

ORDERS FOR MARCH 20 THROUGH  
JUNE 13, 1996

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MARCH 20, 1996

*Dismissal Under Rule 46*

No. 95-928. *ATHERTON ET AL. v. FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR CITY SAVINGS*, F. S. B. C. A. 3d Cir. Certiorari dismissed as to Marshall M. Criser, Alfred J. Hedden, and Gilbert G. Roessner under this Court's Rule 46. Reported below: 57 F. 3d 1231.

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*Certiorari Granted—Vacated and Remanded*

No. 95-7254. *SMITH v. UNITED STATES*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 62 F. 3d 1415.

*Miscellaneous Orders*

No. A-447 (95-1498). *HILL v. DEPARTMENT OF THE AIR FORCE ET AL.* C. A. 10th Cir. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. D-1626. *IN RE DISBARMENT OF SOKOLOW*. Disbarment entered. [For earlier order herein, see 516 U. S. 1038.]

No. D-1629. *IN RE DISBARMENT OF CLAPP*. Disbarment entered. [For earlier order herein, see 516 U. S. 1039.]

No. D-1632. *IN RE DISBARMENT OF MURACA*. Disbarment entered. [For earlier order herein, see 516 U. S. 1090.]

No. D-1633. *IN RE DISBARMENT OF CONNICK*. Disbarment entered. [For earlier order herein, see 516 U. S. 1090.]

No. D-1636. *IN RE DISBARMENT OF TINSLEY*. Disbarment entered. [For earlier order herein, see 516 U. S. 1090.]

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No. D-1637. *IN RE DISBARMENT OF NOXON*. Disbarment entered. [For earlier order herein, see 516 U. S. 1090.]

No. 95-345. *UNITED STATES v. URSERY*. C. A. 6th Cir. [Certiorari granted, 516 U. S. 1070]; and

No. 95-346. *UNITED STATES v. \$405,089.23 IN UNITED STATES CURRENCY ET AL.* C. A. 9th Cir. [Certiorari granted, 516 U. S. 1070.] Motion of respondents for divided argument and for additional time for oral argument granted. Twenty additional minutes are allotted for that purpose, and the time for oral argument is to be divided as follows: 40 minutes, the Solicitor General; 20 minutes, respondent Ursery; 20 minutes, respondents \$405,089.23 et al.

No. 95-719. *GASPERINI v. CENTER FOR HUMANITIES, INC.* C. A. 2d Cir. [Certiorari granted, 516 U. S. 1086.] Motion of Association of Trial Lawyers of America for leave to file a brief as *amicus curiae* granted.

No. 95-1176. *PALMER COMMUNICATIONS, INC., ET AL. v. TOTAL TV*. C. A. 9th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 95-7849. *IN RE TRENTZ*. Petition for writ of mandamus denied.

*Certiorari Granted*

No. 95-813. *BENNETT ET AL. v. PLENERT ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 63 F. 3d 915.

No. 95-966. *O'GILVIE ET AL., MINORS v. UNITED STATES*; and  
No. 95-977. *O'GILVIE v. UNITED STATES*. C. A. 10th Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 66 F. 3d 1550.

No. 95-974. *ARIZONANS FOR OFFICIAL ENGLISH ET AL. v. ARIZONA ET AL.* C. A. 9th Cir. Motions of Equal Opportunity Foundation and U. S. English, Inc., for leave to file briefs as *amici curiae* granted. Certiorari granted. In addition to the questions presented by the petition, the parties are requested to brief and argue the following questions: “(1) Do petitioners have standing to maintain this action? (2) Is there a case or controversy with respect to respondent Yniguez?” Reported below: 69 F. 3d 920.

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*Certiorari Denied*

No. 95-376. UNISYS CORP. *v.* PICKERING ET AL.; and

No. 95-593. PICKERING ET AL. *v.* UNISYS CORP. C. A. 3d Cir. Certiorari denied. Reported below: 57 F. 3d 1255.

No. 95-781. BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSN., SUCCESSOR-BY-MERGER TO SECURITY PACIFIC NATIONAL BANK, TRUSTEE *v.* FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR SANTA BARBARA SAVINGS AND LOAN ASSN. C. A. 9th Cir. Certiorari denied. Reported below: 63 F. 3d 900.

No. 95-816. MIER *v.* VAN DYKE, ADJUTANT GENERAL, ARIZONA ARMY NATIONAL GUARD, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 57 F. 3d 747.

No. 95-845. WHITE *v.* CITY OF TAYLOR ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 65 F. 3d 169.

No. 95-955. GORDON *v.* CHATER, COMMISSIONER OF SOCIAL SECURITY. C. A. 2d Cir. Certiorari denied. Reported below: 55 F. 3d 101.

No. 95-957. BRAZIL *v.* DALTON, SECRETARY OF THE NAVY, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 66 F. 3d 193.

No. 95-969. MILLER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 66 F. 3d 220.

No. 95-970. MERCER *v.* MONZACK. C. A. 1st Cir. Certiorari denied. Reported below: 53 F. 3d 1.

No. 95-978. CARUSO ET AL. *v.* KELLY, POLICE COMMISSIONER OF THE CITY OF NEW YORK, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 122 F. 3d 1055.

No. 95-1000. HENNESSY ET AL. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR MERITOR SAVINGS BANK, ET AL.; and

No. 95-1002. HANNA ET AL. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION. C. A. 3d Cir. Certiorari denied. Reported below: 58 F. 3d 908.

No. 95-1007. WASHINGTON SUBURBAN SANITARY COMMISSION *v.* WESTFARM ASSOCIATES LIMITED PARTNERSHIP ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 66 F. 3d 669.

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No. 95-1147. *RAGAN v. CONTICOMMODITY SERVICES, INC., ET AL.*; and

No. 95-1151. *RAGAN v. CONTICOMMODITY SERVICES, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 63 F. 3d 438.

No. 95-1163. *WILLIS v. SHELBY COUNTY, TENNESSEE, INFORMATION TECHNOLOGY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 116.

No. 95-1164. *FOSTER, GOVERNOR OF LOUISIANA, ET AL. v. HOPE MEDICAL GROUP FOR WOMEN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 63 F. 3d 418.

No. 95-1167. *UNITED STATES EX REL. WILLIS v. GENERAL DYNAMICS CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 61 F. 3d 1402.

No. 95-1168. *ROSEN v. IOWA BOARD OF MEDICAL EXAMINERS.* Sup. Ct. Iowa. Certiorari denied. Reported below: 539 N. W. 2d 345.

No. 95-1170. *EVANS v. KANSAS CITY SCHOOL DISTRICT.* C. A. 8th Cir. Certiorari denied. Reported below: 65 F. 3d 98.

No. 95-1175. *BRAVO ET AL. v. NATIONAL MEDIATION BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 70 F. 3d 637.

No. 95-1185. *FORT PECK ASSINIBOINE AND SIOUX TRIBES v. TUBRIDY ET VIR.* Sup. Ct. Ill. Certiorari denied. Reported below: 167 Ill. 2d 250, 657 N. E. 2d 935.

No. 95-1187. *BERKS COUNTY ET AL. v. MURTAGH ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 659 A. 2d 1083.

No. 95-1196. *MCLAUGHLIN ET AL. v. NORTH CAROLINA BOARD OF ELECTIONS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 65 F. 3d 1215.

No. 95-1199. *CLINTON v. MIDDLESEX MUTUAL ASSURANCE CO.* App. Ct. Conn. Certiorari denied. Reported below: 38 Conn. App. 555, 662 A. 2d 1319.

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No. 95-1236. *BANDURA v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 543.

No. 95-1239. *BOWER v. BOWER*. Ct. App. Ohio, Sandusky County. Certiorari denied.

No. 95-1252. *MATES v. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 67 F. 3d 291.

No. 95-1274. *CATALINA ENTERPRISES, INCORPORATED PENSION TRUST v. HARTFORD FIRE INSURANCE CO.* C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 63.

No. 95-1301. *THOMSON v. HARMONY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 65 F. 3d 1314.

No. 95-1312. *RANEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 65 F. 3d 167.

No. 95-1324. *LYON v. ALABAMA STATE BAR*. Sup. Ct. Ala. Certiorari denied. Reported below: 676 So. 2d 1358.

No. 95-1333. *LUSSIER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 71 F. 3d 456.

No. 95-1335. *HANSEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 1273.

No. 95-1337. *BRITTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 68 F. 3d 262.

No. 95-1368. *SACCOCCIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 63 F. 3d 1.

No. 95-1371. *HILL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1280.

No. 95-1374. *SPEARS v. STATE BAR OF ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 95-1383. *SACCOCCIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 58 F. 3d 754.

No. 95-1386. *STEPARD ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 60 F. 3d 834.

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No. 95-1390. NATIONAL ASSOCIATION OF REVERSIONARY PROPERTY OWNERS *v.* SURFACE TRANSPORTATION BOARD ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 70 F. 3d 638.

No. 95-1392. RUIZ-MENDOZA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 1269.

No. 95-1397. ANDREWS *v.* GEORGIA. C. A. 11th Cir. Certiorari denied. Reported below: 65 F. 3d 183.

No. 95-6765. BRUNNER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 62 F. 3d 400.

No. 95-7119. ELGENDY ET UX. *v.* NEHEMIAH PLAN HOMES PROJECT ET AL. C. A. 2d Cir. Certiorari denied.

No. 95-7155. PATRICK *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. Reported below: 906 S. W. 2d 481.

No. 95-7171. FAUBER *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 95-7195. CARTER *v.* RUNYON, POSTMASTER GENERAL. C. A. 8th Cir. Certiorari denied. Reported below: 67 F. 3d 303.

