

ORDERS FOR MAY 30 THROUGH
SEPTEMBER 29, 1995

MAY 30, 1995

Dismissal Under Rule 46

No. 94-1139. GOVERNMENT EMPLOYEES INSURANCE CO. ET AL. *v.* DUANE. C. A. 4th Cir. [Certiorari granted, 513 U. S. 1189.] Writ of certiorari dismissed under this Court's Rule 46.1.

Miscellaneous Orders

No. — — —. CONNER *v.* NORFOLK SOUTHERN CORP. ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. — — —. GOETZ ET AL. *v.* CROSSON ET AL.; and

No. — — —. LONCHAR *v.* THOMAS, WARDEN. Motions for leave to proceed *in forma pauperis* without affidavits of indigency executed by petitioners denied.

No. D-1537. IN RE DISBARMENT OF WAGNER. Disbarment entered. [For earlier order herein, see 514 U. S. 1061.]

No. 94-1244. BEHRENS *v.* PELLETIER. C. A. 9th Cir. [Certiorari granted, 514 U. S. 1035.] Motion of respondent for leave to proceed further herein *in forma pauperis* granted. Motion for appointment of counsel granted, and it is ordered that Samuel T. Rees, Esq., of Los Angeles, Cal., be appointed to serve as counsel for respondent in this case.

No. 94-8631. IN RE JUDD. Motion of petitioner for leave to proceed *in forma pauperis* denied. See this Court's Rule 39.8. Petitioner is allowed until June 20, 1995, 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. 94-1745. IN RE MANDANICI; and

No. 94-8700. IN RE VERDONE. Petitions for writs of mandamus denied.

No. 94-8706. IN RE SNYDER. Petition for writ of prohibition denied.

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Certiorari Granted

No. 94-1785. COMMISSIONER OF INTERNAL REVENUE *v.* LUNDY. C. A. 4th Cir. Certiorari granted. Reported below: 45 F. 3d 856.

Certiorari Denied

No. 93-9026. STEVENS *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied. Reported below: 181 Wis. 2d 410, 511 N. W. 2d 591.

No. 93-9237. KERR *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied. Reported below: 181 Wis. 2d 372, 511 N. W. 2d 586.

No. 94-78. MICHIGAN *v.* ASHER. Ct. App. Mich. Certiorari denied. Reported below: 203 Mich. App. 621, 513 N. W. 2d 144.

No. 94-1317. SUGRUE *v.* BROWN, SECRETARY OF VETERANS AFFAIRS, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 26 F. 3d 8.

No. 94-1320. VAIL ET AL. *v.* BROWN, SECRETARY OF VETERANS AFFAIRS. C. A. 8th Cir. Certiorari denied. Reported below: 39 F. 3d 208.

No. 94-1334. ALEX *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 32 F. 3d 1203.

No. 94-1412. FUENTES *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 37 F. 3d 565.

No. 94-1540. CHEEVES ET AL. *v.* SOUTHERN CLAYS, INC., ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 39 F. 3d 326.

No. 94-1567. CONFEDERATED TRIBES OF THE COLVILLE RESERVATION *v.* YAKIMA INDIAN NATION ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 29 F. 3d 481 and 43 F. 3d 1284.

No. 94-1625. HERRON *v.* TENNESSEE BOARD OF REGENTS ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 42 F. 3d 1388.

No. 94-1626. JONES *v.* ALABAMA. Ct. Crim. App. Ala. Certiorari denied. Reported below: 662 So. 2d 299.

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No. 94-1627. SOCIETY OF FINANCIAL EXAMINERS *v.* NATIONAL ASSOCIATION OF CERTIFIED FRAUD EXAMINERS ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 41 F. 3d 223.

No. 94-1630. NATIONAL AMUSEMENTS, INC. *v.* TOWN OF DEDHAM. C. A. 1st Cir. Certiorari denied. Reported below: 43 F. 3d 731.

No. 94-1632. CADES *v.* H & R BLOCK, INC., ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 43 F. 3d 869.

No. 94-1636. BOYAJIAN ET AL. *v.* OLFACTO-LABS ET AL. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 94-1638. HO *v.* STATE BAR OF CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 94-1640. SHERWIN-WILLIAMS CO. *v.* EASTERN MOUNTAIN PLATFORM TENNIS, INC. C. A. 1st Cir. Certiorari denied. Reported below: 40 F. 3d 492.

No. 94-1655. MILLER *v.* STATE BAR OF CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 94-1656. FARMERS INSURANCE CO., INC. *v.* JABBOUR. Sup. Ct. Okla. Certiorari denied.

No. 94-1657. HOGUE ET AL. *v.* UNITED OLYMPIC LIFE INSURANCE CO. ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 39 F. 3d 98.

No. 94-1658. AMCAST INDUSTRIAL CORP. ET AL. *v.* DETREX CORP. C. A. 7th Cir. Certiorari denied. Reported below: 45 F. 3d 155.

No. 94-1661. ASHLAND INC. *v.* KENTUCKY REVENUE CABINET. Ct. App. Ky. Certiorari denied. Reported below: 888 S. W. 2d 701.

No. 94-1662. MUSSLEWHITE *v.* STATE BAR OF TEXAS. C. A. 5th Cir. Certiorari denied. Reported below: 32 F. 3d 942.

No. 94-1663. BERRYMAN ET UX. *v.* CREDIT ADJUSTERS. Ct. App. Minn. Certiorari denied.

No. 94-1670. HENDRY CORP. ET AL. *v.* NATIONAL COUNCIL ON COMPENSATION INSURANCE. C. A. 11th Cir. Certiorari denied. Reported below: 46 F. 3d 70.

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No. 94-1671. *SCALES v. GEORGE WASHINGTON UNIVERSITY*. C. A. D. C. Cir. Certiorari denied. Reported below: 44 F. 3d 1031.

No. 94-1672. *SHUMATE v. NCNB CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 43 F. 3d 1468.

No. 94-1680. *WILSON v. CALIFORNIA WORKERS' COMPENSATION APPEALS BOARD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 34 F. 3d 1075.

No. 94-1698. *SCHRIRO, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL. v. HEATON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 43 F. 3d 1176.

No. 94-1699. *ALADDIN, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF ALADDIN, DECEASED, ET AL. v. GRUMMAN AMERICAN AVIATION CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 46 F. 3d 1115.

No. 94-1708. *NLFC, INC. v. DEVCOR MID-AMERICA, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 45 F. 3d 231.

No. 94-1710. *ELLIS v. SENNHOLZ.* Ct. App. Okla. Certiorari denied.

No. 94-1713. *HARPER v. OHIO.* Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 94-1727. *CALHOUN v. ST. PAUL FIRE & MARINE INSURANCE CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 43 F. 3d 668.

No. 94-1730. *LOSSON ET VIR v. LOSSON.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1144.

No. 94-1733. *TURNER, AKA FOUTZ v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 44 F. 3d 900.

No. 94-1746. *DEBLASE ET AL. v. CIGNA INDIVIDUAL FINANCIAL SERVICES CO. ET AL.* C. A. 8th Cir. Certiorari denied.

No. 94-1754. *REEVES v. ACROMED CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 44 F. 3d 300.

No. 94-1773. *SHERMAN v. BERLIN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 37 F. 3d 1506.

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No. 94-1788. *BURNS v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 430.

No. 94-1793. *SMITH v. COLORADO.* Ct. App. Colo. Certiorari denied. Reported below: 888 P. 2d 305.

No. 94-1803. *UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION, AFL-CIO, ET AL. v. JOHN MORRELL & CO.* C. A. 8th Cir. Certiorari denied. Reported below: 37 F. 3d 1302.

No. 94-1810. *NEMELKA v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 46 F. 3d 1020.

No. 94-7580. *BAHM v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 33 F. 3d 62.

No. 94-7789. *DEBARDELEBEN v. QUINLAN ET AL.* C. A. 3d Cir. Certiorari denied.

No. 94-8009. *BUELL v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 70 Ohio St. 3d 1211, 639 N. E. 2d 110.

No. 94-8265. *HERN v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 892 S. W. 2d 894.

No. 94-8273. *HUDSPETH v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 42 F. 3d 1015.

No. 94-8279. *RAMOS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 38 F. 3d 1217.

No. 94-8379. *MARTIN v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 645 So. 2d 190.

No. 94-8511. *BANDA v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 890 S. W. 2d 42.

No. 94-8690. *SCOTT v. CALDERON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 39 F. 3d 1188.

No. 94-8692. *PHELPS v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 644 N. E. 2d 953.

No. 94-8693. *BILYEU v. RATHER ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 3d 536.

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No. 94-8698. *MCDONALD v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 94-8705. *DOUGLASS v. ESTATE OF DOUGLASS*. Sup. Ct. Tex. Certiorari denied.

No. 94-8709. *GILLIAM v. COUNTY OF LOS ANGELES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 37 F. 3d 1505.

No. 94-8712. *MARTIN v. PETERS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 94-8714. *MERIWETHER v. WHITLEY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 41 F. 3d 664.

No. 94-8720. *SULLIVAN v. LOVE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 94-8723. *STEWART v. MURPHY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 641.

No. 94-8725. *BRANNON v. LAMAINA*; and *HINTE v. SHUPE*. Sup. Ct. Del. Certiorari denied. Reported below: 659 A. 2d 227 (first case); 651 A. 2d 788 (second case).

No. 94-8733. *VINSON v. GROOSE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 54 F. 3d 781.

No. 94-8734. *WATSON v. MONROE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 94-8738. *KIRKPATRICK v. CANDEE, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 45 F. 3d 426.

No. 94-8740. *THOMAS, AKA THOMPSON v. ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 94-8742. *ABDUL-ALIM v. NEW JERSEY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 30 F. 3d 1484.

No. 94-8747. *PATE v. HARGETT, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied. Reported below: 43 F. 3d 670.

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No. 94-8749. *HOPKINS v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 94-8758. *GLOVER v. MITCHELL*. C. A. 8th Cir. Certiorari denied.

No. 94-8759. *GANEY v. MCDADE*. C. A. 4th Cir. Certiorari denied. Reported below: 47 F. 3d 1164.

No. 94-8761. *SHENG v. NINTENDO OF AMERICA, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 40 F. 3d 1007.

No. 94-8775. *WALLACE, AKA COLE v. WALLACE*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 263 Ill. App. 3d 1130, 683 N. E. 2d 552.

No. 94-8789. *BURDINE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 901 S. W. 2d 456.

No. 94-8799. *CARTER v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 338 N. C. 569, 451 S. E. 2d 157.

No. 94-8823. *CARPINO v. DEMOSTHENES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 37 F. 3d 1504.

No. 94-8905. *MARKHAM v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 94-8957. *FRY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 42 F. 3d 1403.

No. 94-8966. *SALDANA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 427.

No. 94-8981. *McFARLAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 34 F. 3d 1508.

No. 94-8982. *JIMENEZ v. LEWIS, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 45 F. 3d 436.

No. 94-9011. *HERNANDEZ v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 41 F. 3d 668.

No. 94-9013. *CARRIER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 46 F. 3d 1132.

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- No. 94-9014. *YORK v. UNITED STATES*; and
No. 94-9045. *YORK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 425.
- No. 94-9018. *MCNEIL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1128.
- No. 94-9019. *LEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 39 F. 3d 323.
- No. 94-9020. *COCHRAN v. DEPARTMENT OF VETERANS AFFAIRS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 50 F. 3d 5.
- No. 94-9021. *BAKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 432.
- No. 94-9023. *GRAVES v. UNITED STATES*; and
No. 94-9046. *CARLOS TORRES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 45 F. 3d 1423.
- No. 94-9025. *REECE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 426.
- No. 94-9026. *STARLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1148.
- No. 94-9032. *CHAPMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 39 F. 3d 1189.
- No. 94-9033. *SHORTER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 36 F. 3d 127.
- No. 94-9034. *RANDLE v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 43 F. 3d 221.
- No. 94-9035. *GAMBOA RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 43 F. 3d 117.
- No. 94-9037. *COLON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 46 F. 3d 1134.
- No. 94-9039. *CROSBY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 430.

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No. 94-9040. *BRANSCOMB v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 47 F. 3d 258.

No. 94-9041. *MONSON, AKA BARR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 48 F. 3d 1217.

No. 94-9050. *FRUSHON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1147.

No. 94-9051. *HUNDLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 43 F. 3d 1463.

No. 94-9054. *SCOTT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 431.

No. 94-9056. *POPLAWSKI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 46 F. 3d 42.

No. 94-9058. *ORTIZ-REYNEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 429.

No. 94-9062. *NICHOLS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 46 F. 3d 1137.

No. 94-9064. *JORDAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 49 F. 3d 732.

No. 94-9069. *PIERSON v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied. Reported below: 42 F. 3d 1396.

No. 94-9070. *NELSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1147.

No. 94-9072. *INGRAHAM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1171.

No. 94-9077. *BURDETTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 430.

No. 94-9079. *ELIZONDO ALVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 426.

No. 94-9082. *TEARL v. SMITH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 48 F. 3d 1217.

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No. 94-9084. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 33 F. 3d 1349.

No. 94-9094. *WHEELER ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 40 F. 3d 1167.

No. 94-9099. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 531.

No. 94-9101. *HENRY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 47 F. 3d 17.

No. 94-9102. *HARRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 50 F. 3d 11.

No. 94-9103. *FAIR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 94-9104. *GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 251.

No. 94-9105. *HUNTER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 47 F. 3d 1162.

No. 94-9106. *HERRERA ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 47 F. 3d 1158.

No. 94-9111. *OLIVERAS-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1148.

No. 94-9119. *GILBERT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1147.

No. 94-9120. *GALLARDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 424.

No. 94-9123. *GARDNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 49 F. 3d 362.

No. 94-1450. *LAWSON ET AL. v. MURRAY ET AL.* Sup. Ct. N. J. Certiorari denied. Reported below: 138 N. J. 206, 649 A. 2d 1253.

JUSTICE SCALIA, concurring.

Last Term's decision in *Madsen v. Women's Health Center, Inc.*, 512 U. S. 753 (1994), has damaged the First Amendment more quickly and more severely than I feared. In this case the New Jersey courts asserted the power to enjoin residential picketing

by antiabortion demonstrators that was explicitly found to have been peaceful and in violation of no state statute or rule of common law. It is one thing for the courts to enforce by injunction a general, content-neutral state law (civil or criminal) against all residential picketing, or to enjoin particular individuals from continuing residential picketing that they have conducted in an unlawful manner (*e. g.*, with the accompaniment of violence). It is quite another thing for the courts to enjoin particular individuals from conducting lawful residential picketing that they have conducted in a lawful manner in the past. That is an unconstitutional prior restraint.

Respondents are Elrick Murray, an obstetrician-gynecologist who performs abortions, and his wife. The two petitioners planned a demonstration at respondents' residence on Sunday, January 20, 1991. On the appointed day, they and 56 other picketers met two policemen near respondents' house; received instruction from the policemen in basic picketing protocol; and were escorted to the sidewalk running in front of respondents' house and 10 neighboring houses. The protesters, carrying signs, walked in a single-file loop on the sidewalk past respondents' house; the picketing lasted about an hour, and "[n]o instances of trespass, violence or disorderly conduct were reported." App. to Pet. for Cert. 90a (App.).

In February 1991, respondents filed suit against petitioners and others in state court, seeking damages and injunctive relief for various common-law torts: invasion of privacy (including interference with the use and enjoyment of respondents' residence), intentional infliction of emotional distress, interference with contractual relations, and others. The Chancery Division of the trial court entered a temporary restraining order. After a hearing on the merits, the trial court denied respondents damages on the ground that *respondents had not made out any of their tort claims*. See *id.*, at 92a–97a. The court then went on to make the following rulings, which converted the proceeding from a tort suit for damages and injunctive relief into a proceeding for imposition of a judicial prior restraint:

“In addition to these claims, this court must also consider equitable principles when determining the appropriateness of injunctive relief.

“Plaintiffs have a privacy interest *irrespective of their potential tort claim*. . . .

“It can operate to limit First Amendment rights, *even where the intrusion is not trespassory [sic] or otherwise obstructed.*”

“The Court of equity has the inherent authority to balance that interest against First Amendment rights.

“In other words, *this court does not accept defendants’ position that no injunction can issue unless a crime or an expressed tort has been committed.*” *Id.*, at 97a (emphases added; citations omitted).

The court then “balanced” the equities and, on the strength of *Frisby v. Schultz*, 487 U. S. 474 (1988), found that respondents’ interests in residential privacy justified an injunction restraining “defendants and all persons in active concert or participation with them . . . from picketing in any form . . . within 300 feet” of respondents’ home. App. 106a.

The Appellate Division and the New Jersey Supreme Court affirmed. When petitioners sought certiorari we granted their petition, vacated the judgment, and remanded for reconsideration in light of our decision in *Madsen*. See *Lawson v. Murray*, 513 U. S. 802 (1994). On remand, the New Jersey Supreme Court affirmed the trial court’s injunction in part and modified it in part. The court acknowledged (as it had stated even more clearly in its first opinion) that the injunction was “not imposed to remedy unlawful conduct,” 138 N. J. 206, 225, 649 A. 2d 1253, 1263 (1994), but rejected petitioners’ claim that the injunction therefore constituted an invalid prior restraint. In the alternative, the court relied on an asserted “captive audience” exception to the prior restraint doctrine. See *id.*, at 226, 649 A. 2d, at 1263.

Although I dissented in *Madsen*, I do not believe that the opinion for the Court in that case “approve[d] issuance of an injunction against speech . . . *even when there has been found no violation, or threatened violation, of a law.*” 512 U. S., at 804 (SCALIA, J., dissenting) (emphasis in original). To the contrary, the Court did obeisance to the venerable principle that “[i]njunctive . . . are remedies imposed for violations (or threatened violations) of a legislative or judicial decree,” *id.*, at 764 (citing *United States v. W. T. Grant Co.*, 345 U. S. 629 (1953)), no matter how little that principle was honored in application. See also 512 U. S., at 765 (“[I]njunctive . . . afford more precise relief than a statute where a violation of the law has already occurred”); *id.*, at 765, n. 3

“Under general equity principles, an injunction issues only if there is a showing that the defendant has violated, or imminently will violate, some provision of statutory or common law, and that there is a cognizable danger of recurrent violation”) (internal quotation marks omitted).

