v. WEEKS ET AL.*, 508 U. S. 976;
No. 92-8424. *HICKEY ET AL. v. BALLINGALL ET AL.*, 508 U. S. 981;
No. 92-8436. *ERWIN v. CITY OF ANGELS CAMP ET AL.*, *ante*, p. 908;
No. 92-8470. *IN RE ZIEBARTH*, 508 U. S. 938;
No. 92-8490. *BANKS v. KCTV-5 ET AL.*, 508 U. S. 978;
No. 92-8537. *NKOP v. VAN RUNKLE ET AL.*, 508 U. S. 978;
No. 92-8563. *ROCHEVILLE v. SOUTH CAROLINA*, 508 U. S. 978;
No. 92-8588. *IN RE DIVITO*, *ante*, p. 902;
No. 92-8589. *WEST v. TRUMAN MEDICAL CENTER WEST, INC., ET AL.*, *ante*, p. 929;
No. 92-8615. *CLARK v. GOVERNMENT OF THE VIRGIN ISLANDS*, *ante*, p. 910;
No. 92-8634. *VELASQUEZ v. UNITED STATES*, 508 U. S. 979;
No. 92-8646. *IN RE O'LEARY*, *ante*, p. 921;
No. 92-8683. *BLACK v. KIRKPATRICK ET AL.*, *ante*, p. 911;
No. 92-8716. *SEATON v. JABE, WARDEN*, *ante*, p. 911; and
No. 92-8725. *ZUCKERMAN v. UNITED STATES*, *ante*, p. 915.
Petitions for rehearing denied.

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Dismissals Under Rule 46

No. 92–1900. SAMUELSON ET AL. *v.* WOLFF & MUNIER, INC., ET AL. Ct. App. Tenn. Certiorari dismissed under this Court’s Rule 46.1.

No. 92–1214. MILLIGAN-JENSEN *v.* MICHIGAN TECHNOLOGICAL UNIVERSITY. C. A. 6th Cir. [Certiorari granted, *ante*, p. 903.] Writ of certiorari dismissed under this Court’s Rule 46.1.

AUGUST 17, 1993

Dismissal Under Rule 46

No. 92–1646. FLYNN *v.* UNITED STATES [among other cases under this Court’s Rule 12.2]. Ct. Mil. App. Certiorari dismissed as to petitioner Everett D. Flynn under this Court’s Rule 46.1. Reported below: 37 M. J. 271.

AUGUST 20, 1993

Certiorari Denied

No. 93–5657 (A–170). KELLY *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 GINSBURG took no part in the consideration or decision of this application and this petition.

AUGUST 24, 1993

Certiorari Dismissed

No. 93–5702 (A–175). DUROCHER *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Motion to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted. Certiorari dismissed. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. JUSTICE GINSBURG took no part in the consideration or decision of this motion, petition, and application. Reported below: 623 So. 2d 482.

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No. 93-5715 (A-187). MINERVA, CAPITAL COLLATERAL REPRESENTATIVE, ET AL., AS NEXT FRIENDS TO DUROCHER *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by Michael Durocher granted. Certiorari dismissed. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. JUSTICE GINSBURG took no part in the consideration or decision of this motion, petition, and application. Reported below: 4 F. 3d 938.

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Miscellaneous Orders

No. D-1275. IN RE DISBARMENT OF SEGAL. Disbarment entered. [For earlier order herein, see 508 U. S. 970.]

No. D-1291. IN RE DISBARMENT OF KILPATRICK. It is ordered that Donald Epperson Kilpatrick, of Houston, Tex., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1292. IN RE DISBARMENT OF ROBINSON. It is ordered that John M. Robinson, of Houston, Tex., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1293. IN RE DISBARMENT OF DAMIANI. It is ordered that Richard A. Damiani, of Cleveland, 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-1294. IN RE DISBARMENT OF SPIES. It is ordered that Diane Wilp Spies, of Sherwood, Ore., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-1295. IN RE DISBARMENT OF KANALEY. It is ordered that John Collins Kanaley, of Syracuse, N. Y., 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-1296. IN RE DISBARMENT OF HOHENSTEIN. It is ordered that Kurt A. Hohenstein, of South Sioux City, Neb., 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-1297. IN RE DISBARMENT OF SMITH. It is ordered that Arthur Allan Smith, of Dearborn, 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. D-1298. IN RE DISBARMENT OF ROONEY. It is ordered that John P. Rooney, Jr., of Chappaqua, 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.