No. 95-7222. GORMAN *v.* MCANINCH, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 95-7250. KINLEY *v.* OHIO. Sup. Ct. Ohio. Certiorari denied. Reported below: 72 Ohio St. 3d 491, 651 N. E. 2d 419.

No. 95-7252. LAWSON *v.* CHATER, COMMISSIONER OF SOCIAL SECURITY. C. A. 2d Cir. Certiorari denied. Reported below: 54 F. 3d 766.

No. 95-7260. TURPIN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 65 F. 3d 1207.

No. 95-7273. CROMPTON *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 65 F. 3d 170.

No. 95-7456. SCOTT *v.* MINNESOTA. Ct. App. Minn. Certiorari denied.

No. 95-7464. STROWSKI *v.* BANK OF AMERICA. C. A. 9th Cir. Certiorari denied. Reported below: 60 F. 3d 834.

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No. 95-7539. *KEE v. ARGUS LIFE INSURANCE CO.* C. A. 11th Cir. Certiorari denied. Reported below: 58 F. 3d 639.

No. 95-7542. *OLIVER v. WITKOWSKI, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 296.

No. 95-7543. *SALEEM v. NATIONS BANC MORTGAGE CORP.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 271 Ill. App. 3d 1137, 688 N. E. 2d 151.

No. 95-7544. *POLLEY ET AL. v. GEORGIA STATE BOARD OF PARDONS AND PAROLES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 68 F. 3d 486.

No. 95-7545. *ROUSSOS v. ALLSTATE INSURANCE CO.* Ct. Sp. App. Md. Certiorari denied. Reported below: 104 Md. App. 80, 655 A. 2d 40.

No. 95-7551. *BOLLMAN v. EMERSON, JUDGE, DISTRICT COURT OF TEXAS, POTTER COUNTY.* Sup. Ct. Tex. Certiorari denied.

No. 95-7554. *CRAIG v. CASPARI, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER.* Sup. Ct. Mo. Certiorari denied. Reported below: 906 S. W. 2d 369.

No. 95-7555. *ALLEN v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 662 So. 2d 323.

No. 95-7556. *SEVIGNY ET AL. v. MAINE ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 69 F. 3d 531.

No. 95-7562. *PRICE-EL v. GEE, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1263.

No. 95-7564. *SMIDDY v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 95-7565. *SALES v. SPARKS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 95-7569. *VARGAS v. GUNN, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 310.

No. 95-7570. *COOPER v. GROOSE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 65 F. 3d 172.

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No. 95-7572. *TATE v. JAMES, GOVERNOR OF ALABAMA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-7576. *GREGORY v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 340 N. C. 365, 459 S. E. 2d 638.

No. 95-7590. *HOWELL v. KOCH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 548.

No. 95-7591. *DELEON v. SAN ANTONIO INDEPENDENT SCHOOL DISTRICT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 68 F. 3d 465.

No. 95-7593. *GILBERT v. SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-7594. *MCCARTHY v. KANSAS CITY, MISSOURI.* C. A. 8th Cir. Certiorari denied.

No. 95-7595. *MORRIS v. SCHOOL BOARD OF THE CITY OF NORFOLK, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 112.

No. 95-7596. *LUCIEN v. WASHINGTON, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 69 F. 3d 539.

No. 95-7597. *MURRAY, AKA HINES v. ROACH, WARDEN, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 95-7600. *KOWALSKI v. OREGON STATE BAR ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-7601. *MCBRIDE v. THOMPSON, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 65 F. 3d 183.

No. 95-7610. *PORTER v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 321 Ark. 555, 905 S. W. 2d 835.

No. 95-7612. *VARGAS v. GARNER, CHAIRMAN, GEORGIA BOARD OF PARDONS AND PAROLES, ET AL.* Sup. Ct. Ga. Certiorari denied. Reported below: 266 Ga. 141, 465 S. E. 2d 275.

No. 95-7618. *JONES v. HOLVEY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1256.



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No. 95-7620. *CLAUDIO ET AL. v. SNYDER, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 68 F. 3d 1573.

No. 95-7623. *FIELDS v. CARNAHAN ET AL.* C. A. 8th Cir. Certiorari denied.

No. 95-7626. *HILL v. SCHROUBROEK ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 1266.

No. 95-7635. *COOPER v. MALONE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 65 F. 3d 172.

No. 95-7638. *BENNETT v. TEXAS.* Ct. App. Tex., 10th Dist. Certiorari denied.

No. 95-7639. *COLBERT v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 95-7642. *SIMPSON v. CRISTINO RIVERA MINING CO. ET AL.* Ct. App. N. M. Certiorari denied.

No. 95-7647. *SOBIN v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 664 So. 2d 254.

No. 95-7649. *WALKER v. IOWA.* Dist. Ct. Iowa, Story County. Certiorari denied.

No. 95-7650. *PLATZER v. BARBOUR, SUPERINTENDENT, TWIN RIVERS CORRECTIONS CENTER.* C. A. 9th Cir. Certiorari denied. Reported below: 61 F. 3d 912.

No. 95-7655. *HINKLE ET AL. v. JANKLOW, GOVERNOR OF SOUTH DAKOTA.* C. A. 8th Cir. Certiorari denied.

No. 95-7656. *JONES v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 56 F. 3d 878.

No. 95-7657. *BATISTA v. BUFFALO POLICE DEPARTMENT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 122 F. 3d 1055.

No. 95-7658. *RAMEY v. ASHLAND OIL, INC.* Cir. Ct. Cabell County, W. Va. Certiorari denied.

No. 95-7662. *MARTIN v. HILL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 53 F. 3d 339.

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No. 95-7663. *AMOS v. ESMOR MANSFIELD, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 68 F. 3d 467.

No. 95-7664. *BRAGG v. BARTLETT, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 95-7676. *DI JORIO v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-7678. *DUNN v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 95-7679. *WOODS v. PURKETT, SUPERINTENDENT, FARMINGTON CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 67 F. 3d 304.

No. 95-7682. *MCCARVER v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 341 N. C. 364, 462 S. E. 2d 25.

No. 95-7684. *JENNINGS v. HAWS, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 67 F. 3d 301.

No. 95-7700. *SALAZAR v. NORTON, ATTORNEY GENERAL OF COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 72 F. 3d 138.

No. 95-7713. *OLIVER v. TEXAS.* Ct. App. Tex., 12th Dist. Certiorari denied.

No. 95-7759. *SHEPPARD v. VIRGINIA.* Sup. Ct. Va. Certiorari denied. Reported below: 250 Va. 379, 464 S. E. 2d 131.

No. 95-7766. *TRIVEDI v. DEPARTMENT OF DEFENSE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 545.

No. 95-7789. *SUDRANSKI v. BROWN, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 57 F. 3d 1083.

No. 95-7795. *FRY v. VIRGINIA.* Sup. Ct. Va. Certiorari denied. Reported below: 250 Va. 413, 463 S. E. 2d 433.

No. 95-7818. *GONZALEZ v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 69 F. 3d 531.

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No. 95-7845. *HADLEY v. WASHINGTON, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 70 F. 3d 117.

No. 95-7856. *MISEK-FALKOFF v. INTERNATIONAL BUSINESS MACHINES CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 60 F. 3d 811.

No. 95-7876. *SELLERS v. BOYD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 68 F. 3d 469.

No. 95-7888. *DOWNNS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 878.

No. 95-7889. *HAUSER v. INTERNAL REVENUE SERVICE.* C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 1284.

No. 95-7901. *BOOKER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 70 F. 3d 488.

No. 95-7902. *BRYANT v. UNITED STATES;* and  
No. 95-7994. *DAVIS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 68 F. 3d 1283.

No. 95-7908. *DAAS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 67 F. 3d 300.

No. 95-7911. *BLAIR v. IDAHO.* Ct. App. Idaho. Certiorari denied.

No. 95-7913. *ROSS v. NORTON, ATTORNEY GENERAL OF COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 61 F. 3d 916.

No. 95-7916. *ANTONELLI v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 274 Ill. App. 3d 1102, 691 N. E. 2d 1196.

No. 95-7921. *HENDRICKS v. CALDERON, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1032.

No. 95-7922. *POWELL v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1281.

No. 95-7935. *SEARS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 55 F. 3d 1525.

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No. 95-7936. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 65 F. 3d 932.

No. 95-7943. *CASTRO-VEGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 62 F. 3d 1425.

No. 95-7945. *SPRIGGS v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 95-7948. *OWENS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 72 F. 3d 134.

No. 95-7949. *SHORB v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 59 F. 3d 177.

No. 95-7950. *ST. CLAIR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1281.

No. 95-7951. *RODRIGUEZ-SOLEL BOTELLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 78.

No. 95-7954. *BURKE v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 73 Ohio St. 3d 399, 653 N. E. 2d 242.

No. 95-7965. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 67 F. 3d 300.

No. 95-7966. *RELIFORD v. HODGES, CHIEF JUDGE, UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 61 F. 3d 30.

No. 95-7967. *LANE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 66 F. 3d 317.

No. 95-7971. *MULLENS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 65 F. 3d 1560.

No. 95-7972. *MILLS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 60 F. 3d 826.

No. 95-7973. *MEEKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 69 F. 3d 742.

No. 95-7975. *MAYLES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1256.

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No. 95-7982. *STARKS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 72 F. 3d 920.

No. 95-7985. *STEVENS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 298.

No. 95-7987. *BROWN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 1269.

No. 95-7988. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 71 F. 3d 539.

No. 95-7989. *AYARS ET UX. v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 95-7995. *NELSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 879.