The Federal Constitution does not, of course, directly require that an injunction issue only in such circumstances. But where injunctions *that prohibit speech* are concerned, the Free Speech and Free Press Clauses of the First Amendment impose that requirement indirectly. All speech-restricting injunctions are prior restraints in the literal sense of “‘administrative and judicial orders forbidding certain communications when issued in advance of the time that such communications are to occur.’” *Alexander v. United States*, 509 U.S. 544, 550 (1993) (emphasis deleted). Precedent shows that a speech-restricting “injunction” that is not issued as a *remedy* for an adjudicated or impending violation of law is also a prior restraint in the condemnatory sense, that is, a prior restraint of the sort prohibited by the First Amendment.

In *Organization for a Better Austin v. Keefe*, 402 U.S. 415 (1971), the state courts enjoined the petitioner from distributing literature or picketing anywhere within the city limits, on the same ground that the New Jersey courts expressed here: “[T]he public policy of the [State] strongly favored protection of the privacy of home and family” from the speech activities. Cf. 138 N. J., at 224, 649 A. 2d, at 1263 (“[T]he injunction was entered pursuant to the [trial] court’s authority to grant equitable relief to enforce a valid public policy of this State” protecting residential privacy). We held the injunction to be an unconstitutional prior restraint, reasoning that “the injunction operates, *not to redress alleged private wrongs*, but to suppress [speech] on the basis of previous publications.” 402 U.S., at 418–419 (emphasis added). *Keefe* relied on *Near v. Minnesota ex rel. Olson*, 283 U.S. 697 (1931), the foundation case in this area, where we struck down a state-court order that enjoined a newspaper from publishing malicious, scandalous, or defamatory material. We found the order to be an unconstitutional prior restraint, observing that the statute that authorized the order “is not aimed at the redress of individual or private wrongs,” *id.*, at 709, and that “the object of the statute is not punishment, . . . but suppression,” *id.*, at 711. See also *id.*, at 715; *Hirsh v. Atlanta*, 495 U.S. 927 (1990) (STEVENS, J., concurring in denial of stay) (distinguishing injunc-

tive relief against “a class of persons who have persistently and repeatedly engaged in unlawful conduct” from “a naked prior restraint against . . . a group that did not have a similar history of illegal conduct”).

The very episode before us illustrates the reasons for this distinction between remedial injunctions and unconstitutional prior restraints. The danger that speech-restricting injunctions may serve as a powerful means to suppress disfavored views is obvious enough even when they are based on a completed or impending violation of law. Once such a basis has been found, later speech may be quashed, or not quashed, in the discretion of a single official, who necessarily knows the content and viewpoint of the speech subject to the injunction; the injunction is enforceable through civil contempt, a summary process without the constitutional protection of a jury trial; and the only defense available to the enjoined party is factual compliance with the injunction, *not* unconstitutionality, see *In re Felmeister*, 95 N. J. 431, 445, 471 A. 2d 775, 782 (1984); *In re Carton*, 48 N. J. 9, 16, 222 A. 2d 92, 96 (1966). But the threat to the First Amendment becomes positively alarming when violation of the law is not even a necessary prelude to this expansive discretion—when the defendant’s prior speech (and proposed future speech) has been expressly found *not* to constitute a crime or common-law tort, and the only basis for the injunction is a nebulous “public policy” of the State enforced by an inherent equitable power. See 138 N. J., at 225, 649 A. 2d, at 1263. This is *by definition* a policy of enjoining in advance speech that the State does not punish after the fact—that is to say, a policy narrowly tailored to nothing but the suppression of lawful speech. And even that damning assessment assumes, of course, that such a “public policy” even exists in state law, which is highly questionable here. The New Jersey courts have given equitable relief against residential picketing not violative of state law only in this case and another recent case involving abortion protesters. See *Boffard v. Barnes*, 136 N. J. 32, 642 A. 2d 338 (1994).* The temptation in cases involving issues of

*In *K-T Marine, Inc. v. Dockbuilders Local Union 1456*, 251 N. J. Super. 107, 597 A. 2d 540 (1991), the Appellate Division affirmed an injunction against residential picketing by a union. There, however, the injunction issued because the trial judge found that “tortious activity . . . had taken place and would continue unless the court interceded.” *Id.*, at 110, 597 A. 2d, at 542.

social controversy—precisely the cases where the First Amendment’s protections are most needed—will always be for judges to discern a “policy” against whatever-speech-looks-bad-at-the-moment.

Even our *Madsen* decision was, as I read it, unwilling to invite such consequences by cutting prior-restraint doctrine loose from the requirement that injunctions be remedial. The prior-restraint argument advanced by petitioners in that case was summarily rejected in a footnote with the observation that

“[n]ot all injunctions that may incidentally affect expression . . . are ‘prior restraints’ Here petitioners are not prevented from expressing their message in any one of several different ways; they are simply prohibited from expressing it within the . . . zone [covered by the injunction]. Moreover, the injunction was issued not because of the content of petitioners’ expression, . . . *but because of their prior unlawful conduct.*” *Madsen*, 512 U. S., at 764, n. 2 (emphasis added).

The New Jersey Supreme Court read this footnote to mean that even an injunction *not* imposed to remedy or prevent unlawful conduct may nonetheless be valid, depending on an assessment of “factors” such as content neutrality and availability of alternative channels of communication. See 138 N. J., at 221–226, 649 A. 2d, at 1261–1263. But such factors determine the validity of *subsequent* restraints, see, e. g., *Simon & Schuster, Inc. v. Members of N. Y. State Crime Victims Bd.*, 502 U. S. 105, 116 (1991); *Ward v. Rock Against Racism*, 491 U. S. 781, 791 (1989), and to make them conclusive of the validity of prior restraints as well would destroy the doctrine that prior restraints are specially disfavored, see *Patterson v. Colorado ex rel. Attorney General of Colo.*, 205 U. S. 454, 462 (1907) (Holmes, J.); *Nebraska Press Assn. v. Stuart*, 427 U. S. 539, 598 (1976) (Brennan, J., concurring in judgment). The presence of such validating factors is a necessary *and sufficient* condition for the constitutionality of a subsequent punishment, but merely a necessary condition for the constitutionality of a prior restraint, which requires *in addition* that it be remedial. It is improper to attribute a different meaning to the ambiguous *Madsen* footnote, which after all appeared in an opinion that elsewhere purported to honor the requirement that speech-restricting injunctions be remedial.

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The principal ground for the decision below, then, does not apply *Madsen* but expands it, and contracts the First Amendment *pari passu*. I think it of vital importance that *Madsen* quickly be limited to what it said, rather than what it did. I nonetheless do not vote to grant certiorari here, for two reasons: The alternative ground for the court's decision (existence of a "captive audience" exception to the doctrine of prior restraint), while a highly questionable basis for a discretionary injunction power, presents no clear conflict with the decisions of other courts and could prevent us from reaching the *Madsen* issue. And clarification of *Madsen* is in any event unlikely to occur in another case involving the currently disfavored class of antiabortion protesters. Accordingly, I concur in the denial of certiorari.

No. 94-1498. ILLINOIS *v.* SALAZAR. Sup. Ct. Ill. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 162 Ill. 2d 513, 643 N. E. 2d 698.

No. 94-1652. CHAMBERS ET AL. *v.* PELFREY. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 43 F. 3d 1034.

No. 94-1532. PARKING ASSOCIATION OF GEORGIA, INC., ET AL. *v.* CITY OF ATLANTA, GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: 264 Ga. 764, 450 S. E. 2d 200.

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

Motivated by a desire to improve the attractiveness of its downtown region, the Atlanta City Council passed an ordinance requiring certain existing surface parking lots to include landscaped areas equal to at least 10% of the paved area and to have at least one tree for every eight parking spaces. The ordinance covers some 350 parking lots; petitioners estimate that compliance with the landscaping requirements will cost approximately \$12,500 per lot, for a total of \$4,375,000. Additionally, parking lot owners will lose revenue due to lost parking spaces and lost advertising dollars: The trees allegedly will obscure existing advertising signs and cause petitioners to lose contracts worth about \$1,636,000.

Petitioners sought injunctive and declaratory relief on the ground that the Atlanta ordinance was an uncompensated taking of property in violation of the Fifth Amendment. The state trial

court ruled in favor of the city. In a divided opinion, the Supreme Court of Georgia affirmed. 264 Ga. 764, 450 S. E. 2d 200 (1994). The court held that the ordinance was neither a physical nor a regulatory taking. The court relied on *Agins v. City of Tiburon*, 447 U.S. 255 (1980), to conclude that the ordinance was constitutional because it “advances legitimate governmental interests and leaves the plaintiffs with an economically viable use in their property.” 264 Ga., at 766, n. 3, 450 S. E. 2d, at 203, n. 3. The court distinguished *Dolan v. City of Tigard*, 512 U.S. 374 (1994), which requires a showing of rough proportionality between the conditions imposed and the impact of the owner’s development, on the ground that although the city of Tigard had not made an “individualized determination that the required dedication is related both in nature and extent to the impact of the development,” 264 Ga., at 766, n. 3, 450 S. E. 2d, at 203, n. 3 (quoting *Dolan, supra*, at 391), the city of Atlanta had made a “legislative determination” with regard to many landowners, 264 Ga., at 766, n. 3, 450 S. E. 2d, at 203, n. 3, thus placing this case outside the reach of *Dolan*.

The lower courts are in conflict over whether *Dolan*’s test for property regulation should be applied in cases where the alleged taking occurs through an Act of the legislature. In addition to the court below, at least one other court has relied upon the “legislative” character of state action to conclude that *Dolan* was inapposite and that the less stringent *Agins* standard should be applied. See *Harris v. Wichita*, 862 F. Supp. 287, 294 (D. Kan. 1994). Other courts, however, have applied *Dolan* to cases involving alleged legislative regulatory takings. In *Trimen Development Co. v. King Cty.*, 124 Wash. 2d 261, 877 P. 2d 187 (1994), the Washington Supreme Court applied *Dolan* to an ordinance similar to the one at issue here. A King County Council ordinance required that developers seeking to build housing either dedicate land for public parks or pay a fee. Despite the fact that the ordinance was clearly a “legislative enactment,” the court applied *Dolan*’s rough proportionality test. 124 Wash. 2d, at 274, 877 P. 2d, at 194. See also *Manochevian v. Lennox Hill Hospital*, 84 N. Y. 2d 385, 393, 643 N. E. 2d 479, 483 (1994), cert. denied, 514 U.S. 1109 (1995) (applying *Dolan* to alleged legislative taking).

It is hardly surprising that some courts have applied *Dolan*’s rough proportionality test even when considering a legislative enactment. It is not clear why the existence of a taking should

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turn on the type of governmental entity responsible for the taking. A city council can take property just as well as a planning commission can. Moreover, the general applicability of the ordinance should not be relevant in a takings analysis. If Atlanta had seized several hundred homes in order to build a freeway, there would be no doubt that Atlanta had taken property. The distinction between sweeping legislative takings and particularized administrative takings appears to be a distinction without a constitutional difference.

Although *Dolan* purports to be an exception to *Agins*, the logic of these two cases appears to point in different directions. The lower courts should not have to struggle to make sense of this tension in our case law. In the past, the confused nature of some of our takings case law and the fact-specific nature of takings claims has led us to grant certiorari in takings cases without the existence of a conflict. See *Dolan, supra*, at 383 (observing that certiorari was granted because the Oregon Supreme Court allegedly had misapplied *Nollan v. California Coastal Comm'n*, 483 U. S. 825 (1987)). Where, as here, there is a conflict, the reasons for granting certiorari are all the more compelling.

Because the petition poses a substantial federal question concerning regulatory takings and because there is confusion in the lower courts, I would grant certiorari.

No. 94-1629. *TABAS ET AL. v. TABAS ET AL.* C. A. 3d Cir. Motion of American Institute of Certified Public Accountants for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 47 F. 3d 1280.

No. 94-1649. *ELLMAN v. DAVIS, WARDEN.* C. A. 2d Cir. Motion of the parties to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 42 F. 3d 144.

No. 94-1743. *MALLARD BAY DRILLING, INC., ET AL. v. WATTERSON.* Ct. App. La., 3d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 649 So. 2d 431.

No. 94-9443 (A-908). *MANN 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.

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Rehearing Denied

No. 94-1240. WHITTLESEY *v.* OFFICE OF HEARINGS AND APPEALS, SOCIAL SECURITY ADMINISTRATION, 514 U. S. 1063;

No. 94-1376. ILIC *v.* LIQUID AIR CORP., 514 U. S. 1064;

No. 94-1459. DUENAS *v.* SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES, 514 U. S. 1051;

No. 94-7436. MCCRIGHT *v.* BORG, WARDEN, 514 U. S. 1020;

No. 94-7959. OKORO *v.* UNITED STATES, 514 U. S. 1027;

No. 94-8006. MASON *v.* SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, 514 U. S. 1053;

No. 94-8097. YOUNG *v.* NUCLEAR REGULATORY COMMISSION ET AL., 514 U. S. 1068;

No. 94-8137. IN RE HOLLINGSWORTH, 514 U. S. 1062;

No. 94-8140. AMARAL *v.* RHODE ISLAND HOSPITAL TRUST ET AL., 514 U. S. 1055;

No. 94-8160. LEWIS *v.* SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 514 U. S. 1069;

No. 94-8186. AZUBUKO *v.* CHIEF ADULT PROBATION OFFICER ET AL., 514 U. S. 1070;

No. 94-8376. EARLY *v.* UNITED STATES, 514 U. S. 1075;

No. 94-8425. GLANT *v.* FLORIDA BAR, 514 U. S. 1086; and

No. 94-8568. CHAPMAN *v.* ABRAHAMSON, WARDEN, 514 U. S. 1077. Petitions for rehearing denied.

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Certiorari Granted—Vacated and Remanded

No. 94-1398. UNITED MINE WORKERS OF AMERICA, AFL-CIO *v.* PEABODY COAL Co. C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *North Star Steel Co. v. Thomas*, ante, p. 29. Reported below: 38 F. 3d 850.

Miscellaneous Orders

No. — — —. HERRERA *v.* SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION; and

No. — — —. GONZALES *v.* UNITED STATES. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

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

No. D-1488. IN RE DISBARMENT OF JONES. Disbarment entered. [For earlier order herein, see 513 U. S. 1073.]

No. D-1549. IN RE DISBARMENT OF JAN. It is ordered that Joseph M. Jan, of Toledo, 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-1550. IN RE DISBARMENT OF DIUGUID. It is ordered that John P. Diuguid, of Bethesda, 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-1551. IN RE DISBARMENT OF WEEKS. It is ordered that Timothy Weeks, of Newark, N. J., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1552. IN RE DISBARMENT OF CACIOPPO. It is ordered that Richard K. Cacioppo, of Woodland Hills, 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-1553. IN RE DISBARMENT OF BROWN. It is ordered that Michael A. Brown, of Newton, Mass., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1554. IN RE DISBARMENT OF OFFNER. It is ordered that Lawrence J. Offner, Jr., of Union, Mo., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 94-9205. IN RE VEY. Motion of petitioner for leave to proceed *in forma pauperis* denied. See this Court's Rule 39.8.

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Petitioner is allowed until June 26, 1995, 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.

Certiorari Granted

No. 94-1660. AMERICAN AIRLINES, INC. *v.* LOCKWOOD. C. A. Fed. Cir. Motion of American Intellectual Property Law Association for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 50 F. 3d 966.

No. 94-8729. BENNIS *v.* MICHIGAN. Sup. Ct. Mich. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 447 Mich. 719, 527 N. W. 2d 483.

Certiorari Denied

No. 94-1457. DECELL & ASSOCIATES, INC. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION. C. A. 5th Cir. Certiorari denied. Reported below: 36 F. 3d 464.

No. 94-1509. SMOLLEN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 46 F. 3d 65.

No. 94-1519. DAVID LIPSCOMB UNIVERSITY *v.* STEELE ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 39 F. 3d 1182.

No. 94-1628. GOULD *v.* SMITH, TRUSTEE OF MIAMI CENTER LIQUIDATING TRUST, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 41 F. 3d 668.

No. 94-1651. SIMMONS *v.* HINSON, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 48 F. 3d 1213.

No. 94-1675. CITY OF UPPER ARLINGTON ET AL. *v.* VITTITOW ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 43 F. 3d 1100.

No. 94-1676. NORTH CAROLINA *v.* PENDLETON. Sup. Ct. N. C. Certiorari denied. Reported below: 339 N. C. 379, 451 S. E. 2d 274.

No. 94-1677. LEHTINEN ET UX. *v.* HARSTAD. Ct. App. Minn. Certiorari denied.

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No. 94-1681. *BLUE CROSS & BLUE SHIELD ASSN. v. HUBBARD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 942.

No. 94-1686. *SGS CONTROL SERVICES, INC. v. INTERNATIONAL ORE & FERTILIZER CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 38 F. 3d 1279.

No. 94-1735. *SAVOY v. CASCADE COUNTY SHERIFF'S DEPARTMENT ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 268 Mont. 507, 887 P. 2d 160.

No. 94-1748. *LUKER v. AKRO CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 45 F. 3d 1541.

No. 94-1761. *IN RE HUDNALL.* Sup. Ct. Ga. Certiorari denied.

No. 94-1776. *NORTH ROCKLAND CENTRAL SCHOOL DISTRICT v. CONSOLIDATED RAIL CORPORATION;*

No. 94-1787. *ERIE COUNTY v. CONSOLIDATED RAIL CORPORATION;* and

No. 94-1789. *NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENT ET AL. v. CONSOLIDATED RAIL CORPORATION.* C. A. 2d Cir. Certiorari denied. Reported below: 47 F. 3d 473.

No. 94-1791. *FREDERICKS v. WRIGHT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1141.

No. 94-1828. *LONGFELLOW v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 43 F. 3d 318.

No. 94-1839. *WARSHAY ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. Reported below: 50 F. 3d 2.

No. 94-1855. *GREEN v. CONNECTICUT.* App. Ct. Conn. Certiorari denied. Reported below: 36 Conn. App. 933, 651 A. 2d 292.

No. 94-7872. *COLEMAN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 39 F. 3d 1182.