Rehearing Denied

No. 91-375. PLEDGER, DIRECTOR, DEPARTMENT OF FINANCE AND ADMINISTRATION OF ARKANSAS, ET AL. *v.* BOSNICK ET AL., *ante*, p. 921;

No. 92-1680. SORO, DBA CITICORP MORTGAGE CO., INC. *v.* CITICORP, 508 U. S. 961;

No. 92-6035. DRAUGHON *v.* TEXAS, *ante*, p. 926;

No. 92-6942. NEWTON *v.* TEXAS, *ante*, p. 926;

No. 92-7979. HAMPEL ET VIR *v.* AUTORIDAD DE ENERGIA ELECTRICA DE PUERTO RICO ET AL., *ante*, p. 926;

No. 92-8002. MILLER *v.* LEE, ATTORNEY GENERAL OF NORTH CAROLINA, 508 U. S. 919;

No. 92-8289. MITCHELL *v.* UNITED STATES, 508 U. S. 953;

No. 92-8315. MCLEOD *v.* MCLEOD ET AL., 508 U. S. 954;

No. 92-8540. RODGERS *v.* TRIGG, SUPERINTENDENT, INDIANA YOUTH CENTER, *ante*, p. 927;

No. 92-8552. TAGGART *v.* ILLINOIS, *ante*, p. 928;

No. 92-8574. FAIRCHILD *v.* ENDELL, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, *ante*, p. 928;

No. 92-8575. JONES *v.* CITY OF ST. PAUL, MINNESOTA, ET AL., *ante*, p. 928;

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No. 92-8599. *IN RE BENNY*, *ante*, p. 920;
No. 92-8603. *CARTER v. KEESEE ET AL.*, *ante*, p. 910;
No. 92-8604. *CRITES v. KAISER ALUMINUM & CHEMICAL CORP. ET AL.*, *ante*, p. 910;
No. 92-8676. *MILLER v. FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF MONESSEN*, *ante*, p. 930;
No. 92-8698. *MUINA v. KKK ORGANIZATION OF AMERICA ET AL.*, *ante*, p. 930;
No. 92-8852. *HATHORN v. TEXAS*, *ante*, p. 932; and
No. 92-8880. *ROCCIO v. UNITED STATES*, *ante*, p. 932. Petitions for rehearing denied. JUSTICE GINSBURG took no part in the consideration or decision of these petitions.

No. 92-7367. *NELSON v. FORMAN*, 507 U. S. 977. Motion for leave to file petition for rehearing denied. JUSTICE GINSBURG took no part in the consideration or decision of this motion.

No. 92-8543. *KLEINSCHMIDT v. UNITED STATES FIDELITY & GUARANTY INSURANCE CO. ET AL.*, *ante*, p. 928. Motion for clarification denied. Petition for rehearing denied. JUSTICE GINSBURG took no part in the consideration or decision of this motion and this petition.

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Miscellaneous Order

No. A-195 (O. T. 1993). *DESHIELDS v. SNYDER, WARDEN*. Application for stay of execution of sentence of death, presented to JUSTICE SOUTER, and by him referred to the Court, denied. JUSTICE GINSBURG took no part in the consideration or decision of this application.

Certiorari Denied

No. 93-5756 (A-196). *WILKERSON 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 GINSBURG took no part in the consideration or decision of this application and this petition.

AUGUST 31, 1993

Miscellaneous Order

No. A-174 (O. T. 1993). *BEAVERS v. TEXAS*. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency

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executed by petitioner denied. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. JUSTICE GINSBURG took no part in the consideration or decision of this motion and this application.

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Miscellaneous Order

No. A-153 (O. T. 1993). STASSIS *v.* HARTMAN ET AL., BY THEIR NEXT FRIEND, HARTMAN. Ct. App. Iowa. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.

Certiorari Denied

No. 93-5361 (A-194). JAMES *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. Motion for leave to file supplemental petition for certiorari denied. Certiorari denied. JUSTICE BLACKMUN, JUSTICE STEVENS, and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 987 F. 2d 1116.

SEPTEMBER 2, 1993

Certiorari Denied

No. 93-5845 (A-214). JAMES *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.

Rehearing Denied

No. 93-5361. JAMES *v.* COLLINS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante* this page. Petition for rehearing denied.

SEPTEMBER 10, 1993

Miscellaneous Orders

No. A-210 (O. T. 1993). WILLIAMS *v.* UNITED STATES. Application for stay, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

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No. A-223 (O. T. 1993). *TORRES-SIERRA v. IMMIGRATION AND NATURALIZATION SERVICE*. Application for stay, addressed to JUSTICE SOUTER and referred to the Court, denied.

SEPTEMBER 24, 1993

Miscellaneous Orders

No. D-1271. *IN RE DISBARMENT OF BAILEY*. Disbarment entered. [For earlier order herein, see 508 U. S. 937.]

No. D-1272. *IN RE DISBARMENT OF WILLIAMS*. Disbarment entered. [For earlier order herein, see 508 U. S. 970.]