No. 95-7997. *EASLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 65.

No. 95-7999. *EARL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 877.

No. 95-8000. *FRANK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1280.

No. 95-8002. *MURRAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 67 F. 3d 687.

No. 95-8004. *RICHEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 878.

No. 95-8006. *PACHECO-RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 71 F. 3d 881.

No. 95-8007. *PEARSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 77 F. 3d 497.

No. 95-8010. *BRYANT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 66 F. 3d 339.

No. 95-8011. *ZZIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 72 F. 3d 887.

No. 95-8012. *ZZIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 72 F. 3d 887.

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No. 95–8016. *JOSEPH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 71 F. 3d 882.

No. 95–8019. *AREVALO-GAMBOA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 545.

No. 95–8021. *SCOTT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 107 F. 3d 5.

No. 95–8022. *BUCHANAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 818.

No. 95–8023. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 979.

No. 95–8026. *GOMEZ TOLEDO, AKA MARTINEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 988.

No. 95–8027. *VILLABONA-GARNICA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 63 F. 3d 1051.

No. 95–8029. *GONZALEZ-LERMA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 71 F. 3d 1537.

No. 95–8030. *GOBERT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1280.

No. 95–8032. *FRAISER v. UNITED STATES*; and *DUMAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 66 F. 3d 336 (first judgment); 64 F. 3d 1427 (second judgment).

No. 95–8033. *HARDEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1263.

No. 95–8034. *GARDNER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 124.

No. 95–8035. *HASSAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 113.

No. 95–8039. *SCHAKE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1258.

No. 95–8040. *SHERROW v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

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No. 95–8047. *BARRAZA v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 95–8049. *WINDLE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 74 F. 3d 997.

No. 95–8054. *LAWHORN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1263.

No. 95–8055. *KWONG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 69 F. 3d 663.

No. 95–8056. *MARTINEZ-MARTINEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 69 F. 3d 1215.

No. 95–8066. *HORTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 1276.

No. 95–8095. *CAMPBELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 1273.

No. 95–8097. *DELEON-RODRIGUEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 764.

No. 95–8098. *FOX v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 62 F. 3d 400.

No. 95–8105. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 1236.

No. 95–817. *NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION v. ROBINSON*. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 60 F. 3d 457.

No. 95–1008. *HEWLETT-PACKARD CO. v. DATAGATE, INC.* C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 60 F. 3d 1421.

*Rehearing Denied*

No. 95–864. *MARESCA v. COMMISSIONER OF PATENTS AND TRADEMARKS*, 516 U. S. 1075;

No. 95–935. *RAM v. DE GALAN ET AL.*, 516 U. S. 1116;

No. 95–6791. *HALL v. GROOSE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER, ET AL.*, 516 U. S. 1080;

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No. 95-6885. ECHOLS *v.* THOMAS, WARDEN, 516 U. S. 1096;  
No. 95-6948. CHAVEZ *v.* UNITED STATES, 516 U. S. 1065;  
No. 95-6979. ROSELIN *v.* BOARD OF PATENT APPEALS AND  
INTERFERENCES, 516 U. S. 1097; and  
No. 95-7492. SPAGNOULO *v.* UNITED STATES, 516 U. S. 1138.  
Petitions for rehearing denied.

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*Certiorari Granted—Vacated and Remanded*

No. 94-2130. FIRST ADVANTAGE INSURANCE, INC., ET AL. *v.* GREEN, LOUISIANA COMMISSIONER OF INSURANCE, ET AL. Ct. App. La., 1st Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Barnett Bank of Marion County, N. A. v. Nelson*, ante, p. 25. Reported below: 652 So. 2d 562.

No. 94-7980. WINGO *v.* UNITED STATES. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Rutledge v. United States*, ante, p. 292; and *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 39 F. 3d 1182.

No. 94-7981. WINGO *v.* UNITED STATES. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 39 F. 3d 1182.

No. 95-296. MCLEOD *v.* OREGON LITHOPRINT, INC., DBA NEWS-REGISTER PUBLISHING Co., ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Varsity Corp. v. Howe*, 516 U. S. 489 (1996). JUSTICE SCALIA would deny certiorari. Reported below: 46 F. 3d 956.

No. 95-7315. AIKENS *v.* UNITED STATES. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 64 F. 3d 372.



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*Miscellaneous Orders.* (See also Nos. 95-7587, 95-7588, and 95-7589, *ante*, p. 343.)

No. D-1662. *IN RE DISBARMENT OF BRINKLEY.* Crawford Wray Brinkley, of Conyers, Ga., is suspended from the practice of law in this Court, and a rule will 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-1663. *IN RE DISBARMENT OF SEIKEL.* Harold Hans Seikel, of Garden City Park, N. Y., is suspended from the practice of law in this Court, and a rule will 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-1664. *IN RE DISBARMENT OF SEAMAN.* John Tad Seaman, of New Windsor, N. Y., is suspended from the practice of law in this Court, and a rule will 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-1665. *IN RE DISBARMENT OF MICCI.* Eugene D. Micci, of Derby, Conn., is suspended from the practice of law in this Court, and a rule will 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-1666. *IN RE DISBARMENT OF O'KICKI.* Joseph F. O'Kicki, of Portage, Pa., is suspended from the practice of law in this Court, and a rule will 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. M-49. *BENOIT v. LOUISIANA PUBLIC SERVICE COMMISSION ET AL.*;

No. M-50. *MARTIN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*; and

No. M-51. *DELBRUEGGE v. CYTRON ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 95-489. *COLORADO REPUBLICAN FEDERAL CAMPAIGN COMMITTEE ET AL. v. FEDERAL ELECTION COMMISSION.* C. A. 10th Cir. [Certiorari granted, 516 U.S. 1036.] Motion of Brennan Center for Justice for leave to file a brief as *amicus curiae* granted.

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No. 95-754. MEDTRONIC, INC. *v.* LOHR ET VIR; and

No. 95-886. LOHR ET VIR *v.* MEDTRONIC, INC. C. A. 11th Cir. [Certiorari granted, 516 U.S. 1087.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 95-809. LOCKHEED CORP. ET AL. *v.* SPINK. C. A. 9th Cir. [Certiorari granted, 516 U.S. 1087.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 95-860. SMILEY *v.* CITIBANK (SOUTH DAKOTA), N. A. Sup. Ct. Cal. [Certiorari granted, 516 U.S. 1087.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 95-865. UNITED STATES *v.* WINSTAR CORP. ET AL. C. A. Fed. Cir. [Certiorari granted, 516 U.S. 1087.] Motion of respondents for divided argument granted.

No. 95-7693. JONES *v.* AMERICAN CIVIL LIBERTIES UNION FOUNDATION ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. See this Court's Rule 39.8. Petitioner is allowed until April 22, 1996, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 95-7358. IN RE BALLARD ET AL. Petition for writ of mandamus and/or prohibition denied.

*Probable Jurisdiction Noted*

No. 95-1201. LOPEZ ET AL. *v.* MONTEREY COUNTY, CALIFORNIA, ET AL. Appeal from D. C. N. D. Cal. Probable jurisdiction noted.

*Certiorari Granted*

No. 95-853. M. L. B. *v.* S. L. J., INDIVIDUALLY AND AS NEXT FRIEND OF THE MINOR CHILDREN, S. L. J. AND M. L. J., ET UX. Sup. Ct. Miss. Certiorari granted.

No. 95-1232. GENERAL MOTORS CORP. *v.* TRACY, TAX COMMISSIONER OF OHIO. Sup. Ct. Ohio. Motion of Committee on State Taxation for leave to file a brief as *amicus curiae* granted. Cer-

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tiorari granted. Reported below: 73 Ohio St. 3d 29, 652 N. E. 2d 188.

*Certiorari Denied*

No. 95-74. STEPHENS, COMMISSIONER, KENTUCKY DEPARTMENT OF INSURANCE, ET AL. *v.* OWENSBORO NATIONAL BANK ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 44 F. 3d 388.

No. 95-836. POSNER, A MINOR, BY HIS PARENT, POSNER *v.* CENTRAL SYNAGOGUE ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 57 F. 3d 1064.

No. 95-887. WAYMER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 55 F. 3d 564.

No. 95-997. MERTZ *v.* CITY OF KEY WEST. C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 341.

No. 95-1035. WERNER ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 68 F. 3d 486.

No. 95-1041. REYES ET AL. *v.* LUGO. C. A. 5th Cir. Certiorari denied. Reported below: 68 F. 3d 472.

No. 95-1043. KENNEDY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 61 F. 3d 494.

No. 95-1047. NOBLE ET AL. *v.* COLUMBIA COUNTY REDEVELOPMENT AUTHORITY. Commw. Ct. Pa. Certiorari denied. Reported below: 658 A. 2d 481.

No. 95-1059. RICHEY *v.* OHIO. Sup. Ct. Ohio. Certiorari denied. Reported below: 73 Ohio St. 3d 523, 653 N. E. 2d 344.

No. 95-1063. BLOUNT *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. D. C. Cir. Certiorari denied. Reported below: 61 F. 3d 938.

No. 95-1079. MEYER *v.* NATIONAL SOLID WASTES MANAGEMENT ASSN. ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 63 F. 3d 652.

No. 95-1080. PETEREIT ET AL. *v.* S. B. THOMAS, INC. C. A. 2d Cir. Certiorari denied. Reported below: 63 F. 3d 1169.

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No. 95-1086. *DISTAJO ET AL. v. DOCTOR'S ASSOCIATES, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 66 F. 3d 438.

No. 95-1123. *GODBY v. ELECTROLUX CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 58 F. 3d 641.