No. 94-7904. *FERO v. KERBY.* C. A. 10th Cir. Certiorari denied. Reported below: 39 F. 3d 1462.

No. 94-8104. *MORRELL, AS GUARDIAN AD LITEM FOR LONG ET AL. v. BRITT, SECRETARY, NORTH CAROLINA DEPARTMENT OF*

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HUMAN RESOURCES, ET AL. Sup. Ct. N. C. Certiorari denied. Reported below: 338 N. C. 230, 449 S. E. 2d 175.

No. 94-8222. *LOWE v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 873.

No. 94-8232. *JOHNSON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 94-8282. *DEAN v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 246 Neb. 869, 523 N. W. 2d 681.

No. 94-8314. *MCCULLOUGH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 29 F. 3d 636.

No. 94-8377. *CHASE v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 645 So. 2d 829.

No. 94-8380. *BENNETT v. UNITED STATES*; and
No. 94-8755. *DIXON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 44 F. 3d 1364.

No. 94-8388. *SEDROR v. RUNYON, POSTMASTER GENERAL*. C. A. 2d Cir. Certiorari denied. Reported below: 42 F. 3d 741.

No. 94-8659. *DAVIS v. GOVERNMENT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. Reported below: 43 F. 3d 41.

No. 94-8774. *HARRIS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 9 Cal. 4th 407, 886 P. 2d 1193.

No. 94-8777. *SLEDGE v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 94-8778. *VOHRA v. SIKAND ENGINEERING ASSOCIATES ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 94-8779. *PINTOR v. ORANGE COUNTY, CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 94-8780. *WILLIAMS v. RUNYON, POSTMASTER GENERAL*. C. A. 10th Cir. Certiorari denied. Reported below: 45 F. 3d 440.

No. 94-8781. *MILLER v. WHITE, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 94-8782. *WHEAT v. CASPARI, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 94-8786. *ADAMS v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 41 F. 3d 175.

No. 94-8791. *JACKSON v. LOUISIANA*. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 636 So. 2d 1217.

No. 94-8793. *SCALICE v. MASSEY ET AL.* Sup. Ct. Wash. Certiorari denied.

No. 94-8795. *PATTERSON v. MOHS, ASSOCIATE WARDEN*. Ct. App. Minn. Certiorari denied.

No. 94-8800. *THOMAS v. ZIMMERMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT WAYMART, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 94-8802. *SWAIN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 94-8803. *PHILLIPS v. GANJOO ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1126.

No. 94-8808. *HICKS v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 447 Mich. 819, 528 N. W. 2d 136.

No. 94-8810. *FARR v. WHITE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 37 F. 3d 1504.

No. 94-8815. *JENSEN v. BERG ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 45 F. 3d 433.

No. 94-8820. *LEE v. PRUETT, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 45 F. 3d 426.

No. 94-8821. *MARTINEZ-SANDOVAL v. KIRSCH ET AL.* Ct. App. N. M. Certiorari denied. Reported below: 118 N. M. 616, 884 P. 2d 507.

No. 94-8822. *KITCHENS v. BECKHAM*. C. A. 11th Cir. Certiorari denied.

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No. 94-8824. *PINK v. JONES, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 94-8825. *WHITSITT v. FRANCHISE TAX BOARD OF CALIFORNIA.* C. A. 9th Cir. Certiorari denied. Reported below: 29 F. 3d 638.

No. 94-8828. *THOMPSON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 648 So. 2d 692.

No. 94-8829. *CANCEL v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 94-8830. *AZUBUKO v. MURDOCH ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 43 F. 3d 1456.

No. 94-8831. *BROWN v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 42 F. 3d 645.

No. 94-8833. *MARTEN v. DEPARTMENT OF VETERANS AFFAIRS.* C. A. 2d Cir. Certiorari denied.

No. 94-8835. *LATHAN v. MISSOURI.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 889 S. W. 2d 64.

No. 94-8841. *MCEADDY ET AL. v. BROOKS ET AL.* C. A. 1st Cir. Certiorari denied.

No. 94-8843. *SIBAY v. CRESTAR FINANCIAL CORP. ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 94-8854. *AKBAR v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 94-8856. *IGNACIO v. BROWN, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 47 F. 3d 1182.

No. 94-8874. *BARTLETT v. DRAGOVICH ET AL.* C. A. 3d Cir. Certiorari denied.

No. 94-8889. *OKPALA v. UNITED STATES CUSTOMS SERVICE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 94-8906. *KEENUM v. MAKEL, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1169.

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No. 94-8946. *SMITH v. SOUTH CAROLINA*. Ct. Common Pleas of Anderson County, S. C. Certiorari denied.

No. 94-8983. *JERMYN v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 539 Pa. 371, 652 A. 2d 821.

No. 94-9017. *TOBIAS v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 884 S. W. 2d 571.

No. 94-9057. *BARBARIS v. UNITED STATES*; and
No. 94-9100. *GRAY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 47 F. 3d 1162.

No. 94-9061. *WATSON v. MITCHELL, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 43 F. 3d 1458.

No. 94-9117. *CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 427.

No. 94-9121. *RAINERI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 42 F. 3d 36.

No. 94-9124. *LEISURE v. NUTH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 51 F. 3d 266.

No. 94-9134. *CUNNINGHAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 94-9135. *BLAND v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 33 F. 3d 1454.

No. 94-9139. *LOVE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 435 Pa. Super. 555, 646 A. 2d 1233.

No. 94-9140. *NUNEZ-CARREON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 47 F. 3d 995.

No. 94-9144. *PERRIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 45 F. 3d 869.

No. 94-9145. *LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 427.

No. 94-9149. *ROGERS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 41 F. 3d 25.

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No. 94-9153. *FAIZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 430.

No. 94-9154. *FRIEDMAN v. SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 46 F. 3d 115.

No. 94-9155. *WADE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 45 F. 3d 424.

No. 94-9156. *VALENTEEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 54 F. 3d 771.

No. 94-9161. *DOUGLAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1127.

No. 94-9162. *GILLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 43 F. 3d 1440.

No. 94-9163. *PENDERGRASS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 47 F. 3d 1166.

No. 94-9164. *HERNANDEZ-FUNDORA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 49 F. 3d 848.

No. 94-9168. *ADAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 429.

No. 94-9170. *WASHPUN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 52 F. 3d 327.

No. 94-9171. *WALSH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 530.

No. 94-9173. *SOTO-OLIVAS v. UNITED STATES*; and *FRANCE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 44 F. 3d 788 (first case); 48 F. 3d 1229 (second case).

No. 94-9176. *PROFFIT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 49 F. 3d 404.

No. 94-9181. *MARTINEZ-CANO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 50 F. 3d 17.

No. 94-9183. *VILLOT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 429.

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No. 94-9206. *AZIZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1127.

No. 94-9209. *MELONCON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1147.

No. 94-9210. *ANTONELLI v. GETTY*. C. A. 8th Cir. Certiorari denied.

No. 94-9216. *HAMMOUDE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 51 F. 3d 288.

No. 94-9218. *GILBERT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 94-9222. *SMITH v. DRUG ENFORCEMENT AGENCY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 39 F. 3d 323.

No. 94-9223. *MARTIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 38 F. 3d 534.

No. 94-9225. *GALLEGO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 3d 535.

No. 94-9238. *REED v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 46 F. 3d 1152.

No. 94-7810. *A. ST. P. C. v. B. C.* Sup. Ct. La. Motion of American Coalition for Abuse Awareness et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 643 So. 2d 743.

Rehearing Denied

No. 94-1580. *COSSETT ET AL. v. CLINTON ET AL.*, 514 U. S. 1097;

No. 94-8045. *IN RE SOLIMINE*, 514 U. S. 1062;

No. 94-8261. *COLEMAN v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 514 U. S. 1072;

No. 94-8702. *TSCHUOR v. UNITED STATES*, 514 U. S. 1092; and

No. 94-8726. *IN RE VISINTINE*, 514 U. S. 1081. Petitions for rehearing denied.

No. 94-5856. *JACOBS v. MISSOURI*, 513 U. S. 969; and

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No. 94-7402. GONZALEZ *v.* OCEAN COUNTY BOARD OF SOCIAL SERVICES ET AL., 513 U. S. 1170. Motions for leave to file petitions for rehearing denied.

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Certiorari Granted—Vacated and Remanded

No. 94-1518. DOCTOR'S ASSOCIATES, INC., ET AL. *v.* CASAROTTO ET UX. Sup. Ct. Mont. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Allied-Bruce Terminix Cos. v. Dobson*, 513 U. S. 265 (1995). Reported below: 268 Mont. 369, 886 P. 2d 931.

Miscellaneous Orders

No. — — —. SWISHER *v.* TEXAS WORKERS' COMPENSATION COMMISSION ET AL.;

No. — — —. MARIAN *v.* SCOTT ET AL.; and

No. — — —. ARNETTE *v.* ALLSTATE INSURANCE CO. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. D-1530. IN RE DISBARMENT OF WINDHEIM. Disbarment entered. [For earlier order herein, see 514 U. S. 1060.]

No. D-1533. IN RE DISBARMENT OF SHREVE. Disbarment entered. [For earlier order herein, see 514 U. S. 1060.]

No. D-1555. IN RE DISBARMENT OF FEIT. It is ordered that Michael A. Feit, of Albany, 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-1556. IN RE DISBARMENT OF WARTER. It is ordered that J. Christopher Warter, of South Bend, Ind., 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-1557. IN RE DISBARMENT OF HILGENDORF. It is ordered that George M. Hilgendorf, of Fort Collins, Colo., be suspended from the practice of law in this Court and that a rule

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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. 120, Orig. NEW JERSEY *v.* NEW YORK. Motion of the Special Master for compensation and reimbursement of expenses granted, and the Special Master is awarded a total of \$84,531.74 to be paid by the parties equally. [For earlier order herein, see, *e. g.*, 514 U. S. 1125.]

No. 94-1527. BARR LABORATORIES, INC. *v.* BURROUGHS WELLCOME Co.; and

No. 94-1531. NOVOPHARM, INC., ET AL. *v.* BURROUGHS WELLCOME Co. C. A. Fed. Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 94-9395. IN RE MAHN. Petition for writ of habeas corpus denied.

No. 94-9059. IN RE RAITPORT. Petition for writ of mandamus denied.

No. 94-8804. IN RE SATO. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 94-464. NORFOLK SOUTHERN RAILWAY Co. *v.* NORTH CAROLINA RAILROAD Co. Ct. App. N. C. Certiorari denied. Reported below: 112 N. C. App. 762, 437 S. E. 2d 393.

No. 94-1420. VENTRE *v.* JOHNSON, ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION. C. A. 4th Cir. Certiorari denied. Reported below: 39 F. 3d 1179.

No. 94-1497. O'MALLEY *v.* FEDERAL DEPOSIT INSURANCE CORPORATION. Sup. Ct. Ill. Certiorari denied. Reported below: 163 Ill. 2d 130, 643 N. E. 2d 825.

No. 94-1525. BARNYAK *v.* PENNSYLVANIA. Super. Ct. Pa. Certiorari denied. Reported below: 432 Pa. Super. 483, 639 A. 2d 40.

No. 94-1544. SANIDAD ET AL. *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari denied. Reported below: 35 F. 3d 1449.

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No. 94-1616. *WICKS v. MISSISSIPPI EMPLOYMENT SERVICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 41 F. 3d 991.

No. 94-1650. *AL-KELANI, INC., ET AL. v. FEDERAL DEPOSIT INSURANCE CORPORATION, RECEIVER FOR AUDUBON FEDERAL SAVINGS & LOAN ASSN.* C. A. 11th Cir. Certiorari denied. Reported below: 39 F. 3d 323 and 324.

No. 94-1682. *ATTUL v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 958.

No. 94-1683. *DELTA AIRLINES, INC. v. NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PENNSYLVANIA.* C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 530.

No. 94-1687. *LEROY v. ILLINOIS RACING BOARD ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 39 F. 3d 711.

No. 94-1688. *MAITLAND ET AL. v. MITCHELL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 44 F. 3d 1431.

No. 94-1693. *SOUTHERN CROWN, INC. v. BOARD OF ADJUSTMENT OF THE CITY OF DALLAS.* C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 427.

No. 94-1694. *BEAZLEY v. GEORGIA STATE BAR.* C. A. 11th Cir. Certiorari denied. Reported below: 46 F. 3d 71.

No. 94-1704. *ZERMAN v. GREENE ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 94-1707. *WILLIAMSON ET AL. v. SACRED HEART HOSPITAL OF PENSACOLA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 41 F. 3d 667.

No. 94-1711. *STEIGMAN ET AL., PERSONAL REPRESENTATIVES OF THE ESTATE OF DROZE v. DANESE ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 641 So. 2d 423.

No. 94-1712. *ROMERO ET UX. v. THOMSON NEWSPAPERS (WISCONSIN), INC., ET AL.* Sup. Ct. La. Certiorari denied. Reported below: 648 So. 2d 866.

No. 94-1715. *BUSSEY ET AL. v. OWENS.* Ct. App. D. C. Certiorari denied.

No. 94-1721. *TOWN OF SMITHTOWN ET AL. v. WALZ ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 46 F. 3d 162.

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No. 94-1732. *DUVALL v. CITY OF SANTA MONICA*. C. A. 9th Cir. Certiorari denied. Reported below: 42 F. 3d 1399.

No. 94-1753. *MANUFACTURAS INTERNACIONALES LTDA ET AL. v. MANUFACTURERS HANOVER TRUST BANK CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 47 F. 3d 1159.

No. 94-1771. *DANIEL v. CITY OF TAMPA, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 38 F. 3d 546.

No. 94-1779. *MICHAEL Q. JONES, INC. v. COUNTY OF TUOLUMNE ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 94-1797. *LIGHT ET AL. v. PARKWAY C-2 SCHOOL DISTRICT ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 41 F. 3d 1223.

No. 94-1813. *MARSONER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 40 F. 3d 959.

No. 94-1860. *PATTEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 40 F. 3d 774.

No. 94-1873. *MANDACINA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 45 F. 3d 1177.

No. 94-1875. *ROSS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 33 F. 3d 1507.

No. 94-1878. *KRUCKEL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 52 F. 3d 318.

No. 94-1883. *HOPE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 43 F. 3d 1140.

No. 94-8192. *HALEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 33 F. 3d 1434.

No. 94-8194. *B. H. v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 645 So. 2d 987.

No. 94-8230. *MONROE v. FLORIDA LEGISLATURE ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 641 So. 2d 863.

No. 94-8463. *CORREALES-VALENCIA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 46 F. 3d 1119.

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No. 94-8467. *EDWARDS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 41 F. 3d 154.

No. 94-8481. *BURGESS v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 264 Ga. 777, 450 S. E. 2d 680.

No. 94-8487. *PALERMO ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 39 F. 3d 1358.

No. 94-8510. *BADEAUX v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 245.

No. 94-8516. *GREER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 94-8525. *GUTIERREZ-ROMERO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 43 F. 3d 678.

No. 94-8587. *LEVI v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 45 F. 3d 453.

No. 94-8675. *BLACKSTON v. BECKER, JUDGE, UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 94-8678. *MEJIA-HERRERA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 46 F. 3d 1119.

No. 94-8722. *ROBERTS v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 29 F. 3d 1474.

No. 94-8844. *BUSCH v. NIX ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 94-8846. *JACOBS v. SUPREME COURT OF MISSOURI*. Sup. Ct. Mo. Certiorari denied.

No. 94-8847. *JENNINGS v. REYNOLDS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 45 F. 3d 439.

No. 94-8848. *REED v. SHELBY COUNTY GOVERNMENT ET AL.* C. A. 6th Cir. Certiorari denied.

No. 94-8852. *MCGAUTHA v. JACKSON COUNTY, MISSOURI*. C. A. 8th Cir. Certiorari denied. Reported below: 36 F. 3d 53.

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No. 94-8858. *POOLE v. WOOD, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS*. C. A. 8th Cir. Certiorari denied. Reported below: 45 F. 3d 246.

No. 94-8860. *ROME v. KYLE, CHAIRMAN, TEXAS BOARD OF PARDONS AND PAROLES (FT)*. C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 640.

No. 94-8863. *FAIRCHILD v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 51 F. 3d 129.

No. 94-8865. *LAIRD v. CRAGIN FEDERAL BANK*. C. A. 7th Cir. Certiorari denied. Reported below: 41 F. 3d 1510.

No. 94-8869. *EVANS v. BRIGANO, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1168.

No. 94-8872. *ESTRELLA v. SANDERS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 37 F. 3d 1493.

No. 94-8873. *CHATFIELD v. NORTON, ATTORNEY GENERAL OF COLORADO*. C. A. 10th Cir. Certiorari denied. Reported below: 47 F. 3d 1178.

No. 94-8876. *PURSCHE v. CITY OF IRVING, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 424.

No. 94-8880. *STOKES v. FERRELL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 529.

No. 94-8883. *BAILEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 41 F. 3d 413.

No. 94-8890. *SCHMIDT v. IOWA ET AL.* C. A. 8th Cir. Certiorari denied.

No. 94-8891. *BAILEY v. HAWAII*. Sup. Ct. Haw. Certiorari denied.

No. 94-8901. *COLBY v. TOWN OF HENNIKER, NEW HAMPSHIRE*. Super. Ct. N. H., Merrimack County. Certiorari denied.

No. 94-8902. *JIMENEZ MONTEON v. GOMEZ, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 45 F. 3d 436.

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No. 94-8904. *JONES v. ROADWAY EXPRESS, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 3d 537.

No. 94-8908. *JONES v. YOUNG, WARDEN.* Ct. Crim. App. Okla. Certiorari denied.

No. 94-8909. *MOORE v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 209 App. Div. 2d 1039, 619 N. Y. S. 2d 999.

No. 94-8910. *MCARTHUR v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 652 So. 2d 782.

No. 94-8914. *ADAMS v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 94-8916. *JAVIDI v. KAISER PERMANENTE MEDICAL GROUP, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 42 F. 3d 1400.

No. 94-8917. *SYLVIS v. WILSON, GOVERNOR OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 94-8922. *BRECHEEN v. REYNOLDS, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 41 F. 3d 1343.