No. D-1276. *IN RE DISBARMENT OF TEEVENS*. Disbarment entered. [For earlier order herein, see 508 U. S. 970.]

No. D-1277. *IN RE DISBARMENT OF GOLDBERG*. Disbarment entered. [For earlier order herein, see *ante*, p. 936.]

No. D-1280. *IN RE DISBARMENT OF WOOD*. Disbarment entered. [For earlier order herein, see *ante*, p. 936.]

No. D-1284. *IN RE DISBARMENT OF ROSENBERG*. Disbarment entered. [For earlier order herein, see *ante*, p. 937.]

No. D-1285. *IN RE DISBARMENT OF SLIFFMAN*. Disbarment entered. [For earlier order herein, see *ante*, p. 937.]

No. D-1287. *IN RE DISBARMENT OF HELINGER*. Disbarment entered. [For earlier order herein, see *ante*, p. 937.]

No. D-1289. *IN RE DISBARMENT OF LASHKOWITZ*. Disbarment entered. [For earlier order herein, see *ante*, p. 937.]

No. D-1299. *IN RE DISBARMENT OF MATTHEWS*. It is ordered that John S. Matthews, of Tampa, 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-1300. *IN RE DISBARMENT OF STROMER*. It is ordered that Peter R. Stromer, 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.

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No. D-1301. IN RE DISBARMENT OF POHLMANN. It is ordered that John Milton Pohlmann, of Lafayette, 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-1302. IN RE DISBARMENT OF WILLIS. It is ordered that Linda Antionette Willis, of Cleveland, Ohio, be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-1303. IN RE DISBARMENT OF BLAKE. It is ordered that Michael Joseph Blake, of Dearborn Heights, 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. D-1304. IN RE DISBARMENT OF KUMMER. It is ordered that Thomas L. Kummer, of Reno, Nev., 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-1305. IN RE DISBARMENT OF THRASHER. It is ordered that Louis Michael Thrasher, of Lincoln, Neb., 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-1306. IN RE DISBARMENT OF ROGERS. It is ordered that John I. Rogers III, of Bennettsville, S. C., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1307. IN RE DISBARMENT OF SHENBERG. It is ordered that Harvey N. Shenberg, of South Miami, Fla., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1308. IN RE DISBARMENT OF GOODHART. It is ordered that David Goodhart, of Miami, Fla., be suspended from the prac-

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tice 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-1309. IN RE DISBARMENT OF SHANK. It is ordered that John E. Shank, of Cross Lanes, W. 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-1310. IN RE DISBARMENT OF ZWEIBON. It is ordered that Bertram Zweibon, of New York, 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-1311. IN RE DISBARMENT OF GHOBASHY. It is ordered that Omar Z. Ghobashy, of New York, 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-1312. IN RE DISBARMENT OF RABINOWITZ. It is ordered that Jacob Rabinowitz, of Brooklyn, 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-1313. IN RE DISBARMENT OF RUBIN. It is ordered that Leonard Howard Rubin, of Tarrytown, 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-1314. IN RE DISBARMENT OF BROWN. It is ordered that Seymour Brown, of New York, 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. 92-74. DEPARTMENT OF REVENUE OF OREGON *v.* ACF INDUSTRIES, INC., ET AL. C. A. 9th Cir. [Certiorari granted, 508 U.S. 905.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

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No. 92-854. CENTRAL BANK OF DENVER, N. A. *v.* FIRST INTERSTATE BANK OF DENVER, N. A., ET AL. C. A. 10th Cir. [Certiorari granted, 508 U.S. 959.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 92-1239. J. E. B. *v.* ALABAMA EX REL. T. B. Ct. Civ. App. Ala. [Certiorari granted, 508 U.S. 905.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 92-97. NORTHWEST AIRLINES, INC., ET AL. *v.* COUNTY OF KENT, MICHIGAN, ET AL. C. A. 6th Cir. [Certiorari granted, 508 U.S. 959.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. JUSTICE BLACKMUN took no part in the consideration or decision of this motion.

No. 92-780. NATIONAL ORGANIZATION FOR WOMEN, INC., ET AL. *v.* SCHEIDLER ET AL. C. A. 7th Cir. [Certiorari granted, 508 U.S. 971.] Motion of Legal Defense for Unborn Children for leave to file a brief as *amicus curiae* denied. Motion of Alan Ernest to allow counsel to represent children unborn and born alive denied. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of respondent Monica Migliorino for divided argument and for additional time for oral argument denied.

No. 92-1223. UNITED STATES DEPARTMENT OF DEFENSE ET AL. *v.* FEDERAL LABOR RELATIONS AUTHORITY ET AL. C. A. 5th Cir. [Certiorari granted, 507 U.S. 1003.] Motion of respondent American Federation of Government Employees, AFL-CIO, for leave to file motion for divided argument and for divided argument denied.