No. 95-1186. *NEW HAMPSHIRE MOTOR TRANSPORT ET AL. v. TOWN OF PLAISTOW.* C. A. 1st Cir. Certiorari denied. Reported below: 67 F. 3d 326.

No. 95-1194. *PELOQUIN v. UNITED OF OMAHA LIFE INSURANCE CO.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 660 So. 2d 1069.

No. 95-1202. *HARTSELL, A MINOR, BY NEXT FRIEND, UPTON v. FORT SANDERS REGIONAL MEDICAL CENTER ET AL.* Ct. App. Tenn. Certiorari denied. Reported below: 905 S. W. 2d 944.

No. 95-1211. *NICIT v. NICIT.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 217 App. Div. 2d 1006, 631 N. Y. S. 2d 271.

No. 95-1212. *BOLT v. STATE FARM FIRE & CASUALTY CO.* C. A. 9th Cir. Certiorari denied.

No. 95-1213. *DELOATCH v. HUGHES.* C. A. 4th Cir. Certiorari denied. Reported below: 65 F. 3d 166.

No. 95-1216. *COOK ET AL. v. CITY OF CINCINNATI ET AL.* Ct. App. Ohio, Hamilton County. Certiorari denied. Reported below: 103 Ohio App. 3d 80, 658 N. E. 2d 814.

No. 95-1217. *DUSHAW v. ROADWAY EXPRESS, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 66 F. 3d 129.

No. 95-1218. *ALLIGATOR FARMS, INC., ET AL. v. GRONER ET AL.* Ct. App. La., 3d Cir. Certiorari denied. Reported below: 656 So. 2d 62.

No. 95-1227. *LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT v. DOUCET ET AL.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 657 So. 2d 92.

No. 95-1247. *ROSENBERG, INDIVIDUALLY, AND AS ADMINISTRATRIX OF THE GOODS OF ROSENBERG, DECEASED v. WACHT-*

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LER ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 89 F. 3d 825.

No. 95-1250. DOLCEFINO *v.* RAY. Sup. Ct. Tex. Certiorari denied.

No. 95-1260. EAGERTON, ALABAMA COMMISSIONER OF REVENUE, ET AL. *v.* OWNER-OPERATOR INDEPENDENT DRIVERS ASSN., INC., ET AL. Ct. Civ. App. Ala. Certiorari denied. Reported below: 671 So. 2d 674.

No. 95-1296. TALLEY *v.* FLATHEAD VALLEY COMMUNITY COLLEGE ET AL. Sup. Ct. Mont. Certiorari denied. Reported below: 273 Mont. 336, 903 P. 2d 789.

No. 95-1300. CRAWFORD ET AL. *v.* ROANE ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 53 F. 3d 750.

No. 95-1332. SILVA *v.* CITY OF MADISON, WISCONSIN. C. A. 7th Cir. Certiorari denied. Reported below: 69 F. 3d 1368.

No. 95-1338. TSE ET AL. *v.* SCHWARZSCHILD. C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 293.

No. 95-1356. TRUJILLO *v.* ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 274 Ill. App. 3d 1119, 691 N. E. 2d 1204.

No. 95-1358. HESS *v.* MACASKILL, DIRECTOR, WOMEN'S CORRECTIONAL CENTER. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 307.

No. 95-1366. HANLIN ET VIR *v.* SUPERIOR COURT OF CALIFORNIA, SANTA CLARA COUNTY (AMERICAN GENERAL FINANCE, INC., REAL PARTY IN INTEREST). Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 95-1370. CARR *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 69 F. 3d 536.

No. 95-1401. LIBUTTI *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 124.

No. 95-1409. ESTACIO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 64 F. 3d 477.

No. 95-1433. FIELDS ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 72 F. 3d 887.

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No. 95-6830. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 1268.

No. 95-6897. *ROBERTS v. CHATER, COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied. Reported below: 66 F. 3d 179.

No. 95-7176. *BRACEY v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 541 Pa. 322, 662 A. 2d 1062.

No. 95-7290. *ERNESTO ESPINOSA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 66 F. 3d 322.

No. 95-7302. *CULLUM v. HAWK, DIRECTOR, BUREAU OF PRISONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 67 F. 3d 301.

No. 95-7313. *NAKAMOTO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 310.

No. 95-7316. *FRANKLIN v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 167 Ill. 2d 1, 656 N. E. 2d 750.

No. 95-7319. *JONES v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 899 P. 2d 635.

No. 95-7336. *TOWNZEN v. COUNTY OF EL DORADO, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 60 F. 3d 835.

No. 95-7374. *DINGLE v. VICTORY SAVINGS BANK ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 95-7414. *SALZER v. DELLINGER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 54 F. 3d 779.

No. 95-7530. *JOHNSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 68 F. 3d 106.

No. 95-7673. *SMITH v. HARGETT, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied. Reported below: 68 F. 3d 472.

No. 95-7681. *SILVERBURG v. ASHLEY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 66 F. 3d 326.

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No. 95-7696. *DEBBS ET UX. v. CALIFORNIA WORKERS' COMPENSATION APPEALS BOARD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 60 F. 3d 832.

No. 95-7698. *PAGE ET AL. v. TEXAS BOARD OF PARDONS AND PAROLE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 68 F. 3d 472.

No. 95-7701. *COTNER v. NICHOLS.* C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 547.

No. 95-7702. *BOWEN v. GUNDY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 115.

No. 95-7709. *BURR v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 341 N. C. 263, 461 S. E. 2d 602.

No. 95-7714. *RODRIGUEZ v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 657 So. 2d 1166.

No. 95-7718. *WALKER v. CITY OF AMES, IOWA.* Dist. Ct. Iowa, Story County. Certiorari denied.

No. 95-7724. *BANKS v. COUNTY OF SAN DIEGO, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-7729. *FRYE v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 341 N. C. 470, 461 S. E. 2d 664.

No. 95-7731. *BRITO v. NEW YORK.* Ct. App. N. Y. Certiorari denied.

No. 95-7735. *FREE v. CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 95-7749. *WINTERS v. OHIO ADULT PAROLE AUTHORITY.* C. A. 6th Cir. Certiorari denied.

No. 95-7752. *SALAZAR v. ARIZONA.* Super. Ct. Ariz., Pima County. Certiorari denied.

No. 95-7756. *TOOTLE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 65 F. 3d 381.

No. 95-7760. *SAATHOFF v. HESSE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 72 F. 3d 138.

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No. 95-7771. *SHARP v. CAWLEY*. Ct. App. Va. Certiorari denied. Reported below: 19 Va. App. 709, 453 S. E. 2d 580.

No. 95-7774. *MACK v. SKUPNIEWITZ, CLERK, UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 702.

No. 95-7785. *JACKSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 95-7821. *BROWN v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 60 F. 3d 820.

No. 95-7829. *OXFORD v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 59 F. 3d 741.

No. 95-7872. *PATIN v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 95-7881. *GUZMAN ZAYAS v. BROWN, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 73 F. 3d 378.

No. 95-7884. *CALDWELL v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 322 Ark. 543, 910 S. W. 2d 667.

No. 95-7892. *GRAVES v. UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT.* C. A. Fed. Cir. Certiorari denied. Reported below: 69 F. 3d 1147.

No. 95-7912. *PATTERSON v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-7927. *MITCHELL v. BILBY-KNIGHT.* C. A. 5th Cir. Certiorari denied. Reported below: 56 F. 3d 1384.

No. 95-7942. *CASARES v. TEXAS.* Ct. App. Tex., 13th Dist. Certiorari denied.

No. 95-7979. *BRIGGS v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 42 M. J. 367.



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No. 95-7996. *FORD v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 539 N. W. 2d 214.

No. 95-8003. *SARTIN v. VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 296.

No. 95-8018. *BUTLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 64 F. 3d 659.

No. 95-8020. *BAPTISTE v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 95-8036. *HAMILL v. FERGUSON, WARDEN, ET AL.* Sup. Ct. Wyo. Certiorari denied.

No. 95-8037. *FELTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 878.

No. 95-8046. *SAUNDERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 66 F. 3d 318.

No. 95-8048. *AKECH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 122.

No. 95-8050. *RELIFORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 95-8051. *RELIFORD v. SCOTT, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 1285.

No. 95-8070. *DIXON v. MAASS, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 306.

No. 95-8099. *SHELTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 66 F. 3d 991.

No. 95-8100. *BYRD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 68 F. 3d 457.

No. 95-8104. *JENNINGS v. UNITED STATES*; and  
No. 95-8109. *JENNINGS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 72 F. 3d 887.

No. 95-8106. *MATTHEWS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1264.

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No. 95–8117. *COUPAR v. TURNBO*, REGIONAL DIRECTOR, FEDERAL BUREAU OF PRISONS, SOUTH CENTRAL REGION. C. A. 5th Cir. Certiorari denied.

No. 95–8119. *SINIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 89 F. 3d 826.

No. 95–8120. *BERGMANN v. MCCAUGHTRY*, WARDEN. Ct. App. Wis. Certiorari denied. Reported below: 197 Wis. 2d 956, 543 N. W. 2d 867.

No. 95–8122. *CASTNER v. WHALEN*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 72 F. 3d 137.

No. 95–8123. *BULLOCK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 171.

No. 95–8126. *BLACKMAN ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 1572.

No. 95–8127. *BELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 126.

No. 95–8129. *RIGGIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 336.

No. 95–8133. *BONNER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 818.

No. 95–8139. *UNDERWOOD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 67 F. 3d 301.

No. 95–8140. *WINTER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 70 F. 3d 655.

No. 95–8144. *MUNOZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 63 F. 3d 1051.