No. 94-8927. *JONES ET AL. v. NORTH WOODLAND HILLS COMMUNITY ASSN.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 94-8928. *NWANZE v. WOODY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 43 F. 3d 1467.

No. 94-8934. *BROWN v. PERRIN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 94-8938. *HAYS v. ARENDS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 43 F. 3d 1483.

No. 94-8947. *ROSE v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 339 N. C. 172, 451 S. E. 2d 211.

No. 94-9002. *MARTIN v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 51 F. 3d 1043.

No. 94-9043. *ROBINSON v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 339 N. C. 263, 451 S. E. 2d 196.

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No. 94-9044. *EGGAR ET AL. v. CITY OF LIVINGSTON*. C. A. 9th Cir. Certiorari denied. Reported below: 40 F. 3d 312.

No. 94-9065. *FRIEDMAN v. BOARD OF BAR EXAMINERS OF MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied.

No. 94-9074. *KNAPP v. LEONARDO, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 46 F. 3d 170.

No. 94-9081. *SEVEY v. ANGELONE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1145.

No. 94-9083. *WILLIAMS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 164 Ill. 2d 1, 645 N. E. 2d 844.

No. 94-9110. *SPARROW v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 430.

No. 94-9125. *YOUNG v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 434 Pa. Super. 726, 643 A. 2d 711.

No. 94-9141. *MURRAY v. DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 34 F. 3d 1367.

No. 94-9151. *HORTON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 94-9160. *BUTLER v. RICHARDS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 41 F. 3d 668.

No. 94-9172. *WARD v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 42 M. J. 100.

No. 94-9180. *KIRKLAND v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 34 F. 3d 1068.

No. 94-9186. *THOMAS v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 42 M. J. 205.

No. 94-9188. *FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 51 F. 3d 283.

No. 94-9198. *GIRALDO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 50 F. 3d 2.

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No. 94-9200. JACKSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 50 F. 3d 8.

No. 94-9203. WANG *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 40 F. 3d 1347.

No. 94-9221. OLIVAS-RIVERA *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 47 F. 3d 1178.

No. 94-9229. ROSA BEHETY ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 32 F. 3d 503.

No. 94-9237. RAMIRES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 530.

No. 94-9285. BRENNAN *v.* FLORIDA ET AL. C. A. 11th Cir. Certiorari denied.

No. 94-1569. TEXAS *v.* RILEY. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 889 S. W. 2d 290.

No. 94-1749. JONES ET AL. *v.* NATIONAL FOOTBALL LEAGUE ET AL.; and

No. 94-1750. DUSBABEK ET AL. *v.* NATIONAL FOOTBALL LEAGUE ET AL. C. A. 8th Cir. Motion of Public Citizen Inc. for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 41 F. 3d 402.

No. 94-8270. PETERKIN *v.* PENNSYLVANIA. Sup. Ct. Pa. Motion of petitioner for leave to amend the petition for writ of certiorari granted. Certiorari denied. Reported below: 538 Pa. 455, 649 A. 2d 121.

Rehearing Denied

No. 93-9240. CRAWFORD *v.* ZANT, WARDEN, 514 U. S. 1082;

No. 94-1229. CAULFIELD *v.* COMMISSIONER OF INTERNAL REVENUE, 514 U. S. 1016;

No. 94-7996. SHOWS *v.* DYAL ET AL., 514 U. S. 1053;

No. 94-8144. STOW *v.* HORAN ET AL., 514 U. S. 1069;

No. 94-8251. GARCIA *v.* FLORIDA, 514 U. S. 1085;

No. 94-8252. HALF-DAY *v.* PEROT ET AL., 514 U. S. 1072;

No. 94-8398. IN RE ROGERS, 514 U. S. 1107;

No. 94-8537. HICKS *v.* SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 514 U. S. 1088;

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No. 94–8581. RUSSELL *v.* UNITED STATES, 514 U. S. 1089; and
No. 94–8611. ECHAVARRIA-OLARTE *v.* RENO, ATTORNEY GENERAL, 514 U. S. 1090. Petitions for rehearing denied.

No. 94–1475. PRI-HAR *v.* UNITED STATES, 514 U. S. 1052. Motion of petitioner for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

JUNE 14, 1995

Certiorari Denied

No. 94–9508 (A–918). FEARANCE *v.* SCOTT, 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 STEVENS and JUSTICE GINSBURG would grant the application for stay of execution in order to consider the petition for writ of certiorari in the ordinary course of proceedings. See *Clark v. Collins*, 502 U. S. 1052 (1992) (STEVENS, J., dissenting). Reported below: 51 F. 3d 1041.

JUNE 15, 1995

Rehearing Denied

No. 94–8569 (A–940). GRIFFIN *v.* DELO, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, 514 U. S. 1119. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for rehearing denied.

JUNE 19, 1995

Certiorari Granted—Vacated and Remanded

No. 93–676. CARPENTER *v.* UNITED STATES. C. A. Armed Forces. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Ryder v. United States*, ante, p. 177. Reported below: 37 M. J. 291.

No. 93–966. CLARK *v.* UNITED STATES; DANIELSON *v.* UNITED STATES; DORMAN *v.* UNITED STATES; KOVAC *v.* UNITED STATES; PRIVE *v.* UNITED STATES; and TAITANO *v.* UNITED STATES. C. A. Armed Forces. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Ryder v. United*

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States, ante, p. 177. Reported below: 39 M. J. 28 (first, third, fifth, and sixth cases); 39 M. J. 29 (second and fourth cases).

No. 94-48. KING FISHER MARINE SERVICE, INC. *v.* PEREZ ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Gutierrez de Martinez v. Lamagno, ante*, p. 417. Reported below: 20 F. 3d 466.

No. 94-434. MISSOURI ET AL. *v.* JENKINS ET AL. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Missouri v. Jenkins, ante*, p. 70. Reported below: 23 F. 3d 1297.

No. 94-886. JACKSON ET AL. *v.* CULINARY SCHOOL OF WASHINGTON, LTD., ET AL. C. A. D. C. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Wilton v. Seven Falls Co., ante*, p. 277. Reported below: 27 F. 3d 573.

No. 94-944. COMMISSIONER OF INTERNAL REVENUE *v.* SCHMITZ ET AL.; COMMISSIONER OF INTERNAL REVENUE *v.* KELLER ET AL.; and COMMISSIONER OF INTERNAL REVENUE *v.* RICE ET AL. C. A. 9th Cir. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Commissioner v. Schleier, ante*, p. 323. Reported below: 34 F. 3d 790 (first case); 34 F. 3d 1072 (second case); 35 F. 3d 571 (third case).

No. 94-1045. DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR *v.* RAMBO ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Metropolitan Stevedore Co. v. Rambo, ante*, p. 291. Reported below: 28 F. 3d 86.

Miscellaneous Orders

No. — — —. BESS *v.* CISNEROS, SECRETARY OF HOUSING AND URBAN DEVELOPMENT. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. D-1485. IN RE DISBARMENT OF JACOBS. Disbarment entered. [For earlier order herein, see 513 U. S. 1055.]

No. D-1527. IN RE DISBARMENT OF HERKENHOFF. Disbarment entered. [For earlier order herein, see 514 U. S. 1060.]

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No. D-1529. IN RE DISBARMENT OF SPIVAK. Disbarment entered. [For earlier order herein, see 514 U. S. 1060.]

No. D-1536. IN RE DISBARMENT OF STERN. Disbarment entered. [For earlier order herein, see 514 U. S. 1061.]

No. D-1538. IN RE DISBARMENT OF MAIOLO. Disbarment entered. [For earlier order herein, see 514 U. S. 1061.]

No. D-1541. IN RE DISBARMENT OF BELL. Disbarment entered. [For earlier order herein, see 514 U. S. 1081.]

No. D-1543. IN RE DISBARMENT OF YOUNG. Disbarment entered. [For earlier order herein, see 514 U. S. 1081.]

No. D-1545. IN RE DISBARMENT OF POTTS. Disbarment entered. [For earlier order herein, see 514 U. S. 1106.]

No. D-1558. IN RE DISBARMENT OF ROSENGARDEN. It is ordered that Morton Charles Rosengarden, of Deerfield, Ill., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1559. IN RE DISBARMENT OF CREWELL. It is ordered that Ted Henry Crewell, of Dallas, Tex., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1560. IN RE DISBARMENT OF WASHINGTON. It is ordered that Edward Vincent Washington, Jr., of Montclair, 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. 94-8951. WILKINSON *v.* MISSOURI. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until July 10, 1995, 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. 94-8667. IN RE SMITH. Petition for writ of mandamus denied.

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No. 94-8945. IN RE SPYCHALA. Petition for writ of prohibition denied.

Certiorari Granted

No. 94-1592. BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. *v.* ATCHISON, TOPEKA & SANTA FE RAILROAD CO. ET AL. C. A. 7th Cir. Certiorari granted. Reported below: 44 F. 3d 437.

No. 94-1809. MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD., ET AL. *v.* EPSTEIN ET AL. C. A. 9th Cir. Motion of Business Roundtable for leave to file a brief as *amicus curiae* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 50 F. 3d 644.

No. 94-9088. NEAL *v.* UNITED STATES. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 46 F. 3d 1405.

Certiorari Denied

No. 94-693. HERNANDEZ *v.* TEXAS STATE BOARD OF DENTAL EXAMINERS ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 29 F. 3d 624.

No. 94-999. DOWNEY ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. Reported below: 33 F. 3d 836.

No. 94-1041. HAWKINS ET UX. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 30 F. 3d 1077.

No. 94-1339. MALTBY *v.* WINSTON ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 36 F. 3d 548.

No. 94-1407. PENNSYLVANIA *v.* BULL. Sup. Ct. Pa. Certiorari denied. Reported below: 539 Pa. 150, 650 A. 2d 874.

No. 94-1417. WOODALL ET AL. *v.* RENO, ATTORNEY GENERAL, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 47 F. 3d 656.

No. 94-1482. CLOUSER ET AL. *v.* GLICKMAN, SECRETARY OF AGRICULTURE, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 42 F. 3d 1522.

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No. 94-1533. *FLOYD v. COLLIN COUNTY COMMUNITY COLLEGE DISTRICT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 40 F. 3d 384.

No. 94-1541. *BEY ET AL. v. BISBEE.* C. A. 10th Cir. Certiorari denied. Reported below: 39 F. 3d 1096.

No. 94-1558. *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v. FRANCIS W. PARKER SCHOOL.* C. A. 7th Cir. Certiorari denied. Reported below: 41 F. 3d 1073.

No. 94-1579. *COLLINS, ON BEHALF OF SHUFELT v. DUGGAN.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 94-1581. *REGIONS BANK OF LOUISIANA, SUCCESSOR IN INTEREST OF SECOR BANK, ET AL. v. INTERNAL REVENUE SERVICE.* C. A. 11th Cir. Certiorari denied. Reported below: 31 F. 3d 1081.

No. 94-1605. *MITCHELL v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 39 F. 3d 465.

No. 94-1611. *HAITIAN REFUGEE CENTER, INC., ET AL. v. CHRISTOPHER, SECRETARY OF STATE, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 43 F. 3d 1412.

No. 94-1668. *RAHN v. DRAKE CENTER, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 31 F. 3d 407.

No. 94-1709. *THOMAS v. BAXTER.* C. A. 4th Cir. Certiorari denied. Reported below: 43 F. 3d 1468.

No. 94-1717. *GREER ET UX. v. LANDMARK BANCSHARES OF ILLINOIS, INC., ET AL.* App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 261 Ill. App. 3d 1131, 682 N. E. 2d 1266.

No. 94-1725. *CRANE Co. v. UNITED STATES EX REL. RABUSHKA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 40 F. 3d 1509.

No. 94-1729. *O'QUINN v. KLINE.* Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 874 S. W. 2d 776.

No. 94-1731. *ROWLAND, GOVERNOR OF CONNECTICUT, ET AL. v. JUAN F. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 37 F. 3d 874.

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No. 94-1736. *TODD ET AL. v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 643 So. 2d 625.

No. 94-1737. *K. R. B. v. STEPHENSON ET AL.* Ct. App. Ga. Certiorari denied. Reported below: 214 Ga. App. XXVI.

No. 94-1739. *NATIONAL PAINT & COATINGS ASSN. ET AL. v. CITY OF CHICAGO*. C. A. 7th Cir. Certiorari denied. Reported below: 45 F. 3d 1124.

No. 94-1742. *OSBORNE ET UX. v. POWER ET AL.* Sup. Ct. Ark. Certiorari denied. Reported below: 318 Ark. 858, 890 S. W. 2d 570.

No. 94-1751. *WILLIAMS v. CAPPS TRAILER SALES ET AL.* Ct. Civ. App. Ala. Certiorari denied.

No. 94-1752. *GARRETT ET AL. v. GILLESS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1168.

No. 94-1755. *KOUPAL, BY AND THROUGH HIS MOTHER AND NEXT FRIEND, KOUPAL v. SIOUX FALLS SCHOOL DISTRICT*. Sup. Ct. S. D. Certiorari denied. Reported below: 526 N. W. 2d 248.

No. 94-1757. *KLEENWELL BIOHAZARD WASTE & GENERAL ECOLOGY CONSULTANTS, INC. v. NELSON, CHAIRMAN, WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 48 F. 3d 391.

No. 94-1759. *ELLINGTON ET AL. v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 94-1762. *MORETTI v. DINICE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 46 F. 3d 1117.

No. 94-1765. *INN OF MIAMI AIRPORT, INC. v. PERREN-VIBES MUSIC, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 430.

No. 94-1766. *MICHIGAN v. HENSICK*. Ct. App. Mich. Certiorari denied.

No. 94-1767. *SULLIVAN ET UX. v. CITY OF MEMPHIS*. C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1170.

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No. 94-1768. *CAPITOL INDEMNITY CORP. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 41 F. 3d 320.

No. 94-1769. *MURPHY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 45 F. 3d 520.

No. 94-1774. *LESLIE v. LONG BEACH PROSECUTOR ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 51 F. 3d 280.

No. 94-1775. *CAVER v. GERACE, ADMINISTRATOR, LOUISIANA DEPARTMENT OF EMPLOYMENT SECURITIES, ET AL.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 644 So. 2d 1161.

No. 94-1777. *BALL ET AL. v. GASHO ET UX.* C. A. 9th Cir. Certiorari denied. Reported below: 39 F. 3d 1420.

No. 94-1781. *ATTORNEY R v. MISSISSIPPI BAR.* Sup. Ct. Miss. Certiorari denied. Reported below: 649 So. 2d 820.

No. 94-1782. *WISTON XXIV LIMITED PARTNERSHIP v. BALCOR PENSION INVESTORS V.* C. A. 10th Cir. Certiorari denied. Reported below: 45 F. 3d 441.

No. 94-1783. *SCARIANO v. JUSTICES OF THE SUPREME COURT OF INDIANA ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 38 F. 3d 920.

No. 94-1784. *AMATO v. LOUISIANA COMMISSIONER OF SECURITIES ET AL.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 644 So. 2d 412.

No. 94-1792. *UNIFIED SCHOOL DISTRICT NO. 244 ET AL. v. KANSAS ET AL.* Sup. Ct. Kan. Certiorari denied. Reported below: 256 Kan. 232, 885 P. 2d 1170.

No. 94-1794. *DAVIS, INDIVIDUALLY AND AS NEXT FRIEND OF DAVIS, A MINOR, ET AL. v. FICANO, SHERIFF, WAYNE COUNTY, ET AL.* Ct. App. Mich. Certiorari denied. Reported below: 201 Mich. App. 572, 507 N. W. 2d 751.

No. 94-1795. *YARDARM RESTAURANT, INC. v. CITY OF POM-PANO BEACH.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 641 So. 2d 1377.

No. 94-1798. *HOME OF FAITH, DBA AMBASSADOR MANOR SOUTH, ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 10th Cir. Certiorari denied. Reported below: 39 F. 3d 263.

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No. 94-1805. *CITY OF NEW ORLEANS ET AL. v. LOUISIANA DEBATING & LITERARY ASSN. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 1483.

No. 94-1814. *BURNS v. REED.* C. A. 7th Cir. Certiorari denied. Reported below: 44 F. 3d 524.

No. 94-1834. *ALPER ET AL. v. FLORIDA BAR.* Sup. Ct. Fla. Certiorari denied.

No. 94-1852. *ALLEY v. GENERAL ELECTRIC CAPITAL CORP.* C. A. 7th Cir. Certiorari denied. Reported below: 37 F. 3d 329.

No. 94-1899. *PEREZ-AGUILERA v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 36 F. 3d 1552.

No. 94-6703. *KIMBRO v. VELTEN ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 30 F. 3d 1501.

No. 94-7239. *HENDERSON v. BAIRD ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 29 F. 3d 464.

No. 94-7412. *MODDON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 94-8010. *BROXTON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 888 S. W. 2d 23.

No. 94-8131. *LEDBETTER v. EDWARDS, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 35 F. 3d 1062.

No. 94-8179. *GILLESPIE v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 44 F. 3d 1364.

No. 94-8507. *OUTTEN v. DELAWARE;* and

No. 94-8512. *SHELTON v. DELAWARE.* Sup. Ct. Del. Certiorari denied. Reported below: 650 A. 2d 1291.

No. 94-8566. *WILLIS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 38 F. 3d 170.

No. 94-8853. *QUESINBERRY v. MURRAY, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Va. Certiorari denied.

No. 94-8888. *SCOTT v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 38 F. 3d 1547.

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No. 94-8935. *CARRILLO ET AL. v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 164 Ill. 2d 144, 646 N. E. 2d 582.

No. 94-8939. *JEROME v. BIDDERS INC., DBA SATELLITE MOTEL*. C. A. 11th Cir. Certiorari denied. Reported below: 46 F. 3d 70.

No. 94-8941. *ALEXANDER v. JOHNSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 40 F. 3d 386.

No. 94-8948. *ORIAKHI v. WEST ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1126.

No. 94-8953. *WOODALL v. HILL, SHERIFF, SEDGWICK COUNTY, KANSAS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 44 F. 3d 904.

No. 94-8954. *VOHRA v. CALIFORNIA WORKERS' COMPENSATION APPEALS BOARD ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 94-8958. *SCHWARZ v. INTERPOL ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 48 F. 3d 1232.