No. 92-1370. BFP *v.* RESOLUTION TRUST CORPORATION, AS RECEIVER OF IMPERIAL FEDERAL SAVINGS ASSN., ET AL. C. A. 9th Cir. [Certiorari granted, 508 U.S. 938.] Motion of respondents Paul Osborne et al. for divided argument granted.

No. 92-1500. CASPARI, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER, ET AL. *v.* BOHLEN. C. A. 8th Cir. [Certiorari granted, 508 U.S. 971.] Motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae*

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

No. 92-1639. CITY OF CHICAGO ET AL. *v.* ENVIRONMENTAL DEFENSE FUND ET AL. C. A. 7th Cir. [Certiorari granted, *ante*, p. 903.] Motion of petitioners to dispense with printing the joint appendix granted.

No. 92-6281. HAGEN *v.* UTAH. Sup. Ct. Utah. [Certiorari granted, 507 U. S. 1028.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of Council of State Governments et al. for leave to file a brief as *amici curiae* granted.

No. 92-8579. ELDER *v.* HOLLOWAY ET AL. C. A. 9th Cir. [Certiorari granted, *ante*, p. 921.] Motion of American Bar Association for leave to file a brief as *amicus curiae* granted.

Assignment Order

An order of THE CHIEF JUSTICE designating and assigning Justice Powell (retired) to perform judicial duties in the United States Court of Appeals for the Fourth Circuit during the period from September 27, 1993, through June 10, 1994, 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.

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Probable Jurisdiction Noted

No. 93-44. TURNER BROADCASTING SYSTEM, INC., ET AL. *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. Appeal from D. C. D. C. Probable jurisdiction noted. Brief of appellants is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 9, 1993. Briefs of appellees are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 7, 1993. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 21, 1993. This Court's Rule 29 does not apply. Reported below: 819 F. Supp. 32.

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Certiorari Granted

No. 93-70. OREGON WASTE SYSTEMS, INC., ET AL. *v.* DEPARTMENT OF ENVIRONMENTAL QUALITY OF THE STATE OF OREGON ET AL.; and

No. 93-108. COLUMBIA RESOURCE CO. *v.* ENVIRONMENTAL QUALITY COMMISSION OF THE STATE OF OREGON. Sup. Ct. Ore. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Briefs of petitioners are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 9, 1993. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 7, 1993. Reply briefs, if any, are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 21, 1993. This Court's Rule 29 does not apply. Reported below: 316 Ore. 99, 849 P. 2d 500.

No. 93-144. DEPARTMENT OF REVENUE OF MONTANA *v.* KURTH RANCH ET AL. C. A. 9th Cir. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 9, 1993. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 7, 1993. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 21, 1993. This Court's Rule 29 does not apply. Reported below: 986 F. 2d 1308.

No. 93-180. BOCA GRANDE CLUB, INC. *v.* FLORIDA POWER & LIGHT CO., INC. C. A. 11th Cir. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 9, 1993. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 7, 1993. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 21, 1993. This Court's Rule 29 does not apply. Reported below: 990 F. 2d 606.

No. 92-8556. NICHOLS *v.* UNITED STATES. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 1 presented by the petition. Brief of petitioner is to be filed with the Clerk and served

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upon opposing counsel on or before 3 p.m., Tuesday, November 9, 1993. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 7, 1993. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 21, 1993. This Court's Rule 29 does not apply. Reported below: 979 F. 2d 402.

No. 92-8894. *VICTOR v. NEBRASKA*. Sup. Ct. Neb. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 3 presented by the petition. Case consolidated with No. 92-9049, *Sandoval v. California*, immediately *infra*, and a total of 90 minutes allotted for oral argument. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 9, 1993. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 7, 1993. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 21, 1993. This Court's Rule 29 does not apply. Reported below: 242 Neb. 306, 494 N. W. 2d 565.

No. 92-9049. *SANDOVAL 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. Case consolidated with No. 92-8894, *Victor v. Nebraska*, immediately *supra*, and a total of 90 minutes allotted for oral argument. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 9, 1993. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 7, 1993. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 21, 1993. This Court's Rule 29 does not apply. Reported below: 4 Cal. 4th 155, 841 P. 2d 862.

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Dismissals Under Rule 46

No. 93-213. *E-Z MART STORES, INC. v. XEROX CREDIT CORP.* C. A. 5th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 990 F. 2d 1252.

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No. 93–5055. CASTILLO *v.* UNITED STATES. C. A. 2d Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 990 F. 2d 1251.

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Dismissal Under Rule 46

No. 93–5501. LIDY *v.* SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. 5th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 988 F. 2d 1209.

Miscellaneous Order. (For the Court's order making allotment of Justices, see *ante*, p. VI.)