No. 95–8145. *MCCARTHY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 124.

No. 95–8151. *MAURO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 67 F. 3d 292.

No. 95–8155. *BECKER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 67 F. 3d 292.

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No. 95–8159. *MCBRIDE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1229.

No. 95–8162. *PRIORE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1258.

No. 95–8163. *SCOTT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 310.

No. 95–8164. *TAMAKLOE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 124.

No. 95–8165. *TRUEBLOOD v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 474.

No. 95–8169. *HUFSTETLER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 1238.

No. 95–8170. *BALDERAS GARCIA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 72 F. 3d 130.

No. 95–8171. *ESCAMILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 835.

No. 95–8172. *ELLIOTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 1237.

No. 95–8173. *FERRER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1251.

No. 95–8174. *HART v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 854.

No. 95–8175. *HUTCHING v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 1273.

No. 95–8176. *GOLB v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 1417.

No. 95–8178. *McKENZIE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 659 A. 2d 838.

No. 95–8179. *NOLAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 55 F. 3d 1525.

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No. 95–8180. JACKSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 72 F. 3d 128.

No. 95–8184. WATTS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 790.

No. 95–8185. URENA-VASQUEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1281.

No. 95–8186. THOMAS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 575.

No. 95–8187. USRY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 1269.

No. 95–8194. COLEMAN *v.* HOFBAUER, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 95–1190. McCLARAN, DIRECTOR, CHILD SUPPORT SERVICES, TENNESSEE DEPARTMENT OF HUMAN SERVICES *v.* DAVIS ET AL. Sup. Ct. Tenn. Motion of respondents for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 909 S. W. 2d 412.

No. 95–1205. IDAHO *v.* LANKFORD. Sup. Ct. Idaho. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 127 Idaho 608, 903 P. 2d 1305.

No. 95–1219. NEWMAN *v.* CONSOLIDATION COAL CO. C. A. 3d Cir. Motion of petitioner for leave to proceed as a seaman granted. Certiorari denied.

No. 95–1221. HYMAN *v.* VIRGINIA DEPARTMENT OF TAXATION. Sup. Ct. Va. Motion of M. Patton Echols, Jr., and Barbara B. Tanes to be substituted in place of Joseph B. Hyman, deceased, granted. Certiorari denied.

*Rehearing Denied*

No. 95–630. BAIRD *v.* UNITED STATES, 516 U. S. 1111;  
No. 95–934. JOHNSON *v.* JOHNSON ET AL., 516 U. S. 1115;  
No. 95–6957. HALSTEAD *v.* FLORIDA ET AL., 516 U. S. 1123;  
No. 95–7006. IN RE CRAIG, 516 U. S. 1110; and  
No. 95–7120. HERNANDEZ *v.* NEW MEXICO ET AL., 516 U. S. 1126. Petitions for rehearing denied.

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*Dismissal Under Rule 46*

No. 95–1487. *ALTSTATT v. OREGON STATE BAR*. Sup. Ct. Ore. Certiorari dismissed under this Court's Rule 46.1. Reported below: 321 Ore. 324, 897 P. 2d 1164.

*Miscellaneous Order*. (See No. A–828, *ante*, p. 345.)

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*Certiorari Denied*

No. 95–8560 (A–832). *WILLIAMS v. BOWERSOX*, 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. Reported below: 82 F. 3d 781.

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*Dismissal Under Rule 46*

No. 95–1230. *BELLSOUTH TELECOMMUNICATIONS, INC., ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari dismissed as to Telephone Utilities Exchange Carrier Association under this Court's Rule 46. Reported below: 59 F. 3d 1407.

*Certiorari Granted—Vacated and Remanded*

No. 94–357. *WASHINGTON ET AL. v. SPOKANE TRIBE OF INDIANS*. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Seminole Tribe of Fla. v. Florida*, *ante*, p. 44. Reported below: 28 F. 3d 991.

No. 94–1029. *OKLAHOMA v. PONCA TRIBE OF OKLAHOMA*. C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Seminole Tribe of Fla. v. Florida*, *ante*, p. 44. Reported below: 37 F. 3d 1422.

No. 94–1343. *MONTANA ET AL. v. FORT BELKNAP INDIAN COMMUNITY OF THE FORT BELKNAP INDIAN RESERVATION*; and

No. 94–1344. *JESSUP, ADMINISTRATOR OF THE GAMING CONTROL DIVISION, ET AL. v. BLACKFEET TRIBE OF THE BLACKFEET RESERVATION*. C. A. 9th Cir. Certiorari granted, judgment

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vacated, and cases remanded for further consideration in light of *Seminole Tribe of Fla. v. Florida*, ante, p. 44. Reported below: 39 F. 3d 1186.

No. 95-561. OHIO AGRICULTURAL COMMODITY DEPOSITORS FUND ET AL. *v.* MAHERN, TRUSTEE, MERCHANTS GRAIN, INC. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Seminole Tribe of Fla. v. Florida*, ante, p. 44. Reported below: 59 F. 3d 630.

No. 95-7356. ALLEN *v.* UNITED STATES. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 56 F. 3d 73.

No. 95-7400. NETTER *v.* UNITED STATES. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 62 F. 3d 232.

#### *Miscellaneous Orders*

No. A-507 (95-8468). COOPER *v.* CONNECTICUT. App. Ct. Conn. Application for stay, addressed to JUSTICE KENNEDY and referred to the Court, denied.

No. A-705. KLAT *v.* COUNTY OF SAN DIEGO ET AL. Super. Ct. Cal., County of San Diego. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. D-1628. IN RE DISBARMENT OF HILLS. Disbarment entered. [For earlier order herein, see 516 U. S. 1038.]

No. D-1634. IN RE DISBARMENT OF WELLS. Edward G. Wells, of Palatine, Ill., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on January 22, 1996 [516 U. S. 1090], is discharged.

No. D-1638. IN RE DISBARMENT OF BACHSTEIN. Disbarment entered. [For earlier order herein, see 516 U. S. 1106.]

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No. D-1640. IN RE DISBARMENT OF BENTON. Disbarment entered. [For earlier order herein, see 516 U.S. 1106.]

No. D-1641. IN RE DISBARMENT OF MARCUS. Disbarment entered. [For earlier order herein, see 516 U.S. 1107.]

No. D-1644. IN RE DISBARMENT OF GUTH. Disbarment entered. [For earlier order herein, see 516 U.S. 1107.]

No. D-1646. IN RE DISBARMENT OF GLOVER. Disbarment entered. [For earlier order herein, see 516 U.S. 1107.]

No. D-1647. IN RE DISBARMENT OF MCCLOSKEY. Disbarment entered. [For earlier order herein, see 516 U.S. 1107.]

No. D-1659. IN RE DISBARMENT OF BERG. Howard M. Berg, of Boca Raton, Fla., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on March 18, 1996 [516 U.S. 1169], is discharged.

No. D-1667. IN RE DISBARMENT OF GLENN. John Wheeler Glenn, of Baltimore, Md., is suspended from the practice of law in this Court, and a rule will 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-1668. IN RE DISBARMENT OF KELLY. Lawrence Vincent Kelly, of Hasbrouck Heights, N. J., is suspended from the practice of law in this Court, and a rule will 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-1669. IN RE DISBARMENT OF EWING. Charles William Ewing, of Hilliard, Ohio, is suspended from the practice of law in this Court, and a rule will 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-1670. IN RE DISBARMENT OF READY. James Sanders Ready, Jr., of Carlsbad, Cal., is suspended from the practice of law in this Court, and a rule will 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. M-52. HARRIS *v.* MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES;

No. M-53. SCHWARTZ ET AL. *v.* AULTMAN HEALTH SERVICES ASSN., DBA AULTMAN HOSPITAL, ET AL.;

No. M-54. CLIFFORD *v.* GLICKMAN, SECRETARY OF AGRICULTURE; and

No. M-55. CLIFTON *v.* UNITED STATES. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. M-56. PANDEY *v.* PAUL REVERE LIFE INSURANCE CO. ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied. JUSTICE BREYER took no part in the consideration or decision of this motion.

No. 95-346. UNITED STATES *v.* \$405,089.23 IN UNITED STATES CURRENCY ET AL. C. A. 9th Cir. [Certiorari granted, 516 U. S. 1070.] Motion of respondent James Wren for leave to proceed further herein *in forma pauperis* granted.

No. 95-7186. JONES *v.* ABC-TV ET AL. C. A. 8th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [516 U. S. 363] denied. JUSTICE BREYER took no part in the consideration or decision of this motion.

No. 95-7894. SHIEH *v.* HATHAWAY ET AL. C. A. 9th Cir.; and

No. 95-7895. SHIEH *v.* EBERSHOFF ET AL. C. A. 9th Cir. Motions of petitioner for leave to proceed *in forma pauperis* denied. See this Court's Rule 39.8. Petitioner is allowed until May 6, 1996, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 95-8261. IN RE ZAPATA. Petition for writ of habeas corpus denied.

No. 95-7861. IN RE ROY; and

No. 95-8028. IN RE WARREN. Petitions for writs of mandamus denied.

*Certiorari Granted*

No. 94-1474. IDAHO ET AL. *v.* COEUR D'ALENE TRIBE OF IDAHO ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 42 F. 3d 1244.



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No. 95-789. CALIFORNIA DIVISION OF LABOR STANDARDS ENFORCEMENT ET AL. *v.* DILLINGHAM CONSTRUCTION, N. A., INC., ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 57 F. 3d 712.

No. 95-928. ATHERTON ET AL. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR CITY SAVINGS, F. S. B. C. A. 3d Cir. Certiorari granted. Reported below: 57 F. 3d 1231.