No. 94-8959. *SCHWARZ v. CHURCH OF SCIENTOLOGY INTERNATIONAL ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 48 F. 3d 1232.

No. 94-8962. *STUART v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 94-8964. *PAGE v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 43 F. 3d 1467.

No. 94-8968. *WEINSTEIN v. WEINSTEIN.* Sup. Ct. N. J. Certiorari denied.

No. 94-8970. *CALHOUN v. WASHINGTON.* Ct. App. Wash. Certiorari denied.

No. 94-8971. *HOMO v. TOWN OF HENNIKER.* Sup. Ct. N. H. Certiorari denied.

No. 94-8973. *THINH VAN CAO v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 419 Mass. 383, 644 N. E. 2d 1294.

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No. 94-8975. *PIETRI v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 644 So. 2d 1347.

No. 94-8978. *WOOD v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 180 Ariz. 53, 881 P. 2d 1158.

No. 94-8986. *ROGERS v. CUYSON ET AL.* C. A. 7th Cir. Certiorari denied.

No. 94-8987. *SMITH v. CARROLL ET AL.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 94-8991. *MINCEY v. THOMAS, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 94-8992. *JONES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 648 So. 2d 669.

No. 94-8993. *NOEL v. WHITE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 94-8994. *MELINIE v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 642.

No. 94-8995. *BREWER v. VOINOVICH, GOVERNOR OF OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1167.

No. 94-8998. *VIGES v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 94-8999. *BRIGAERTS v. GOMEZ, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 94-9003. *WILSON v. CIRCUIT COURT OF ALABAMA, JEFFERSON COUNTY.* Sup. Ct. Ala. Certiorari denied.

No. 94-9016. *MCDONALD v. LUCHIRINI ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1142.

No. 94-9024. *GERMANY v. ZAVARAS, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 25 F. 3d 1056.

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No. 94-9027. *DE LA ROSA v. SCULLY*, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. Reported below: 47 F. 3d 1158.

No. 94-9028. *HERBST v. SCOTT*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 902.

No. 94-9029. *CLARK v. O'SULLIVAN*, WARDEN, ET AL. C. A. 7th Cir. Certiorari denied.

No. 94-9030. *ARNOLD v. BOATMEN'S TRUST CO.* C. A. 8th Cir. Certiorari denied.

No. 94-9031. *BETHEA v. ABRAMAJTYS*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 41 F. 3d 1506.

No. 94-9049. *FONTAN v. IEYOUB*, ATTORNEY GENERAL OF LOUISIANA. C. A. 5th Cir. Certiorari denied.

No. 94-9052. *FOTTLER v. AINSWORTH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 43 F. 3d 1482.

No. 94-9053. *HABURN ET AL. v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA.* C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1124.

No. 94-9063. *MORGAN v. MACDONALD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 41 F. 3d 1291.

No. 94-9075. *SPENCER v. SCOTT*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 425.

No. 94-9113. *HENRY v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 649 So. 2d 1366.

No. 94-9136. *BOYDEN v. RUBIN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1138.

No. 94-9147. *ROMERO v. TANSY*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 46 F. 3d 1024.

No. 94-9179. *RATTLER v. OFFICE OF PERSONNEL MANAGEMENT, RETIREMENT OPERATIONS CENTER.* C. A. D. C. Cir. Certiorari denied.

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No. 94-9190. *FREEMAN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 8 Cal. 4th 450, 882 P. 2d 249.

No. 94-9192. *GREEN v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 94-9194. *HARBIN v. MARYLAND MOTOR VEHICLE ADMINISTRATION*. Cir. Ct. Prince George's County, Md. Certiorari denied.

No. 94-9196. *GALVAN v. CAROTHERS, SUPERINTENDENT, LEMON CREEK CORRECTIONAL CENTER, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 94-9202. *BURNS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 37 F. 3d 276.

No. 94-9208. *BATTIE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 530.

No. 94-9226. *SARGENT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 19 F. 3d 20.

No. 94-9235. *MARK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1128.

No. 94-9236. *ROSARIO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 46 F. 3d 1114.

No. 94-9241. *SPENCER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1172.

No. 94-9244. *CHRISTIE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 43 F. 3d 1480.

No. 94-9248. *JAMERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 51 F. 3d 1044.

No. 94-9249. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 430.

No. 94-9251. *SABINI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 3d 536.

No. 94-9252. *CARRERA SEGUAME v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 50 F. 3d 18.

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No. 94-9254. *ROBINSON v. SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 50 F. 3d 1033.

No. 94-9256. *WEXLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 47 F. 3d 1157.

No. 94-9259. *WALKER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 51 F. 3d 274.

No. 94-9260. *WILLIAMSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 3d 536.

No. 94-9262. *MURPHY v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 94-9267. *CARROLL ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 41 F. 3d 668.

No. 94-9268. *ARROYO-ANGULO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 52 F. 3d 317.

No. 94-9271. *LUCAS v. SWINSON, WARDEN*. C. A. 3d Cir. Certiorari denied.

No. 94-9273. *LOCKETT v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 656 So. 2d 76.

No. 94-9274. *LOCKETT v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 656 So. 2d 68.

No. 94-9280. *MORRIS v. UNITED STATES*; and

No. 94-9321. *MALONE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 46 F. 3d 410.

No. 94-9283. *SMITH v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 94-9284. *CHRISTOPHER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 38 F. 3d 572.

No. 94-9286. *GARCIA-RICO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 46 F. 3d 8.

No. 94-9295. *FORD ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 45 F. 3d 428.

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No. 94-9297. *MILLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 47 F. 3d 1166.

No. 94-9308. *WASHINGTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 48 F. 3d 73.

No. 94-9309. *VASQUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 49 F. 3d 731.

No. 94-9311. *BRIGHT v. MARYLAND DIVISION OF CORRECTION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1122.

No. 94-9312. *FRIEDMAN v. BOARD OF REGISTRATION IN MEDICINE ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 38 Mass. App. 1110, 646 N. E. 2d 437.

No. 94-9316. *REAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 48 F. 3d 763.

No. 94-9319. *SCOTT ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 44 F. 3d 1007.

No. 94-9320. *MCCULLOUGH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 46 F. 3d 400.

No. 94-9325. *WEBSTER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 48 F. 3d 1225.

No. 94-9326. *DANIELS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 51 F. 3d 285.

No. 94-9336. *MORENO-HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 48 F. 3d 1112.

No. 94-9343. *GUTIERREZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 48 F. 3d 1134.

No. 94-9345. *NIDIFFER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1171.

No. 94-9346. *MCCLINTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 48 F. 3d 1225.

No. 94-9348. *WALDEMER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 50 F. 3d 1379.

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No. 94-9354. *ADDISON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1145.

No. 94-9355. *AFLLEJE-TORRES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 53 F. 3d 1129.

No. 94-9369. *BASDEN v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 339 N. C. 288, 451 S. E. 2d 238.

No. 94-1612. *MICHIGAN v. BELLEW*. Sup. Ct. Mich. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 447 Mich. 819, 528 N. W. 2d 136.

No. 94-1786. *NEW YORK v. REYES*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 210 App. Div. 2d 159, 620 N. Y. S. 2d 953.

No. 94-1644. *DOE ET AL. v. KIRCHNER*; and

No. 94-9087. *BABY RICHARD, A MINOR, BY HIS GUARDIAN AD LITEM, O'CONNELL v. KIRCHNER ET AL.* Sup. Ct. Ill. Motions of Yale University Child Study Center et al., Governor of the State of Illinois, and Paul Simon et al. for leave to file briefs as *amici curiae* granted. Motion of Catholic Adoptive Parents Association for leave to file a brief as *amicus curiae* in No. 94-9087 granted. Certiorari denied. Reported below: 164 Ill. 2d 468, 649 N. E. 2d 324.

No. 94-1695. *CARRIERE ET AL. v. GREY WOLF DRILLING CO. ET AL.* C. A. 5th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 42 F. 3d 642.

No. 94-1705. *BEADLE v. CITY OF TAMPA ET AL.* C. A. 11th Cir. Motions of National Jewish Commission on Law and Public Affairs et al., General Conference of Seventh-day Adventists et al., Advocates International, Agudath Israel of America, and American Jewish Congress et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 42 F. 3d 633.

No. 94-1719. *MOUNTAINWEST FINANCIAL CORP., FKA SCFC ILC INC., DBA MOUNTAINWEST FINANCIAL v. VISA U. S. A. INC.*

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C. A. 10th Cir. Motions of American Council on Consumer Awareness et al., American Financial Services Association, and Center for Public Interest Research et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 36 F. 3d 958.

No. 94-9614 (A-946). FEARANCE *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.

No. 94-9695 (A-965). FEARANCE *v.* SCOTT, 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: 56 F. 3d 633.

Rehearing Denied

No. 94-1413. BAKER, LEGALLY INCAPACITATED PERSON BY BAKER, GUARDIAN, ET AL. *v.* SEARS, ROEBUCK & Co., 514 U. S. 1065;

No. 94-8035. DAVIS *v.* FIRST WORTHING MANAGEMENT, 514 U. S. 1054;

No. 94-8242. IN RE CALIFORNIAA, 514 U. S. 1081;

No. 94-8248. HILI *v.* HILL, 514 U. S. 1114;

No. 94-8277. ETHERIDGE *v.* DEPARTMENT OF THE TREASURY, 514 U. S. 1098;

No. 94-8294. IN RE SNAVELY, 514 U. S. 1106;

No. 94-8299. SOLIS *v.* CIRCLE K CORP. ET AL., 514 U. S. 1098;

No. 94-8375. FRUSHER *v.* BASKIN-ROBBINS ICE CREAM CO. ET AL., 514 U. S. 1114;

No. 94-8402. ROLAND *v.* STALDER ET AL., 514 U. S. 1115;

No. 94-8464. IN RE LITZENBERG, 514 U. S. 1106;

No. 94-8617. IN RE WILSON, 514 U. S. 1081; and

No. 94-8656. MASON ET AL. *v.* UNITED STATES; and MASON *v.* UNITED STATES, 514 U. S. 1100. Petitions for rehearing denied.

JUNE 21, 1995

Certiorari Denied

No. 94-9734 (A-971). GRIFFIN *v.* MISSOURI ET AL. C. A. 8th Cir. Application for stay of execution of sentence of death, pre-

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sented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of execution, pending the District Court's consideration of petitioner's claims for relief under 42 U. S. C. § 1983, for the reasons expressed in the opinions of Chief Judge Richard S. Arnold and Circuit Judge Morris Sheppard Arnold, dissenting from denial of rehearing en banc in the United States Court of Appeals for the Eighth Circuit. Reported below: 66 F. 3d 332.

No. 94-9735 (A-972). *GRIFFIN v. BOWERSOX*, ACTING SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

No. 94-9736 (A-973). *GRIFFIN v. BOWERSOX*, ACTING SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of execution.

JUNE 23, 1995

Certiorari Dismissed

No. 94-9773 (A-986). *LONCHAR*, AS NEXT FRIEND TO *LONCHAR v. THOMAS*, 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 dismissed for want of jurisdiction.

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Certiorari Granted—Vacated and Remanded

No. 94-140. *PORAT v. UNITED STATES*. C. A. 3d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Gaudin*, ante, p. 506. Reported below: 17 F. 3d 660.

No. 94-1268. *JOINT SCHOOL DISTRICT NO. 241 ET AL. v. HARRIS*, ON HER OWN BEHALF AND ON BEHALF OF HER TWO CHILDREN, *BUTLER AND HARRIS, ET AL.*; and

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No. 94-1314. CITIZENS PRESERVING AMERICA'S HERITAGE, INC., ET AL. *v.* HARRIS, ON HER OWN BEHALF AND ON BEHALF OF HER TWO CHILDREN, BUTLER AND HARRIS, ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and cases remanded with directions to dismiss as moot. *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950). Reported below: 41 F. 3d 447.

Certiorari Dismissed

No. S-1. ANDERSON *v.* KENTUCKY. Ct. App. Ky. [Certiorari granted, 371 U. S. 886.] It appearing that petitioner died April 6, 1994, the writ of certiorari is dismissed as moot.

Miscellaneous Orders

No. — — —. J. M. *v.* ILLINOIS. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. D-1528. IN RE DISBARMENT OF EVANS. Disbarment entered. [For earlier order herein, see 514 U. S. 1060.]

No. D-1534. IN RE DISBARMENT OF DOYLE. Disbarment entered. [For earlier order herein, see 514 U. S. 1061.]

No. D-1540. IN RE DISBARMENT OF WHITEHAIR. Disbarment entered. [For earlier order herein, see 514 U. S. 1080.]

No. D-1544. IN RE DISBARMENT OF PRITZKER. Disbarment entered. [For earlier order herein, see 514 U. S. 1081.]

No. D-1561. IN RE DISBARMENT OF FUSILIER. It is ordered that R. Richard Fusilier, of Los Angeles, 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-1562. IN RE DISBARMENT OF BARLOW. It is ordered that Dennis Michael Barlow, of Nutley, N. J., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1563. IN RE DISBARMENT OF ROBERTSON. It is ordered that Gerald Decatur Robertson, of Reston, Va., be suspended from the practice of law in this Court and that a rule

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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-1564. *IN RE DISBARMENT OF MURASKI*. It is ordered that Anthony Augustus Muraski, of Ann Arbor, 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-1565. *IN RE DISBARMENT OF GOULD*. It is ordered that David Francis Gould, of Bangor, 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. 94-967. *FIELD ET AL. v. MANS*. C. A. 1st Cir. [Certiorari granted, 514 U. S. 1095.] Motion of respondent for leave to proceed further herein *in forma pauperis* granted. Motion for appointment of counsel granted, and it is ordered that W. E. Whittington IV, Esq., of Norwich, Vt., be appointed to serve as counsel for respondent in this case.

No. 94-1239. *FULTON CORP. v. FAULKNER, SECRETARY OF REVENUE OF NORTH CAROLINA*. Sup. Ct. N. C. [Certiorari granted, 514 U. S. 1062.] Motion of respondent to dismiss the writ of certiorari as improvidently granted denied.

No. 94-1361. *ZICHERMAN, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF KOLE, ET AL. v. KOREAN AIR LINES CO., LTD.*; and

No. 94-1477. *KOREAN AIR LINES CO., LTD. v. ZICHERMAN, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF KOLE, ET AL.* C. A. 2d Cir. [Certiorari granted, 514 U. S. 1062.] Motion of Philomena Dooley et al. for leave to file a brief as *amici curiae* granted. Motion of Plaintiffs' Committee in *In Re Air Crash Disaster at Lockerbie, Scotland*, for leave to participate in oral argument as *amicus curiae* and for additional time for oral argument denied.

No. 94-1785. *COMMISSIONER OF INTERNAL REVENUE v. LUNDY*. C. A. 4th Cir. [Certiorari granted, *ante*, p. 1102.] Motion of petitioner to dispense with printing the joint appendix granted.

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No. 94-1818. *EQUICOR, INC. v. LORDMANN ENTERPRISES, INC.* C. A. 11th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 94-1857. *BEYER ET AL. v. SIMMONS.* C. A. 3d Cir. Motion of respondent Lawrence Simmons to expedite consideration of petition for writ of certiorari denied.

No. 94-9204. *IN RE VEY.* Motion of petitioner for leave to proceed *in forma pauperis* denied. See this Court's Rule 39.8. Petitioner is allowed until July 17, 1995, 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. 94-8929. *IN RE MUINA;* and

No. 94-9193. *IN RE HEISZ.* Petitions for writs of mandamus denied.

No. 94-9115. *IN RE AWOFOLU.* Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 94-1175. *BANK ONE CHICAGO, N. A. v. MIDWEST BANK & TRUST Co.* C. A. 7th Cir. Certiorari granted. Reported below: 30 F. 3d 64.

No. 94-1893. *UNITED STATES ET AL. v. CHESAPEAKE & POTOMAC TELEPHONE COMPANY OF VIRGINIA ET AL.;* and

No. 94-1900. *NATIONAL CABLE TELEVISION ASSN., INC. v. BELL ATLANTIC CORP. ET AL.* C. A. 4th Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 42 F. 3d 181.

No. 94-8769. *RUTLEDGE v. UNITED STATES.* C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 40 F. 3d 879.

Certiorari Denied

No. 94-158. *BATES v. WALKER;* and *MAHONEY v. MAYS.* C. A. 2d Cir. Certiorari denied. Reported below: 23 F. 3d 652 (first case) and 660 (second case).

No. 94-608. *CITY OF YONKERS v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 29 F. 3d 40.

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No. 94-1443. *ADAMS ET AL. v. DICKINSON ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 646 So. 2d 717.

No. 94-1462. *BAEZ v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 1st Cir. Certiorari denied. Reported below: 41 F. 3d 19.

No. 94-1523. *ALASKA v. BABBITT, SECRETARY OF THE INTERIOR, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 41 F. 3d 1513.

No. 94-1528. *SOLOMON ET AL. v. RESOLUTION TRUST CORPORATION, AS RECEIVER FOR NASSAU SAVINGS & LOAN ASSN., F. A.; and*

No. 94-1564. *PATTULLO ET AL. v. RESOLUTION TRUST CORPORATION, AS RECEIVER FOR NASSAU SAVINGS & LOAN ASSN., F. A.* C. A. 2d Cir. Certiorari denied. Reported below: 45 F. 3d 665.

No. 94-1557. *HERCULES INC. v. UNITED STATES; and*

No. 94-1800. *ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 46 F. 3d 803.

No. 94-1613. *AMERICA'S BEST QUALITY COATINGS CORP. (ABQC) v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 44 F. 3d 516.

No. 94-1641. *MANARITE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 44 F. 3d 1407.

No. 94-1642. *STOLLINGS v. DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR.* C. A. 4th Cir. Certiorari denied. Reported below: 43 F. 3d 1468.

No. 94-1653. *AMERICAN LIBRARY ASSN. ET AL. v. RENO, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 33 F. 3d 78.

No. 94-1665. *ROWLAND ET UX. v. DEPARTMENT OF AGRICULTURE.* C. A. 6th Cir. Certiorari denied. Reported below: 43 F. 3d 1112.

No. 94-1669. *BRACE ET AL. v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 41 F. 3d 117.

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No. 94-1684. AGRICULTURAL LABOR RELATIONS BOARD ET AL. *v.* BUD ANTLE, INC., DBA BUD OF CALIFORNIA. C. A. 9th Cir. Certiorari denied. Reported below: 45 F. 3d 1261.

No. 94-1685. KERR-MCGEE COAL CORP. *v.* FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 40 F. 3d 1257.

No. 94-1692. JOHNSON & HIGGINS *v.* SEMPIER. C. A. 3d Cir. Certiorari denied. Reported below: 45 F. 3d 724.

No. 94-1696. HANSEN ET AL. *v.* WESTERVILLE CITY SCHOOL DISTRICT, BOARD OF EDUCATION, ET AL.; and

No. 94-1826. HAYFIELD ET AL. *v.* MCINTYRE, EXECUTOR OF THE ESTATE OF MCINTYRE, DECEASED, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 43 F. 3d 1472.

No. 94-1702. KELLEY, ATTORNEY GENERAL OF MICHIGAN, ET AL. *v.* SELIN ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 42 F. 3d 1501.

No. 94-1703. SALEH, DBA KB'S LIMITED FINE FOODS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 41 F. 3d 1504.

No. 94-1706. THE MILL *v.* COLORADO DEPARTMENT OF HEALTH ET AL. Sup. Ct. Colo. Certiorari denied. Reported below: 887 P. 2d 993.

No. 94-1738. SCOTT, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF SCOTT, DECEASED *v.* HENRICH ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 39 F. 3d 912.

No. 94-1764. INTERMOUNTAIN RANCHES, LTD., ET AL. *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 45 F. 3d 436.

No. 94-1780. GEHRING *v.* CASE CORP. C. A. 7th Cir. Certiorari denied. Reported below: 43 F. 3d 340.

No. 94-1790. WELLINGTON TRADE INC., DBA CONTAINERHOUSE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 36 F. 3d 93.

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No. 94-1799. *SILANO v. SAG HARBOR UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 42 F. 3d 719.

No. 94-1801. *GROUND IMPROVEMENT TECHNIQUES, INC., ET AL. v. COLUMBIA COUNTY.* C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 429.

No. 94-1806. *CHAWLA ET AL. v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 46 F. 3d 1185.

No. 94-1808. *PIERCE v. PIERCE.* Sup. Ct. Miss. Certiorari denied. Reported below: 648 So. 2d 523.

No. 94-1812. *FRIEDMAN v. TOLENTINO.* C. A. 7th Cir. Certiorari denied. Reported below: 46 F. 3d 645.

No. 94-1815. *MILLER v. SANTA CRUZ COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 39 F. 3d 1030.

No. 94-1816. *BLAS, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BLAS AND AS GUARDIAN FOR THE MINOR, BORJA v. CHARFAUROS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1138.

No. 94-1820. *DARRAH ET UX. v. CHILDREN'S HOME SOCIETY OF CALIFORNIA ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 29 Cal. App. 4th 511, 35 Cal. Rptr. 2d 291.

No. 94-1821. *TRULY, SECRETARY, LOUISIANA DEPARTMENT OF LABOR v. BAYOU STEEL CORP. ET AL.* Ct. App. La., 5th Cir. Certiorari denied. Reported below: 645 So. 2d 779.

No. 94-1822. *W. R. GRACE & CO. ET AL. v. WEST VIRGINIA ET AL.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 193 W. Va. 119, 454 S. E. 2d 413.

No. 94-1824. *CONNOR v. WESTERN PENNSYLVANIA TEAMSTERS & EMPLOYEES PENSION FUND.* C. A. 3d Cir. Certiorari denied. Reported below: 43 F. 3d 1460.

No. 94-1830. *ROGERS ET VIR v. CORROSION PRODUCTS, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 42 F. 3d 292.

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No. 94-1832. *MARTELLO v. CIBA VISION CORP.* C. A. 8th Cir. Certiorari denied. Reported below: 42 F. 3d 1167.

No. 94-1833. *MOSER ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 970.

No. 94-1835. *SANDERS v. LOS ANGELES UNIFIED SCHOOL DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 42 F. 3d 1402.

No. 94-1836. *NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES ET AL. v. MASSACHUSETTS ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 419 Mass. 448, 646 N. E. 2d 106.

No. 94-1840. *BORZA ET AL. v. HALLMARK CARDS, INC., T/A AMBASSADOR CARDS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 45 F. 3d 425.

No. 94-1843. *EDGERTON SAND & GRAVEL, INC. v. GENERAL CASUALTY COMPANY OF WISCONSIN ET AL.* Sup. Ct. Wis. Certiorari denied. Reported below: 184 Wis. 2d 750, 517 N. W. 2d 463.

No. 94-1844. *YOUNG v. IMMIGRATION AND NATURALIZATION SERVICE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 3d 536.

No. 94-1847. *MULTNOMAH COUNTY v. JOHNSON.* C. A. 9th Cir. Certiorari denied. Reported below: 48 F. 3d 420.

No. 94-1862. *WILLIAMS v. VIRGINIA.* Sup. Ct. Va. Certiorari denied. Reported below: 248 Va. 528, 450 S. E. 2d 365.

No. 94-1870. *MARULLO ET AL. v. CASSANOVA ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 530.

No. 94-1882. *UMBEHR v. HEISER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 44 F. 3d 876.

No. 94-1906. *SCOTT v. DODGE CORRECTIONAL INSTITUTION.* C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 3d 534.

No. 94-1915. *SHUMATE v. NATIONSBANK ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 45 F. 3d 427.

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No. 94-1935. *WELCH ET AL. v. WELCH, ADMINISTRATOR OF THE ESTATE OF WELCH, ET AL.* Sup. Ct. Ga. Certiorari denied. Reported below: 265 Ga. 89, 453 S. E. 2d 445.

No. 94-1949. *MUSCATELL ET AL. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 42 F. 3d 627.

No. 94-6153. *GUINN v. HESSE, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 19 F. 3d 33.

No. 94-7343. *RICHARDSON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 901 S. W. 2d 941.

No. 94-8365. *ROBISON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 888 S. W. 2d 473.

No. 94-8381. *BIGBY v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 892 S. W. 2d 864.

No. 94-8679. *SANTIAGO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 885.

No. 94-8771. *VOLGES v. RESOLUTION TRUST CORPORATION.* C. A. 2d Cir. Certiorari denied. Reported below: 32 F. 3d 50.

No. 94-8818. *JOHNSTON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 42 F. 3d 1403.

No. 94-8920. *HIGHTOWER v. THOMAS, WARDEN.* Sup. Ct. Ga. Certiorari denied.

No. 94-9009. *HEATH v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 648 So. 2d 660.

No. 94-9036. *CRAWFORD v. MISSOURI.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 892 S. W. 2d 716.

No. 94-9042. *PRUNTY v. ROGERS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 43 F. 3d 1472.

No. 94-9060. *WILLIAMS v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN.* C. A. 6th Cir. Certiorari denied.

No. 94-9067. *TILLI v. SOWECKE ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 94-9068. *TUGGLE v. EDMONDSON, ATTORNEY GENERAL OF OKLAHOMA, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 46 F. 3d 1152.

No. 94-9071. *GILES v. PARKER, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 94-9080. *LAZZELL v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 530.

No. 94-9085. *PREBLICH v. BATTLE.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1144.

No. 94-9089. *LANE v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 44 F. 3d 943.

No. 94-9093. *BELL v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 338 N. C. 363, 450 S. E. 2d 710.

No. 94-9095. *BERGMANN v. NIESKE.* C. A. 7th Cir. Certiorari denied.

No. 94-9096. *EVERETTE v. ROTH, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 37 F. 3d 257.

No. 94-9097. *ALEXANDER v. WARD, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 424.

No. 94-9107. *DAWSON v. THOMAS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 34 F. 3d 1071.

No. 94-9108. *HARRISON v. WHITLEY, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 94-9116. *WOODS v. FCC NATIONAL BANK.* Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 94-9118. *KEITHLEY v. HOPKINS, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 43 F. 3d 1216.

No. 94-9122. *RIGGINS v. WASHINGTON, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 50 F. 3d 492.

No. 94-9126. *HELLER v. STEINDLER ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 94-9128. *SUMMERS v. WELBORN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 16 F. 3d 1225.

No. 94-9129. *POE v. GAMMON, SUPERINTENDENT, MOBERLY CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 42 F. 3d 1173.

No. 94-9130. *PAGE v. PUNG ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 48 F. 3d 1224.

No. 94-9131. *STEPHEN v. ZULFACAR*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1145.

No. 94-9132. *REEDOM v. MOSLEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 51 F. 3d 1041.

No. 94-9133. *ORR v. BORG, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1143.

No. 94-9137. *M. M. v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 20 Kan. App. 2d xvii, 888 P. 2d 414.

No. 94-9138. *JOHNSON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 71 Ohio St. 3d 332, 643 N. E. 2d 1098.

No. 94-9142. *SUDDUTH v. HARGETT, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 94-9143. *RODRIGUEZ v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 94-9146. *BRUNNER v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 94-9148. *SCHORN v. MACK ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1170.

No. 94-9150. *SCUDDER v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 71 Ohio St. 3d 263, 643 N. E. 2d 524.

No. 94-9158. *BURNETT v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 44 F. 3d 1005.

No. 94-9159. *COOPER v. NASH ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 94-9165. *MCCALL v. DELO*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 41 F. 3d 1219.

No. 94-9166. *BOOTHE v. EQUIFAX CREDIT INFORMATION SERVICES*. C. A. 11th Cir. Certiorari denied. Reported below: 43 F. 3d 677.

No. 94-9167. *ATKINS v. SINGLETARY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 965 F. 2d 952.

No. 94-9169. *BENTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 94-9175. *ROAQUIN v. BROWN*, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 47 F. 3d 1182.

No. 94-9177. *PUDDER, AKA CROMAR v. IRWIN ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 51 F. 3d 285.

No. 94-9184. *WALKER v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 648 So. 2d 914.

No. 94-9185. *KYONG SIK KIM v. VIRGINIA ET AL.* Sup. Ct. Va. Certiorari denied.

No. 94-9187. *WANLESS v. PARKS ET AL.* Sup. Ct. Okla. Certiorari denied.

No. 94-9189. *GOYNES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 94-9191. *DAVIS v. SCOTT*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 94-9195. *THAYER v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied.

No. 94-9211. *ALEXANDER v. MACOUBRIE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 51 F. 3d 277.

No. 94-9212. *ARTEAGA v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

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No. 94-9217. *THOMAS v. McCOTTER*, EXECUTIVE DIRECTOR, UTAH DEPARTMENT OF CORRECTIONS, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 49 F. 3d 1476.

No. 94-9232. *COLEMAN v. NORRIS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied. Reported below: 48 F. 3d 1223.

No. 94-9261. *MARI v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 782.

No. 94-9294. *HUNTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 47 F. 3d 430.

No. 94-9302. *MARQUEZ-PAYARES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 44 F. 3d 1007.

No. 94-9303. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 46 F. 3d 70.

No. 94-9322. *MCNAIR, AKA TURNER v. UNITED STATES*; and No. 94-9329. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 3d 535.

No. 94-9328. *ROUTLY v. SINGLETARY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 33 F. 3d 1279.

No. 94-9332. *HARRISON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 39 F. 3d 1187.

No. 94-9338. *DORTCH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 48 F. 3d 1217.

No. 94-9362. *LEGREE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 47 F. 3d 1166.

No. 94-9363. *RENFROE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 46 F. 3d 1120.

No. 94-9371. *SAMUEL-BEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 48 F. 3d 532.

No. 94-9377. *MIGUEL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 49 F. 3d 505.

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No. 94-9382. *WILKINS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 48 F. 3d 1560.

No. 94-9384. *WU v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 94-9385. *TORRES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1172.

No. 94-9387. *NEWBY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 39 F. 3d 1183.

No. 94-9388. *BEEBE v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 42 M. J. 100.

No. 94-9389. *CLEVELAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1146.

No. 94-9392. *RUFF v. BEAVER ET AL.* Ct. App. Tenn. Certiorari denied.

No. 94-9400. *FERNANDEZ ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 94-9401. *GREEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 46 F. 3d 461.

No. 94-9402. *GENOA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 47 F. 3d 1171.

No. 94-9403. *EKWUNIFE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 46 F. 3d 66.

No. 94-9406. *HERALD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 48 F. 3d 1225.

No. 94-9411. *STARK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 48 F. 3d 1229.

No. 94-9412. *STRICKLAND v. WALKER, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 54 F. 3d 766.

No. 94-9414. *ALLEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 50 F. 3d 294.

No. 94-9418. *HOLMES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 50 F. 3d 17.

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No. 94-9419. *FORNEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 54 F. 3d 774.

No. 94-9420. *HUNTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 30 F. 3d 1494.

No. 94-9426. *RICE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 49 F. 3d 378.

No. 94-9430. *GRIFFIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 48 F. 3d 1147.

No. 94-9431. *RONAYNE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 53 F. 3d 332.

No. 94-9432. *ADWAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1146.

No. 94-9433. *DORSEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 45 F. 3d 809.

No. 94-9442. *DEASON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 49 F. 3d 731.

No. 94-9444. *SHORT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 48 F. 3d 1229.

No. 94-9446. *RILEY v. NEWBERRY, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 94-9449. *WOODS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 49 F. 3d 733.

No. 94-9451. *MENDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 51 F. 3d 1045.

No. 94-9454. *PERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 46 F. 3d 1128.

No. 94-9460. *BAKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 691.

No. 94-9461. *AHANEKU v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 52 F. 3d 322.

No. 94-9463. *BURROWS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 48 F. 3d 1011.

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No. 94-9466. JUDA ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 961.

No. 94-9467. WILLIAMS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 50 F. 3d 18.

No. 94-9468. VILA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 47 F. 3d 1177.

No. 94-9469. YOUNG *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 45 F. 3d 1405.

No. 94-9470. VELASQUEZ *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 48 F. 3d 1222.

No. 94-9472. HOLLOWAY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 47 F. 3d 424.

No. 94-9479. SPRADLEY *v.* WHITE, CLERK, SUPREME COURT OF FLORIDA. C. A. 11th Cir. Certiorari denied. Reported below: 43 F. 3d 679.

No. 94-9483. LUNSFORD *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 45 F. 3d 428.

No. 94-9484. MORAN-LEON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 47 F. 3d 1177.

No. 94-9491. JONES *v.* NORTH CAROLINA. Sup. Ct. N. C. Certiorari denied. Reported below: 339 N. C. 114, 451 S. E. 2d 826.

No. 94-1811. CUTLER ET AL. *v.* PHILLIPS PETROLEUM CO. Sup. Ct. Wash. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 124 Wash. 2d 749, 881 P. 2d 216.

No. 94-1819. FOX ET AL. *v.* BOARD OF TRUSTEES OF THE STATE UNIVERSITY OF NEW YORK ET AL. C. A. 2d Cir. Motion of Student Association of the State University of New York, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 42 F. 3d 135.

No. 94-8806. AMSDEN *v.* SENATE JUDICIARY COMMITTEE ET AL. C. A. 1st Cir. Certiorari before judgment denied. JUSTICE

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BREYER took no part in the consideration or decision of this petition.

Rehearing Denied

No. 94–802. PURKETT, SUPERINTENDENT, FARMINGTON CORRECTIONAL CENTER *v.* ELEM, 514 U. S. 765;

No. 94–1460. CULP *v.* WISMER & BECKER ET AL., 514 U. S. 1108;

No. 94–1529. HUDSON *v.* FIRST FIDELITY BANK, N. A., NEW JERSEY, FKA FIRST NATIONAL STATE BANK, 514 U. S. 1108;

No. 94–1543. WARREN *v.* KENTUCKY, 514 U. S. 1109;

No. 94–1574. KALIARDOS *v.* GENERAL MOTORS CORP. ET AL., 514 U. S. 1110;

No. 94–1619. DOUGLAS *v.* FIRST SECURITY FEDERAL SAVINGS BANK ET AL., 514 U. S. 1128;

No. 94–8255. LITZENBERG *v.* CARR, JUDGE, CIRCUIT COURT OF MARYLAND, HARFORD COUNTY, ET AL., 514 U. S. 1085;

No. 94–8313. PRICE *v.* RUNYON, POSTMASTER GENERAL, 514 U. S. 1114;

No. 94–8374. FENELON *v.* UNITED STATES POSTAL SERVICE, 514 U. S. 1114; and

No. 94–8683. WHITE *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 514 U. S. 1131. Petitions for rehearing denied.

No. 94–7778. DARBY *v.* UNITED STATES, 514 U. S. 1097. Motion for leave to file petition for rehearing denied.

JUNE 27, 1995

Dismissal Under Rule 46

No. 94–9205. IN RE VEY. Petition for writ of habeas corpus dismissed under this Court's Rule 46.

JUNE 29, 1995

Affirmed and Dismissed on Appeal

No. 94–275. DEWITT ET AL. *v.* WILSON, GOVERNOR OF CALIFORNIA, ET AL. Appeal from D. C. E. D. Cal. With respect to Questions 1 through 4 presented by the statement as to jurisdic-

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tion, judgment affirmed. With respect to Questions 5 and 6, appeal dismissed. Reported below: 856 F. Supp. 1409.

Certiorari Granted—Vacated and Remanded

No. 94–1242. KNIGHTS OF COLUMBUS COUNCIL NO. 2961 ET AL. *v.* TOWN OF TRUMBULL ET AL. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Capitol Square Review and Advisory Bd. v. Pinette*, ante, p. 753. Reported below: 67 F. 3d 290.

Miscellaneous Orders

No. D–1532. IN RE DISBARMENT OF CRAWFORD. Disbarment entered. [For earlier order herein, see 514 U. S. 1060.]