No. 95-1263. CATERPILLAR INC. *v.* LEWIS. C. A. 6th Cir. Certiorari granted limited to Questions 1 and 2 presented by the petition. Reported below: 68 F. 3d 474.

*Certiorari Denied*

No. 94-35. ALABAMA ET AL. *v.* POARCH BAND OF CREEK INDIANS;

No. 94-189. POARCH BAND OF CREEK INDIANS *v.* ALABAMA ET AL.; and

No. 94-219. FLORIDA ET AL. *v.* SEMINOLE TRIBE OF FLORIDA. C. A. 11th Cir. Certiorari denied. Reported below: 11 F. 3d 1016.

No. 94-1647. COEUR D'ALENE TRIBE OF IDAHO ET AL. *v.* IDAHO ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 42 F. 3d 1244.

No. 95-858. CHICK *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 61 F. 3d 682.

No. 95-878. PRODUCTION PLATED PLASTICS, INC., ET AL. *v.* UNITED STATES ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 61 F. 3d 904.

No. 95-949. TEAMSTERS LOCAL 115, AFFILIATED WITH INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 3d Cir. Certiorari denied.

No. 95-1003. MONTOYA *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 65 F. 3d 405.

No. 95-1049. THO DINH TRAN *v.* DINH TRUONG TRAN ET AL.; and

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No. 95-1309. DINH TRUONG TRAN ET AL. *v.* THO DINH TRAN. C. A. 2d Cir. Certiorari denied. Reported below: 54 F. 3d 115.

No. 95-1089. PITTSTON CO. ET AL. *v.* BABBITT, SECRETARY OF THE INTERIOR, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 66 F. 3d 714.

No. 95-1102. FGS CONSTRUCTORS, INC. *v.* UNITED STATES ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 64 F. 3d 1230.

No. 95-1114. BOGGS *v.* BOWRON ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 67 F. 3d 972.

No. 95-1139. DOSTIE *v.* MAINE. Sup. Jud. Ct. Me. Certiorari denied.

No. 95-1144. DEREWAL *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 66 F. 3d 52.

No. 95-1229. KNIGHT, DBA STEVE KNIGHT STEEL FABRICATORS, ET AL. *v.* UNITED STATES FIDELITY & GUARANTY INSURANCE CO. C. A. 5th Cir. Certiorari denied. Reported below: 65 F. 3d 34.

No. 95-1245. STEINBERG *v.* BINGHAM, ANCILLARY ADMINISTRATOR OF THE ESTATE OF MARLEY, ET AL.; and

No. 95-1276. ZOLT ET AL. *v.* BINGHAM, ANCILLARY ADMINISTRATOR OF THE ESTATE OF MARLEY, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 66 F. 3d 553.

No. 95-1248. NEELY, BY AND THROUGH HER PARENTS, NEELY ET UX. *v.* RUTHERFORD COUNTY SCHOOLS. C. A. 6th Cir. Certiorari denied. Reported below: 68 F. 3d 965.

No. 95-1256. DOLENZ *v.* SOUTHWEST MEDIA CORP. ET AL. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 95-1261. GREEN *v.* UNITED PENTECOSTAL CHURCH INTERNATIONAL. Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 899 S. W. 2d 28.

No. 95-1262. FISHBURNE ET AL. *v.* CINERGI PRODUCTIONS, INC., ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-1264. CENTRAL CARTAGE CO. *v.* CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 69 F. 3d 1312.

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No. 95-1269. WODARSKI *v.* AMERICAN MANUFACTURERS MUTUAL INSURANCE CO. C. A. 10th Cir. Certiorari denied. Reported below: 68 F. 3d 483.

No. 95-1270. SCOTT P., BY AND THROUGH HIS GUARDIANS, BESS P. ET AL. *v.* CARLISLE AREA SCHOOL DISTRICT. C. A. 3d Cir. Certiorari denied. Reported below: 62 F. 3d 520.

No. 95-1271. USA RECYCLING, INC., ET AL. *v.* TOWN OF BABYLON ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 66 F. 3d 1272.

No. 95-1277. LITZ *v.* THOMAS. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 95-1279. EINHORN ET AL. *v.* LACHANCE ET AL. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 95-1281. MCCREARY *v.* KENTUCKY. Cir. Ct. Jefferson County, Ky. Certiorari denied.

No. 95-1282. ROBILLARD, ADMINISTRATRIX OF THE ESTATE OF ROBILLARD, DECEASED, ET AL. *v.* BATON ROUGE MARINE CONTRACTORS, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 877.

No. 95-1283. JERSEY CARTING, INC., ET AL. *v.* BOARD OF REGULATORY COMMISSIONERS OF NEW JERSEY. Super. Ct. N. J., App. Div. Certiorari denied.

No. 95-1285. WILSON *v.* STATE FARM FIRE & CASUALTY INSURANCE CO. C. A. 7th Cir. Certiorari denied.

No. 95-1289. THARP ET AL. *v.* IOWA DEPARTMENT OF CORRECTIONS ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 68 F. 3d 223.

No. 95-1291. CARTER ET AL. *v.* MROZOWSKI ET AL. Commw. Ct. Pa. Certiorari denied. Reported below: 661 A. 2d 44.

No. 95-1292. JACOBS *v.* KERN COMMUNITY COLLEGE DISTRICT. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 95-1295. DAYTON AREA VISUALLY IMPAIRED PERSONS, INC., ET AL. *v.* MONTGOMERY, ATTORNEY GENERAL OF OHIO,

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ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 1474.

No. 95-1303. FLORIDA *v.* RAYFIELD. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 664 So. 2d 6.

No. 95-1304. FLORIDA *v.* JONES. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 662 So. 2d 365.

No. 95-1307. PERRY *v.* LEWTER. Sup. Ct. Ala. Certiorari denied. Reported below: 667 So. 2d 748.

No. 95-1314. CLEMENTS *v.* BABCOCK & WILCOX CO. ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1261.

No. 95-1317. MILLER *v.* PURKETT, SUPERINTENDENT, FARMINGTON CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 95-1326. VILLAGE OF LAKE BARRINGTON ET AL. *v.* HOGAN ET AL. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 272 Ill. App. 3d 225, 649 N. E. 2d 1366.

No. 95-1331. ORTIZ *v.* DEPARTMENT OF HEALTH AND HUMAN SERVICES. C. A. 2d Cir. Certiorari denied. Reported below: 70 F. 3d 729.

No. 95-1343. SMITH ET UX. *v.* R. S. L. LAYOUT & DESIGN, INC. Sup. Ct. N. H. Certiorari denied.

No. 95-1345. BERGER ET UX. *v.* CITY OF MORGAN HILL, CALIFORNIA. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 95-1347. PRICE CO. ET AL. *v.* FECHT ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1078.

No. 95-1377. HOSPITAL SAN FRANCISCO, INC. *v.* CORREA GONZALEZ ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 69 F. 3d 1184.

No. 95-1379. CARLSON *v.* ICI AMERICAS INC. ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 64 F. 3d 327.

No. 95-1382. NEWMAN ET UX. *v.* WORCESTER COUNTY DEPARTMENT OF SOCIAL SERVICES. Ct. App. Ind. Certiorari denied. Reported below: 650 N. E. 2d 726.

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No. 95-1391. *DUNSTABLE-GROTON CORP., ASSIGNEE OF J & C HOMES, INC. v. GROTON PLANNING BOARD*. App. Ct. Mass. Certiorari denied. Reported below: 39 Mass. App. 1111, 656 N. E. 2d 589.

No. 95-1394. *JIRICKO v. LAKIN & HERNDON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 69 F. 3d 539.

No. 95-1396. *BROADWATER v. CORBETT, ATTORNEY GENERAL OF PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 95-1404. *ZIOMEK v. CITY AND COUNTY OF SAN FRANCISCO*. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 311.

No. 95-1428. *FLUEHR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1228.

No. 95-1446. *CURTIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 113.

No. 95-1447. *JONES ET AL. v. CHEMETRON CORP.* C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 341.

No. 95-1453. *PUDLO v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 272 Ill. App. 3d 1002, 651 N. E. 2d 676.

No. 95-1454. *HERNANDEZ-VARGAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 62 F. 3d 1429.

No. 95-1458. *CELESTIAL CHURCH OF CHRIST, INC. v. CITY OF CHICAGO*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 269 Ill. App. 3d 1113, 685 N. E. 2d 446.

No. 95-1481. *CHAPA v. JIM WELLS COUNTY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 875.

No. 95-1485. *BERTOLI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1228.

No. 95-1504. *MARCINEK v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 135.

No. 95-6845. *BELLRICHARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 62 F. 3d 1046.

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No. 95-6966. *SIMON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 56 F. 3d 75.

No. 95-6988. *NOBLES v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 676.

No. 95-6993. *IBALIO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 841.

No. 95-6996. *QUIBA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1433.

No. 95-6997. *SIWA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1433.

No. 95-7004. *MAURICIO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 841.

No. 95-7007. *DE JESUS v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1431.

No. 95-7008. *DAGUINOTNOT v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1431.

No. 95-7009. *FILAMOR v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 841.

No. 95-7010. *DUNCA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 841.

No. 95-7012. *DIEGUEZ-ALVAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 69 F. 3d 550 and 551.

No. 95-7014. *PANTILON v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1432.

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No. 95-7041. *CARPIO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 672.

No. 95-7042. *CAYANAN v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1432.

No. 95-7043. *ALFEROS v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 841.

No. 95-7044. *CORPUZ v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 677.

No. 95-7045. *BONDAD v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1432.

No. 95-7046. *CALISAAN v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1432.