No. D–1566. IN RE DISBARMENT OF CRIKELAIR. It is ordered that Paul B. Crikelair, of Ventura, 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–1567. IN RE DISBARMENT OF OLSEN. It is ordered that Kim David Olsen, of San Francisco, Cal., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–1568. IN RE DISBARMENT OF LIDA. It is ordered that Norman I. Lida, 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–1569. IN RE DISBARMENT OF KELLY. It is ordered that Leo C. Kelly, of Albuquerque, N. M., 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–1570. IN RE DISBARMENT OF WHEELER. It is ordered that Gregory H. Wheeler, of Mt. Laurel, N. J., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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No. D-1571. *IN RE DISBARMENT OF PECK*. It is ordered that Michael Allan Peck, of Hartford, Conn., 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-1572. *IN RE DISBARMENT OF GIAMPA*. It is ordered that Richard L. Giampa, of Peekskill, 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-1573. *IN RE DISBARMENT OF HOPPMANN*. It is ordered that Barbara E. Hoppmann, of Brooklyn, N. Y., 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. 94-8845. *TABAS v. UNITED STATES*. C. A. 3d Cir. Motion of petitioner to consolidate this petition with No. 94-7427, *Libretti v. United States* [certiorari granted, 514 U.S. 1035], denied.

Probable Jurisdiction Noted

No. 94-805. *BUSH, GOVERNOR OF TEXAS, ET AL. v. VERA ET AL.*;

No. 94-806. *LAWSON ET AL. v. VERA ET AL.*; and

No. 94-988. *UNITED STATES v. VERA ET AL.* Appeals from D. C. S. D. Tex. Probable jurisdiction noted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 861 F. Supp. 1304.

No. 94-923. *SHAW ET AL. v. HUNT, GOVERNOR OF NORTH CAROLINA, ET AL.*; and

No. 94-924. *POPE ET AL. v. HUNT, GOVERNOR OF NORTH CAROLINA, ET AL.* Appeals from D. C. E. D. N. C. Probable jurisdiction noted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 861 F. Supp. 408.

Certiorari Granted

No. 94-1654. *HEISER ET AL. v. UMBEHR*. C. A. 10th Cir. Certiorari granted. Reported below: 44 F. 3d 876.

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No. 95-5015 (A-2). *LONCHAR v. THOMAS, 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, granted. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. THE CHIEF JUSTICE and JUSTICE SCALIA would deny the application for stay and the petition for writ of certiorari. Reported below: 58 F. 3d 590.

Certiorari Denied

No. 94-1299. *SCHOOL DISTRICT OF THE CITY OF LADUE, MISSOURI, ET AL. v. GOOD NEWS/GOOD SPORTS CLUB ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 28 F. 3d 1501.

No. 94-1423. *PELOZA v. CAPISTRANO UNIFIED SCHOOL DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 37 F. 3d 517.

JUNE 30, 1995

Certiorari Denied

No. 95-5017 (A-3). *STAFFORD v. WARD, WARDEN*. C. A. 10th Cir. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Certiorari denied. Reported below: 60 F. 3d 668.

No. 95-5021 (A-13). *STAFFORD v. WARD, WARDEN, ET AL.* C. A. 10th Cir. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS would grant the application for stay of execution of sentence of death. Reported below: 59 F. 3d 1025.

No. 95-5029 (A-12). *STAFFORD v. OKLAHOMA*. Ct. Crim. App. Okla. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Certiorari denied. Reported below: 899 P. 2d 657.

JULY 17, 1995

Certiorari Denied

No. 95-5195 (A-41). *BOLENDER v. FLORIDA*. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 658 So. 2d 82.

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JULY 18, 1995

Miscellaneous Order

No. A-50. *BOLENDER v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. JUSTICE SCALIA took no part in the consideration or decision of this application.

Certiorari Denied

No. 95-5230 (A-49). *BOLENDER v. FLORIDA*. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. JUSTICE SCALIA took no part in the consideration or decision of this application and this petition. Reported below: 661 So. 2d 278.

JULY 26, 1995

Miscellaneous Order. (For the Court's order approving revisions to the Rules of this Court, see *post*, p. 1196.)

JULY 27, 1995

Dismissal Under Rule 46

No. 94-2032. *FRANKLIN ET AL. v. BEASLEY, GOVERNOR OF SOUTH CAROLINA, ET AL.* Appeal from D. C. S. C. Stipulation to dismiss the appeal as to David Beasley, Governor of South Carolina; Edwin Huggins, Willard Lawrimore, and J. Wesley Kennedy, as Members of the Hemingway Annexation Steering Committee; and the Hemingway Annexation Steering Committee filed, and appeal dismissed as to these appellees under this Court's Rule 46.1.

JULY 28, 1995

Miscellaneous Orders

No. A-947. *FLESCHNER ET AL. v. UNITED STATES*. Application for bail, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. A-34 (O. T. 1995). *WOLFBERG ET UX. v. GREENBERG*. C. A. 10th Cir. Application for stay, addressed to JUSTICE KENNEDY and referred to the Court, denied.

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JULY 31, 1995

Rehearing Denied

No. 94-8922 (A-73). BRECHEEN *v.* WARD, WARDEN, *ante*, p. 1135. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Petition for rehearing denied.

AUGUST 3, 1995

Dismissal Under Rule 46

No. 94-1978. FARMER *v.* HAWK, DIRECTOR, FEDERAL BUREAU OF PRISONS, ET AL. C. A. 11th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 19 F. 3d 36.

AUGUST 10, 1995

Dismissal Under Rule 46

No. 94-2077. FITZGERALD ET AL. *v.* MOUNTAIN STATES TELEPHONE & TELEGRAPH CO., DBA U. S. WEST COMMUNICATIONS, INC. C. A. 10th Cir. Certiorari dismissed under this Court's Rule 46.

AUGUST 11, 1995

Miscellaneous Orders

No. D-1333. IN RE DISBARMENT OF SHARP. Disbarment entered. [For earlier order herein, see 510 U. S. 987.]

No. D-1365. IN RE DISBARMENT OF MICELLI. It having been reported to the Court that Nicholas Angelo Micelli, of Los Angeles, Cal., has died, the rule to show cause, heretofore issued on February 22, 1994 [510 U. S. 1105], is hereby discharged.

No. D-1535. IN RE DISBARMENT OF FRANKUM. Disbarment entered. [For earlier order herein, see 514 U. S. 1061.]

No. D-1542. IN RE DISBARMENT OF KITSOS. Disbarment entered. [For earlier order herein, see 514 U. S. 1081.]

No. D-1546. IN RE DISBARMENT OF SMITH. Disbarment entered. [For earlier order herein, see 514 U. S. 1106.]

No. D-1547. IN RE DISBARMENT OF SEALY. Disbarment entered. [For earlier order herein, see 514 U. S. 1106.]

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No. D-1548. IN RE DISBARMENT OF DICKINSON. Disbarment entered. [For earlier order herein, see 514 U. S. 1106.]

No. D-1549. IN RE DISBARMENT OF JAN. Disbarment entered. [For earlier order herein, see *ante*, p. 1120.]

No. D-1550. IN RE DISBARMENT OF DIUGUID. Disbarment entered. [For earlier order herein, see *ante*, p. 1120.]

No. D-1551. IN RE DISBARMENT OF WEEKS. Disbarment entered. [For earlier order herein, see *ante*, p. 1120.]

No. D-1554. IN RE DISBARMENT OF OFFNER. Disbarment entered. [For earlier order herein, see *ante*, p. 1120.]

No. D-1555. IN RE DISBARMENT OF FEIT. Disbarment entered. [For earlier order herein, see *ante*, p. 1129.]

No. D-1556. IN RE DISBARMENT OF WARTER. Disbarment entered. [For earlier order herein, see *ante*, p. 1129.]

No. D-1557. IN RE DISBARMENT OF HILGENDORF. Disbarment entered. [For earlier order herein, see *ante*, p. 1129.]

No. D-1574. IN RE DISBARMENT OF MUHAMMAD. It is ordered that Ahmad Raheem Muhammad, of Lorman, Miss., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1575. IN RE DISBARMENT OF ROSENBLUM. It is ordered that Sheldon Rosenblum, of Little Neck, N. Y., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1576. IN RE DISBARMENT OF ROSS. It is ordered that John Michael Ross, of El Cajon, 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-1577. IN RE DISBARMENT OF ORTMAN. It is ordered that William Andrew Ortman, of Farmington Hills, Mich., be suspended from the practice of law in this Court and that a rule

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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-1578. IN RE DISBARMENT OF THROWER. It is ordered that John Snow Thrower, Jr., of Opelika, Ala., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1579. IN RE DISBARMENT OF KOHNEN. It is ordered that David A. Kohnen, of Cincinnati, 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-1580. IN RE DISBARMENT OF EWERS. It is ordered that James J. Ewers, of Yankton, S. D., 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-1581. IN RE DISBARMENT OF CRAWFORD. It is ordered that Desiree White Crawford, of Henderson, N. C., 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-1582. IN RE DISBARMENT OF KELLNER. It is ordered that Fred Neal Kellner, of Coral Gables, 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-1583. IN RE DISBARMENT OF TACHE. It is ordered that Simon W. Tache, of Philadelphia, Pa., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1584. IN RE DISBARMENT OF FELMAN. It is ordered that David Sherman Felman, of Fort Lauderdale, 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.

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Certiorari Denied

No. 95-5328 (A-123). *SATTIEWHITE v. SCOTT*, 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 STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 53 F. 3d 1281.

No. 95-5543 (A-138). *BRECHEEN v. WARD*, WARDEN. C. A. 10th Cir. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Certiorari denied. Reported below: 62 F. 3d 1428.

Rehearing Denied

No. D-1485. *IN RE DISBARMENT OF JACOBS*, *ante*, p. 1139;

No. 93-9218. *BOYD v. BROWN*, SECRETARY OF VETERANS AFFAIRS, 513 U. S. 837;

No. 94-1339. *MALTBY v. WINSTON ET AL.*, *ante*, p. 1141;

No. 94-1388. *BERRY ET AL. v. PARRISH*, KANSAS SECURITIES COMMISSIONER, 514 U. S. 1064;

No. 94-1482. *CLOUSER ET AL. v. GLICKMAN*, SECRETARY OF AGRICULTURE, ET AL., *ante*, p. 1141;

No. 94-1521. *SPENCER v. MRS. BAIRD'S BAKERIES, INC., ET AL.*, 514 U. S. 1108;

No. 94-1532. *PARKING ASSOCIATION OF GEORGIA, INC., ET AL. v. CITY OF ATLANTA, GEORGIA*, *ante*, p. 1116;

No. 94-1551. *SNEAD ET AL. v. GOODYEAR TIRE & RUBBER Co.*, 514 U. S. 1096;

No. 94-1607. *NEAL v. BROWN ET AL.*, 514 U. S. 1127;

No. 94-1672. *SHUMATE v. NCNB CORP.*, *ante*, p. 1104;

No. 94-1680. *WILSON v. CALIFORNIA WORKERS' COMPENSATION APPEALS BOARD ET AL.*, *ante*, p. 1104;

No. 94-1733. *TURNER, AKA FOUTZ v. UNITED STATES*, *ante*, p. 1104;

No. 94-1759. *ELLINGTON ET AL. v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES, ET AL.*, *ante*, p. 1143;

No. 94-1781. *ATTORNEY R v. MISSISSIPPI BAR*, *ante*, p. 1144;

No. 94-1852. *ALLEY v. GENERAL ELECTRIC CAPITAL CORP.*, *ante*, p. 1145;

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- No. 94-7286. PERRYMAN *v.* PRADO, JUDGE, UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, 513 U. S. 1166;
- No. 94-7789. DEBARDELEBEN *v.* QUINLAN ET AL., *ante*, p. 1105;
- No. 94-8195. MCCULLUM *v.* JACKSON PUBLIC SCHOOL DISTRICT, 514 U. S. 1070;
- No. 94-8273. HUDSPETH *v.* UNITED STATES, *ante*, p. 1105;
- No. 94-8377. CHASE *v.* MISSISSIPPI, *ante*, p. 1123;
- No. 94-8379. MARTIN *v.* LOUISIANA, *ante*, p. 1105;
- No. 94-8502. BARWICK *v.* CITY OF AURORA, COLORADO, ANIMAL CARE DIVISION, 514 U. S. 1117;
- No. 94-8560. CSOKA *v.* UNITED STATES ET AL., 514 U. S. 1119;
- No. 94-8576. GAMBLE *v.* TERRY, 514 U. S. 1119;
- No. 94-8628. IN RE BEARDEN, 514 U. S. 1126;
- No. 94-8655. MASON *v.* CALIFORNIA, 514 U. S. 1131;
- No. 94-8666. BROWN *v.* MURRAY, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, 514 U. S. 1131;
- No. 94-8675. BLACKSTON *v.* BECKER, JUDGE, UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT, ET AL., *ante*, p. 1133;
- No. 94-8705. DOUGLASS *v.* ESTATE OF DOUGLASS, *ante*, p. 1106;
- No. 94-8707. WEEKS *v.* KAY & ASSOCIATES, INC., 514 U. S. 1120;
- No. 94-8712. MARTIN *v.* PETERS ET AL., *ante*, p. 1106;
- No. 94-8722. ROBERTS *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 1133;
- No. 94-8725. BRANNON *v.* LAMAINA; and HINTE *v.* SHUPE, *ante*, p. 1106;
- No. 94-8734. WATSON *v.* MONROE, WARDEN, *ante*, p. 1106;
- No. 94-8775. WALLACE, AKA COLE *v.* WALLACE, *ante*, p. 1107;
- No. 94-8778. VOHRA *v.* SIKAND ENGINEERING ASSOCIATES ET AL., *ante*, p. 1123;
- No. 94-8780. WILLIAMS *v.* RUNYON, POSTMASTER GENERAL, *ante*, p. 1123;
- No. 94-8781. MILLER *v.* WHITE, WARDEN, *ante*, p. 1123;
- No. 94-8786. ADAMS *v.* MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, *ante*, p. 1124;
- No. 94-8802. SWAIN *v.* VIRGINIA, *ante*, p. 1124;

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- No. 94-8843. *SIBAY v. CRESTAR FINANCIAL CORP. ET AL.*, *ante*, p. 1125;
- No. 94-8844. *BUSCH v. NIX ET AL.*, *ante*, p. 1133;
- No. 94-8846. *JACOBS v. SUPREME COURT OF MISSOURI*, *ante*, p. 1133;
- No. 94-8856. *IGNACIO v. BROWN, SECRETARY OF VETERANS AFFAIRS*, *ante*, p. 1125;
- No. 94-8904. *JONES v. ROADWAY EXPRESS, INC.*, *ante*, p. 1135;
- No. 94-8927. *JONES ET AL. v. NORTH WOODLAND HILLS COMMUNITY ASSN.*, *ante*, p. 1135;
- No. 94-8941. *ALEXANDER v. JOHNSON ET AL.*, *ante*, p. 1146;
- No. 94-8954. *VOHRA v. CALIFORNIA WORKERS' COMPENSATION APPEALS BOARD ET AL.*, *ante*, p. 1146;
- No. 94-8958. *SCHWARZ v. INTERPOL ET AL.*, *ante*, p. 1146;
- No. 94-8959. *SCHWARZ v. CHURCH OF SCIENTOLOGY INTERNATIONAL ET AL.*, *ante*, p. 1146;
- No. 94-8978. *WOOD v. ARIZONA*, *ante*, p. 1147;
- No. 94-8991. *MINCEY v. THOMAS, WARDEN*, *ante*, p. 1147;
- No. 94-9017. *TOBIAS v. TEXAS*, *ante*, p. 1126;
- No. 94-9051. *HUNDLEY v. UNITED STATES*, *ante*, p. 1109;
- No. 94-9063. *MORGAN v. MACDONALD ET AL.*, *ante*, p. 1148;
- No. 94-9071. *GILES v. PARKER, WARDEN*, *ante*, p. 1163;
- No. 94-9097. *ALEXANDER v. WARD, WARDEN*, *ante*, p. 1163;
- No. 94-9160. *BUTLER v. RICHARDS ET AL.*, *ante*, p. 1136;
- No. 94-9190. *FREEMAN v. CALIFORNIA*, *ante*, p. 1149;
- No. 94-9206. *AZIZ v. UNITED STATES*, *ante*, p. 1128;
- No. 94-9222. *SMITH v. DRUG ENFORCEMENT AGENCY ET AL.*, *ante*, p. 1128;
- No. 94-9232. *COLEMAN v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*, *ante*, p. 1166;
- No. 94-9235. *MARK v. UNITED STATES*, *ante*, p. 1149;
- No. 94-9267. *CARROLL ET AL. v. UNITED STATES*, *ante*, p. 1150;
- No. 94-9273. *LOCKETT v. MISSISSIPPI*, *ante*, p. 1150;
- No. 94-9274. *LOCKETT v. MISSISSIPPI*, *ante*, p. 1150;
- No. 94-9348. *WALDEMER v. UNITED STATES*, *ante*, p. 1151; and
- No. 94-9392. *RUFF v. BEAVER ET AL.*, *ante*, p. 1167. Petitions for rehearing denied.

No. 94-1404. *ATTAR ET AL. v. UNITED STATES*, 514 U. S. 1107. Motion of petitioner Amir James Attar for leave to proceed fur-

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ther herein *in forma pauperis* granted. Petition for rehearing denied.

No. 94-7212. CUPIT *v.* WHITLEY, WARDEN, 513 U. S. 1163; and
No. 94-8440. BOAL *v.* DEPARTMENT OF THE ARMY, 514 U. S.
1116. Motions for leave to file petitions for rehearing denied.

AUGUST 15, 1995

Miscellaneous Order

No. A-156 (O. T. 1995). MOSER, BY AND THROUGH HOLLAND *v.* HORN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS. Application to vacate the stay of execution of sentence of death, presented to JUSTICE SOUTER, and by him referred to the Court, granted. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would deny the application to vacate the stay of execution.

AUGUST 16, 1995

Miscellaneous Orders

No. A-158 (O. T. 1995). MOSER, BY AND THROUGH HOLLAND *v.* HORN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. Application to vacate the order of the United States Court of Appeals for the Third Circuit, presented to JUSTICE SOUTER, and by him referred to the Court, denied. CHIEF JUSTICE REHNQUIST would grant the application to vacate.

No. A-159 (O. T. 1995). MOSER, BY AND THROUGH HOLLAND *v.* HORN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. Application to vacate the stay of execution of sentence of death, presented to JUSTICE SOUTER, and by him referred to the Court, granted. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would deny the application to vacate the stay of execution.