No. 95-7054. *JACKSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 59 F. 3d 1421.

No. 95-7066. *RABE v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 842.

No. 95-7081. *CABILES v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1432.

No. 95-7088. *DANAO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 672.

No. 95-7089. *FLORENTINO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 672.

No. 95-7134. *HARDY ET UX. v. CITY OF ORLANDO*. C. A. 11th Cir. Certiorari denied. Reported below: 62 F. 3d 400.

No. 95-7145. *ISLA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 676.

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No. 95-7147. *NAVARRO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 842.

No. 95-7153. *CAMPBELL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 910 S. W. 2d 475.

No. 95-7182. *MAGANTE v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1431.

No. 95-7231. *CUSTODIO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 841.

No. 95-7257. *ALCONES v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 842.

No. 95-7263. *MAGLALANG v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 672.

No. 95-7320. *TAYLOR v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 166 Ill. 2d 414, 655 N. E. 2d 901.

No. 95-7321. *DELA REA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 841.

No. 95-7330. *GRANT-CHASE v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied. Reported below: 140 N. H. 264, 665 A. 2d 380.

No. 95-7366. *OWENS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 95-7389. *CORONEL v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1432.

No. 95-7442. *PALO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 842.

No. 95-7450. *MAYO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1431.



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No. 95-7463. *TILLO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 60 F. 3d 842.

No. 95-7483. *SANCHEZ v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1432.

No. 95-7485. *SANTOS v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 61 F. 3d 919.

No. 95-7491. *DELOS REYES v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 66 F. 3d 347.

No. 95-7511. *CLARK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 67 F. 3d 1154.

No. 95-7517. *SULTAN v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 95-7641. *REYES v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1431.

No. 95-7725. *FORONDA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 672.

No. 95-7726. *GARCIA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1431.

No. 95-7751. *BERGMANN v. MCCOLLOUGH*. Ct. App. Ga. Certiorari denied. Reported below: 218 Ga. App. 353, 461 S. E. 2d 544.

No. 95-7758. *HAI CONG PHAM v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 95-7769. *SMITH v. PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 95-7790. *BAIJNATH v. CHAN, SENIOR MINISTER OF TRADE FOR IMPORT AND EXPORT, GEORGETOWN, GUYANA, SOUTH AMERICA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 60 F. 3d 813.

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No. 95-7798. *NUNEZ v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 95-7800. *BERNARDEZ v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 68 F. 3d 488.

No. 95-7802. *CLUCK v. OSHEROW, TRUSTEE*. C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 876.

No. 95-7804. *TARABOLSKI v. TOWN OF SHARON, MASSACHUSETTS, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 70 F. 3d 110.

No. 95-7810. *DYKES v. SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 68 F. 3d 1564.

No. 95-7814. *HILL v. KING, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 340.

No. 95-7816. *ESCUSA v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1431.

No. 95-7817. *GRAVES v. BURRELL, JUDGE, JUSTICE COURT OF SUNFLOWER COUNTY*. Sup. Ct. Miss. Certiorari denied.

No. 95-7819. *DUBUC v. HOPPER, JUDGE, TULSA COUNTY*. Ct. Crim. App. Okla. Certiorari denied.

No. 95-7820. *GIBSON v. JONES, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-7822. *ANDREWS v. GEORGIA STATE BOARD OF PARDONS AND PAROLES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-7823. *BILLUPS v. SCHOTTEN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 67 F. 3d 299.

No. 95-7824. *BANKS v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-7827. *BILLBERRY v. INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 47, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 57 F. 3d 1076.

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No. 95-7833. *ALVAREZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 68 F. 3d 1242.

No. 95-7835. *CONTRERAS v. STAINER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-7838. *WEBB v. FIELDS, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Okla. Certiorari denied. Reported below: 907 P. 2d 1055.

No. 95-7839. *BERNARD v. OFFICE OF THE QUEENS COUNTY DISTRICT ATTORNEY*. C. A. 2d Cir. Certiorari denied.

No. 95-7842. *GILKEY v. HILL ET AL.* Ct. App. Kan. Certiorari denied.

No. 95-7850. *NELSON v. CANNON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 72 F. 3d 127.

No. 95-7851. *NOONER v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 322 Ark. 87, 907 S. W. 2d 677.

No. 95-7852. *LYNCH v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 340 N. C. 435, 459 S. E. 2d 679.

No. 95-7853. *KARAGEORGOS v. BEACH, CADIGAN & MARTIN ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 103 Md. App. 777.

No. 95-7857. *JAMES v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 95-7868. *BURLEY v. McDONNELL DOUGLAS HELICOPTER Co.* C. A. 9th Cir. Certiorari denied.

No. 95-7871. *CUPIT v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 95-7873. *TERRY v. HUFFMAN, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 1234.

No. 95-7875. *JONES v. GOMEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 66 F. 3d 199.

No. 95-7878. *STEPHENS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

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No. 95-7880. *BRAUN v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 909 P. 2d 783.

No. 95-7882. *WHITE v. NEW YORK STATE WORKERS' COMPENSATION BOARD*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 95-7885. *ESTES v. NAMBA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 74 F. 3d 1249.

No. 95-7887. *FREE v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied.

No. 95-7893. *SOLER-SOMAHANO v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 11th Cir. Certiorari denied. Reported below: 67 F. 3d 313.

No. 95-7896. *BELYEU v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 67 F. 3d 535.

No. 95-7899. *POWELL v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 906 P. 2d 765.

No. 95-7905. *DAVENPORT v. MELOY, SUPERINTENDENT, ROCKVILLE TRAINING CENTER*. C. A. 7th Cir. Certiorari denied.

No. 95-7910. *DIGBY v. FOLLOWILL, JUDGE, SUPERIOR COURT OF GEORGIA, CHATTAHOOCHEE COUNTY, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-7915. *SCOTT v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 95-7917. *BRYSON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 903 P. 2d 333.

No. 95-7918. *CAVANAUGH v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 95-7920. *ANDERSON v. NEWBERRY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 95-7928. *KILIONA v. HAWAII ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 120.

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No. 95-7941. *BENNETT v. UNITED STATES*; and  
No. 95-8271. *HOUSER v. UNITED STATES*. C. A. 11th Cir.  
Certiorari denied. Reported below: 70 F. 3d 87.

No. 95-7963. *RAUSER v. BEARD, DEPUTY COMMISSIONER,  
PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d  
Cir. Certiorari denied.

No. 95-7980. *ABDELMEGED v. B-G MAINTENANCE MANAGE-  
MENT OF COLORADO, INC.* C. A. 10th Cir. Certiorari denied.  
Reported below: 61 F. 3d 915.

No. 95-7984. *SLEDGE v. CUMMINGS ET AL.* C. A. 10th Cir.  
Certiorari denied. Reported below: 69 F. 3d 548.

No. 95-7993. *HOOKS v. OKLAHOMA*. Ct. Crim. App. Okla.  
Certiorari denied. Reported below: 902 P. 2d 1120.

No. 95-8044. *RAMER v. THOMAS, WARDEN*. C. A. 10th Cir.  
Certiorari denied. Reported below: 61 F. 3d 916.

No. 95-8058. *MCQUEEN v. HAYES ET AL.* C. A. 5th Cir. Cer-  
tiorari denied.

No. 95-8064. *AGUILAR v. NEWTON, WARDEN, ET AL.* C. A.  
10th Cir. Certiorari denied. Reported below: 69 F. 3d 547.

No. 95-8065. *AGUILAR v. NEW MEXICO*. Dist. Ct. N. M.,  
Bernalillo County. Certiorari denied.

No. 95-8071. *HOXSIE v. KERBY, WARDEN, ET AL.* C. A. 10th  
Cir. Certiorari denied. Reported below: 70 F. 3d 1282.

No. 95-8083. *SEWELL ET AL. v. ILLINOIS*. App. Ct. Ill., 1st  
Dist. Certiorari denied. Reported below: 273 Ill. App. 3d 519,  
652 N. E. 2d 1146.

No. 95-8086. *ALEXANDER v. MISSISSIPPI ET AL.* Sup. Ct.  
Miss. Certiorari denied. Reported below: 667 So. 2d 1.

No. 95-8087. *HARVEY v. BOWERSOX, SUPERINTENDENT, PO-  
TOSI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari  
denied.

No. 95-8088. *HARVEY v. "UNITED STATES MARSHAL EDMO"  
ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 95–8089. *HARVEY v. SCHRIRO, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 95–8093. *NELSON v. HOPKINS.* C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 374.

No. 95–8107. *SQUARE v. MORTON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 95–8110. *STEEVES v. ALLEN, COMMISSIONER, MAINE DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 72 F. 3d 121.

No. 95–8136. *THARPE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 71 F. 3d 881.

No. 95–8142. *PILOTO v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 298.

No. 95–8154. *TINSLEY v. METHODIST HOSPITAL OF INDIANA.* C. A. 7th Cir. Certiorari denied. Reported below: 70 F. 3d 1275.

No. 95–8157. *CHRISTY v. COOPER, ASSISTANT ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 341.

No. 95–8161. *MILLER v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 95–8168. *DELBRIDGE ET UX. v. NEW JERSEY DIVISION OF YOUTH AND FAMILY SERVICES ET AL.* C. A. 3d Cir. Certiorari denied.

No. 95–8181. *BIGGS v. UNITED STATES.* Ct. App. D. C. Certiorari denied.

No. 95–8182. *WONDERLY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 1020.

No. 95–8183. *PETTEE v. MINNESOTA.* Sup. Ct. Minn. Certiorari denied. Reported below: 538 N. W. 2d 126.