AUGUST 17, 1995

Miscellaneous Orders

No. A-163 (O. T. 1995). ADAMS *v.* MOORE, COMMISSIONER, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

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No. A-164 (O. T. 1995). ADAMS *v.* MOORE, COMMISSIONER, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

AUGUST 31, 1995

Certiorari Denied

No. 95-5789 (A-201). FAIRCHILD *v.* NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

SEPTEMBER 1, 1995

Vacated and Remanded After Certiorari Granted

No. 94-1660. AMERICAN AIRLINES, INC. *v.* LOCKWOOD. C. A. Fed. Cir. [Certiorari granted, *ante*, p. 1121.] Judgment vacated and case remanded to the United States District Court for the Southern District of California with instructions to proceed with the case.

Miscellaneous Orders

No. D-1552. IN RE DISBARMENT OF CACIOPPO. Disbarment entered. [For earlier order herein, see *ante*, p. 1120.]

No. D-1559. IN RE DISBARMENT OF CREWELL. Disbarment entered. [For earlier order herein, see *ante*, p. 1140.]

No. D-1562. IN RE DISBARMENT OF BARLOW. Disbarment entered. [For earlier order herein, see *ante*, p. 1155.]

No. D-1565. IN RE DISBARMENT OF GOULD. Disbarment entered. [For earlier order herein, see *ante*, p. 1156.]

No. D-1566. IN RE DISBARMENT OF CRIKELAIR. Disbarment entered. [For earlier order herein, see *ante*, p. 1171.]

No. D-1568. IN RE DISBARMENT OF LIDA. Disbarment entered. [For earlier order herein, see *ante*, p. 1171.]

No. D-1579. IN RE DISBARMENT OF KOHNEN. David A. Kohnen, of Cincinnati, Ohio, having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken

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from the roll of attorneys admitted to practice before the Bar of this Court. The rule to show cause, heretofore issued on August 11, 1995 [*ante*, p. 1177], is hereby discharged.

No. D-1585. IN RE DISBARMENT OF PALMISANO. It is ordered that Joseph Christopher Palmisano, of Scottsdale, Ariz., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

Rehearing Denied

No. 94-1359. CLEMENTS ET AL. *v.* UNITED STATES, 514 U. S. 1107;

No. 94-8558. BELL *v.* WASHINGTON, WARDEN, 514 U. S. 1119;

No. 94-8577. HUBBARD *v.* LOWE, 514 U. S. 1100;

No. 94-8804. IN RE SATO, *ante*, p. 1130;

No. 94-8920. HIGHTOWER *v.* THOMAS, WARDEN, *ante*, p. 1162;

No. 94-8938. HAYS *v.* ARENDS ET AL., *ante*, p. 1135;

No. 94-9067. TILLI *v.* SOWECKE ET AL., *ante*, p. 1162;

No. 94-9095. BERGMANN *v.* NIESKE, *ante*, p. 1163;

No. 94-9115. IN RE AWOFOLU, *ante*, p. 1157;

No. 94-9185. KYONG SIK KIM *v.* VIRGINIA ET AL., *ante*, p. 1165;

No. 94-9192. GREEN *v.* SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 1149;

No. 94-9212. ARTEAGA *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, *ante*, p. 1165;

No. 94-9217. THOMAS *v.* MCCOTTER, EXECUTIVE DIRECTOR, UTAH DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 1166; and

No. 94-9491. JONES *v.* NORTH CAROLINA, *ante*, p. 1169. Petitions for rehearing denied.

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 25, 1995, through June 7, 1996, 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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SEPTEMBER 8, 1995

Dismissal Under Rule 46

No. 95–276. GROSSI *v.* UNITED STATES. C. A. 7th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 48 F. 3d 1452.

Miscellaneous Order

No. 95–132 (A–181). VOINOVICH, GOVERNOR OF OHIO, ET AL. *v.* QUILTER, SPEAKER PRO TEMPORE OF OHIO HOUSE OF REPRESENTATIVES, ET AL. Appeal from D. C. N. D. Ohio. Application for stay of orders issued by the United States District Court for the Northern District of Ohio in case No. 5:91CV–2219 on April 28, May 26, and August 11, 1995, presented to JUSTICE STEVENS, and by him referred to the Court, granted pending further order of this Court. It is further ordered that appellees’ motion to dismiss or affirm in case No. 95–378, *Voinovich, Governor of Ohio, et al. v. Quilter, Speaker Pro Tempore of Ohio House of Representatives, et al.*, shall be filed within 10 days of the date of this order.

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Dismissals Under Rule 46

No. 122, Orig. TEXAS ET AL. *v.* LOUISIANA ET AL. Motion for leave to file bill of complaint dismissed under this Court’s Rule 46.1.

No. 94–2125. HANSEN ET AL. *v.* MIDLANTIC NATIONAL BANK. C. A. 3d Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 48 F. 3d 693.

SEPTEMBER 13, 1995

Miscellaneous Orders

No. A–251 (O. T. 1995). LEWIS, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL. *v.* JEFFERS. Application to vacate the stay of execution of sentence of death granted by the United States Court of Appeals for the Ninth Circuit on September 13, 1995, presented to JUSTICE O’CONNOR, and by her referred to the Court, denied.

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No. D-1553. IN RE DISBARMENT OF BROWN. Disbarment entered. [For earlier order herein, see *ante*, p. 1120.]

No. D-1560. IN RE DISBARMENT OF WASHINGTON. Disbarment entered. [For earlier order herein, see *ante*, p. 1140.]

No. D-1561. IN RE DISBARMENT OF FUSILIER. Disbarment entered. [For earlier order herein, see *ante*, p. 1155.]

No. D-1563. IN RE DISBARMENT OF ROBERTSON. Disbarment entered. [For earlier order herein, see *ante*, p. 1155.]

No. D-1567. IN RE DISBARMENT OF OLSEN. Disbarment entered. [For earlier order herein, see *ante*, p. 1171.]

No. D-1569. IN RE DISBARMENT OF KELLY. Disbarment entered. [For earlier order herein, see *ante*, p. 1171.]

No. D-1570. IN RE DISBARMENT OF WHEELER. Disbarment entered. [For earlier order herein, see *ante*, p. 1171.]

No. D-1586. IN RE DISBARMENT OF GLASSMAN. It is ordered that John Steven Glassman, of Tacoma, Wash., 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-1587. IN RE DISBARMENT OF GENINS. It is ordered that John Genins, of Atlanta, Ga., be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1588. IN RE DISBARMENT OF JACKSON. It is ordered that Gregory Keith Jackson, of Southfield, 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. 121, Orig. LOUISIANA *v.* MISSISSIPPI ET AL. Motion of defendants for divided argument granted. [For earlier order herein, see, *e. g.*, 514 U. S. 1002.]

No. 94-967. FIELD ET AL. *v.* MANS. C. A. 1st Cir. [Certiorari granted, 514 U. S. 1095.] Motion of the Solicitor General for

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

No. 94-1244. *BEHRENS v. PELLETIER*. C. A. 9th Cir. [Certiorari granted, 514 U. S. 1035.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 94-1471. *VARITY CORP. v. HOWE ET AL.* C. A. 8th Cir. [Certiorari granted, 514 U. S. 1082.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 94-8729. *BENNIS v. MICHIGAN*. Sup. Ct. Mich. [Certiorari granted, *ante*, p. 1121.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 94-1140. *44 LIQUORMART, INC., ET AL. v. RHODE ISLAND ET AL.* C. A. 1st Cir. [Certiorari granted, 514 U. S. 1095.] Motion of respondent Rhode Island Liquor Stores Association for divided argument denied.

No. 94-1175. *BANK ONE CHICAGO, N. A. v. MIDWEST BANK & TRUST CO.* C. A. 7th Cir. [Certiorari granted, *ante*, p. 1157.] Motion of Electronic Check Clearing House Organization for leave to file a brief as *amicus curiae* granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 94-1361. *ZICHERMAN, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF KOLE, ET AL. v. KOREAN AIR LINES CO., LTD.*; and

No. 94-1477. *KOREAN AIR LINES CO., LTD. v. ZICHERMAN, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF KOLE, ET AL.* C. A. 2d Cir. [Certiorari granted, 514 U. S. 1062.] Motion of Pan American World Airways, Inc., for leave to file a brief as *amicus curiae* granted.

No. 94-1387. *YAMAHA MOTOR CORP., U. S. A., ET AL. v. CALHOUN ET AL., INDIVIDUALLY AND AS ADMINISTRATORS OF THE ESTATE OF CALHOUN, DECEASED.* C. A. 3d Cir. [Certiorari granted, 514 U. S. 1126.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided

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argument granted. Motion of Maritime Law Association of the United States for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 94-1530. THINGS REMEMBERED, INC. *v.* PETRARCA. C. A. 6th Cir. [Certiorari granted, 514 U. S. 1095.] Motion of Connecticut Bar Association, Commercial Law and Bankruptcy Section, for leave to file a brief as *amicus curiae* granted.

No. 94-1592. BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. *v.* ATCHISON, TOPEKA & SANTA FE RAILROAD CO. ET AL. C. A. 7th Cir. [Certiorari granted, *ante*, p. 1141.] Motion of the Solicitor General for divided argument granted.

No. 94-1809. MATSUSHITA ELECTRIC INDUSTRIAL Co., LTD., ET AL. *v.* EPSTEIN ET AL. C. A. 9th Cir. [Certiorari granted, *ante*, p. 1141.] Motion of Washington Legal Foundation et al. for leave to file a brief as *amici curiae* granted.

Certiorari Denied

No. 95-5956 (A-256). JEFFERS *v.* LEWIS, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 9th Cir. Application for stay of execution of sentence of death, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied. Certiorari denied. JUSTICE SCALIA took no part in the consideration or decision of this application and this petition. Reported below: 68 F. 3d 299.

SEPTEMBER 15, 1995

Dismissal Under Rule 46

No. 94-2054. NATIONAL ENVIRONMENTAL SERVICES Co., DBA NESCO, ET AL. *v.* TRACER RESEARCH CORP. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 42 F. 3d 1292.

Certiorari Denied

No. 94-9112. STOCKTON *v.* ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 41 F. 3d 920.

SEPTEMBER 18, 1995

Certiorari Denied

No. 95-5990 (A-263). JOHNSON *v.* SCOTT, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.

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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 STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 68 F. 3d 470.

SEPTEMBER 19, 1995

Miscellaneous Order

No. A-277 (O. T. 1995). ALBANESE *v.* PETERS, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

Assignment Order

An order of THE CHIEF JUSTICE designating and assigning Justice White (retired) to perform judicial duties in the United States Court of Appeals for the Eighth Circuit during the period October 18 through October 19, 1995, 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.

SEPTEMBER 20, 1995

Dismissal Under Rule 46

No. 94-9791. IN RE PELTIER. C. A. 8th Cir. Petition for writ of habeas corpus or in the alternative petition for writ of certiorari dismissed under this Court's Rule 46.

SEPTEMBER 21, 1995

Miscellaneous Orders

No. A-270 (95-6016). TUGGLE *v.* NETHERLAND, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court.

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No. A-285 (O. T. 1995). THOMPSON, AS NEXT FRIEND OF INGLE *v.* FRENCH, WARDEN. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

SEPTEMBER 26, 1995

Dismissals Under Rule 46

No. 95-5016. JACKSON *v.* JONES, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 42 F. 3d 1350.

No. 95-25. SILVA ET AL. *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari dismissed as to Edward Silva and Silva Harvesting under this Court's Rule 46. Reported below: 51 F. 3d 203.

Certiorari Denied

No. 95-5076. VAUGHN *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied.

SEPTEMBER 27, 1995

Miscellaneous Orders

No. A-241 (O. T. 1995). OWENS-CORNING FIBERGLAS CORP. *v.* REKDAHL ET UX. Application for stay of judgment, presented to JUSTICE O'CONNOR, and by her referred to the Court, granted to the extent that the execution and enforcement of the punitive damages portion of the judgment of the Court of Appeal of California, Second Appellate District, Division Three, case No. B068259, entered on May 25, 1995, and modified on June 20, 1995, is stayed pending the timely filing and disposition by this Court of a petition for writ of certiorari. THE CHIEF JUSTICE took no part in the consideration or decision of this application.*

No. A-302 (O. T. 1995). STOCKTON *v.* ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

*[REPORTER'S NOTE: For amendment of this order, see *post*, p. 1192.]

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Certiorari Granted

No. 94-1614. WISCONSIN *v.* CITY OF NEW YORK ET AL.;
No. 94-1631. OKLAHOMA *v.* CITY OF NEW YORK ET AL.; and
No. 94-1985. DEPARTMENT OF COMMERCE ET AL. *v.* CITY OF
NEW YORK ET AL. C. A. 2d Cir. Certiorari granted, cases con-
solidated, 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., Thursday, November
9, 1995. Briefs of respondents are to be filed with the Clerk and
served upon opposing counsel on or before 3 p.m., Friday, Decem-
ber 8, 1995. Reply briefs, if any, are to be filed with the Clerk
and served upon opposing counsel on or before 3 p.m., Thursday,
December 28, 1995. This Court's Rule 29.2 does not apply. Re-
ported below: 34 F. 3d 1114.

No. 94-1664. KOON *v.* UNITED STATES; and
No. 94-8842. POWELL *v.* UNITED STATES. C. A. 9th Cir. Cer-
tiorari in No. 94-1664 granted limited to Question 1 presented by
the petition. Motion of petitioner in No. 94-8842 for leave to
proceed *in forma pauperis* granted. Certiorari in No. 94-8842
granted limited to Question 4 presented by the petition. 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., Thursday, November
9, 1995. Brief of respondent is to be filed with the Clerk and
served upon opposing counsel on or before 3 p.m., Friday, Decem-
ber 8, 1995. Reply briefs, if any, are to be filed with the Clerk
and served upon opposing counsel on or before 3 p.m., Thursday,
December 28, 1995. This Court's Rule 29.2 does not apply. Re-
ported below: 34 F. 3d 1416.

No. 94-1837. BARNETT BANK OF MARION COUNTY, N. A. *v.*
GALLAGHER, FLORIDA INSURANCE COMMISSIONER, ET AL. C. A.
11th Cir. Motion of Consumer Bankers Association et al. for
leave to file a brief as *amici curiae* granted. Certiorari granted.
Brief of petitioner is to be filed with the Clerk and served upon
opposing counsel on or before 3 p.m., Thursday, November 9, 1995.
Brief of respondents is to be filed with the Clerk and served upon
opposing counsel on or before 3 p.m., Friday, December 8, 1995.
A reply brief, if any, is to be filed with the Clerk and served upon
opposing counsel on or before 3 p.m., Thursday, December 28,

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1995. This Court's Rule 29.2 does not apply. Reported below: 43 F. 3d 631.

No. 94-1966. *LOVING v. UNITED STATES*. C. A. Armed Forces. Certiorari granted limited to Questions 1, 2, and 3 presented by the petition. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 9, 1995. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Friday, December 8, 1995. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, December 28, 1995. This Court's Rule 29.2 does not apply. Reported below: 41 M. J. 213.

No. 94-2003. *LOTUS DEVELOPMENT CORP. v. BORLAND INTERNATIONAL, INC.* C. A. 1st Cir. Motions of Intellectual Property Owners and Information Technology Industry Council for leave to file briefs as *amici curiae* granted. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 9, 1995. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Friday, December 8, 1995. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, December 28, 1995. This Court's Rule 29.2 does not apply. JUSTICE STEVENS took no part in the consideration or decision of these motions and this petition. Reported below: 49 F. 3d 807.

No. 94-9247. *CARLISLE v. UNITED STATES*. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 9, 1995. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Friday, December 8, 1995. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, December 28, 1995. This Court's Rule 29.2 does not apply. Reported below: 48 F. 3d 190.

No. 95-6. *NORFOLK & WESTERN RAILWAY CO. v. HILES*. App. Ct. Ill., 5th Dist. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 9, 1995. Brief of respondent

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ent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Friday, December 8, 1995. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, December 28, 1995. This Court's Rule 29.2 does not apply. Reported below: 268 Ill. App. 3d 561, 644 N. E. 2d 508.

No. 95-26. MARKMAN ET AL. *v.* WESTVIEW INSTRUMENTS, INC., ET AL. C. A. Fed. Cir. Motion of American Board of Trial Advocates for leave to file a brief as *amicus curiae* granted. Certiorari granted. Brief of petitioners is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 9, 1995. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Friday, December 8, 1995. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, December 28, 1995. This Court's Rule 29.2 does not apply. Reported below: 52 F. 3d 967.

No. 95-83. MEGHRIG ET AL. *v.* KFC WESTERN, INC. C. A. 9th Cir. Certiorari granted. Brief of petitioners is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 9, 1995. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Friday, December 8, 1995. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, December 28, 1995. This Court's Rule 29.2 does not apply. Reported below: 49 F. 3d 518.

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Dismissal Under Rule 46

No. 94-2100. INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION NO. 1269 *v.* VIKMAN ET AL. Sup. Ct. Colo. Certiorari dismissed under this Court's Rule 46.1. Reported below: 889 P. 2d 646.

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Miscellaneous Orders

No. A-241 (O. T. 1995). OWENS-CORNING FIBERGLAS CORP. *v.* REKDAHL ET UX. Application for stay of judgment, presented to

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JUSTICE O'CONNOR, and by her referred to the Court, granted. Execution and enforcement of that portion of the judgment of the Court of Appeal of California, Second Appellate District, Division Three, case No. B068259, entered on May 25, 1995, and modified on June 20, 1995, awarding punitive damages against applicant Owens-Corning Fiberglas Corp. is stayed pending the timely filing and disposition by this Court of a petition for writ of certiorari. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

No. A-249 (O. T. 1995). *BABBITT, SECRETARY OF THE INTERIOR v. ENVIRONMENTAL DEFENSE CENTER*. Application for stay, presented to JUSTICE O'CONNOR, and by her referred to the Court, granted, and it is ordered that the order of the United States District Court for the Central District of California is stayed until October 31, 1995, or such earlier time as the United States Court of Appeals for the Ninth Circuit may take action on the Secretary's appeal. The Secretary remains at liberty to apply, in the first instance to the Court of Appeals, for an order extending the period of the stay in the event that the statutory restriction on the Secretary's commitment of funds is renewed. THE CHIEF JUSTICE took no part in the consideration or decision of this application.