No. 95–8188. *WALDEN v. ARIZONA.* Sup. Ct. Ariz. Certiorari denied. Reported below: 183 Ariz. 595, 905 P. 2d 974.

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No. 95–8193. *STANDING BEAR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 68 F. 3d 271.

No. 95–8195. *CLARK v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 386.

No. 95–8200. *GARNER v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 74 Ohio St. 3d 49, 656 N. E. 2d 623.

No. 95–8201. *HUREL GUERRERO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 400.

No. 95–8203. *FARMER v. HAWK ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95–8206. *CAMPBELL v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 70 F. 3d 1323.

No. 95–8207. *COFFIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 76 F. 3d 494.

No. 95–8208. *BARBOUR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 580.

No. 95–8210. *SANDERS ET AL. v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 68 F. 3d 483.

No. 95–8212. *ASHLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 135.

No. 95–8220. *HELMSTETTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 F. 3d 1189.

No. 95–8222. *GOODMAN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 95–8225. *CARRAZANA v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 70 F. 3d 1339.

No. 95–8229. *MILLER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 70 F. 3d 1353.

No. 95–8231. *MACARMOUR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 136.

No. 95–8234. *JACKSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

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No. 95-8235. *MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 999.

No. 95-8238. *BROACH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 1238.

No. 95-8241. *BROUMAS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 69 F. 3d 1178.

No. 95-8244. *CASAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 124.

No. 95-8245. *CANNON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 113.

No. 95-8246. *VALLEJO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 992.

No. 95-8253. *SMITH ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 77 F. 3d 472.

No. 95-8262. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 78 F. 3d 580.

No. 95-8264. *LIGGINS v. OHIO DEPARTMENT OF DEVELOPMENT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 68 F. 3d 474.

No. 95-8265. *MORGAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1258.

No. 95-8266. *MCCLELLAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 717.

No. 95-8267. *MCWILLIAMS v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 95-8269. *MORRISON v. RENO, ATTORNEY GENERAL OF THE UNITED STATES, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 95-8270. *GUZMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 68 F. 3d 49.

No. 95-8272. *SUGGS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 473.

No. 95-8280. *SANDERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 1268.



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No. 95-8286. *PHILLIPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 376.

No. 95-8287. *SHERRY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 365.

No. 95-8288. *ROMERO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 54 F. 3d 56.

No. 95-8291. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 1146.

No. 95-8292. *TAYLOR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1257.

No. 95-8295. *DARDEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 1507.

No. 95-8296. *DILBERT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 71 F. 3d 882.

No. 95-8300. *DOYLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 78 F. 3d 579.

No. 95-8301. *HAWKINS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1228.

No. 95-8304. *HUNTER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1228.

No. 95-8312. *MYLES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 477.

No. 95-8318. *STRYDOM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 371.

No. 95-8325. *CLAYPOOL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 464.

No. 95-8330. *MCCAULEY v. WINEGARDEN, JUDGE, SUPERIOR COURT OF GEORGIA, GWINNETT COUNTY, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 60 F. 3d 766.

No. 95-8333. *ROBINSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 371.

No. 95-8339. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 297.

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No. 95-8343. CONTI *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 73 F. 3d 361.

No. 95-961. MCDANIEL, WARDEN, ET AL. *v.* MCKENNA. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 65 F. 3d 1483.

No. 95-1265. FLORIDA *v.* JONES. Dist. Ct. App. Fla., 4th Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 656 So. 2d 489.

No. 95-1305. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION *v.* REED. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 70 F. 3d 844.

No. 95-1098. CASELLA *v.* EQUIFAX CREDIT INFORMATION SERVICES ET AL. C. A. 2d Cir. Motion of National Association of Consumer Advocates et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 56 F. 3d 469.

No. 95-1223. A. A. & M. CARTING SERVICE, INC., ET AL. *v.* TOWN OF BABYLON ET AL. C. A. 2d Cir. Motion of New York State Conference of Mayors and Municipal Officers for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 66 F. 3d 1272.

No. 95-1224. BROIDA *v.* HOROWITZ ET AL. C. A. 11th Cir. Motion of petitioner to strike the brief in opposition denied. Certiorari denied. Reported below: 53 F. 3d 1285.

No. 95-7864. SAUNDERS *v.* AMERICAN TELEPHONE & TELEGRAPH CO. ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 66 F. 3d 312.

*Rehearing Denied*

No. 95-782. SSC CORP. *v.* TOWN OF SMITHTOWN ET AL., 516 U. S. 1112;

No. 95-826. JENKINS *v.* NEW MEXICO SECURITIES DIVISION, 516 U. S. 1074;

No. 95-843. BUSH *v.* JONES ET AL., 516 U. S. 1113;

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No. 95-914. *BROIDA v. SMITH, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF HOROWITZ, DECEASED, ET AL.*, 516 U. S. 1141;

No. 95-1005. *MORATA v. UNITED STATES POSTAL SERVICE*, 516 U. S. 1117;

No. 95-1066. *SIMONE ET UX. v. WORCESTER COUNTY INSTITUTION FOR SAVINGS*, 516 U. S. 1159;

No. 95-1091. *ANDERSON v. UNITED STATES*, 516 U. S. 1119;

No. 95-1120. *BOLT v. SINGLETON ET AL.*, 516 U. S. 1147;

No. 95-1149. *BRAKE v. DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT*, 516 U. S. 1147;

No. 95-6851. *STANO v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, 516 U. S. 1122;

No. 95-7024. *MCCORMICK v. KAYLO, WARDEN*, 516 U. S. 1124;

No. 95-7033. *FROMAL v. JACKSON*, 516 U. S. 1124;

No. 95-7037. *VERDUGO v. CALIFORNIA STATE UNIVERSITY AT LOS ANGELES ET AL.*, 516 U. S. 1124;

No. 95-7047. *YOUNG v. CITY OF CULVER CITY, CALIFORNIA, ET AL.*, 516 U. S. 1124;

No. 95-7055. *MENDOZA-FIGUEROA v. UNITED STATES*, 516 U. S. 1125;

No. 95-7065. *CROWE v. GEORGIA*, 516 U. S. 1148;

No. 95-7096. *WYNN v. AC ROCHESTER, DIVISION OF GENERAL MOTORS CORP.*, 516 U. S. 1125;

No. 95-7101. *MARIAN v. CALLES ET AL.*, 516 U. S. 1126;

No. 95-7102. *LAW v. LAW*, 516 U. S. 1126;

No. 95-7121. *ARVIN-THORNTON v. PHILIP MORRIS PRODUCTS, INC.*, 516 U. S. 1126;

No. 95-7144. *MELKONIAN ET AL. v. TRUCK INSURANCE EXCHANGE ET AL.*, 516 U. S. 1127;

No. 95-7187. *KNIGHT v. COURT OF CIVIL APPEALS OF ALABAMA*, 516 U. S. 1129;

No. 95-7192. *SWEENEY v. UNITED STATES*, 516 U. S. 1129;

No. 95-7210. *ORNELAS v. MYERS, WARDEN, ET AL.*, 516 U. S. 1129;

No. 95-7271. *GALLEGO-SANCHEZ v. IMMIGRATION AND NATURALIZATION SERVICE*, 516 U. S. 1132;

No. 95-7287. *FELKER v. THOMAS, WARDEN*, 516 U. S. 1133;

No. 95-7298. *TOKHTAMESHEV v. AMERICAN NATIONAL CAN Co.*, 516 U. S. 1149;

No. 95-7365. *IN RE MCQUEEN*, 516 U. S. 1157;

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No. 95-7380. PRINGLE *v.* UNITED STATES, 516 U. S. 1135;  
No. 95-7388. IN RE MARTINEZ, 516 U. S. 1145;  
No. 95-7402. NANCE *v.* UNITED STATES, 516 U. S. 1136;  
No. 95-7470. EICKLEBERRY *v.* UNITED STATES, 516 U. S. 1138;  
No. 95-7489. TYLER *v.* BOWERSOX, SUPERINTENDENT, POTOMAC  
CORRECTIONAL CENTER, 516 U. S. 1149;  
No. 95-7567. ENGELKING *v.* UNITED STATES, 516 U. S. 1150;  
No. 95-7611. WARD *v.* TURNER, 516 U. S. 1151;  
No. 95-7624. CURIALE *v.* SEDWICK, JUDGE, UNITED STATES  
DISTRICT COURT FOR THE DISTRICT OF ALASKA, 516 U. S. 1163;  
No. 95-7631. DREAD *v.* MARYLAND STATE POLICE, 516 U. S.  
1163;  
No. 95-7788. IN RE ROBINSON, 516 U. S. 1157; and  
No. 95-7813. FLEMMINGS *v.* MORTON ET AL., 516 U. S. 1166.  
Petitions for rehearing denied.

No. 95-6504. UZOWURU *v.* WILLIAMS BROTHERS CONSTRUCTION CO., INC., ET AL., 516 U. S. 1053. Motion for leave to file petition for rehearing denied.

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*Dismissal Under Rule 46*

No. 95-1176. PALMER COMMUNICATIONS, INC., ET AL. *v.* TOTAL TV. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 69 F. 3d 298.

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*Certiorari Granted—Vacated and Remanded*

No. 95-642. FRIEND *v.* UNITED STATES. C. A. 8th Cir. Petition for rehearing granted, and the order entered January 22, 1996 [516 U. S. 1093], denying the petition for writ of certiorari is vacated. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 50 F. 3d 548.

*Miscellaneous Orders*

No. A-796. ELIAS *v.* UNITED STATES. Application for release pending appeal, addressed to JUSTICE STEVENS and referred to the Court, denied.

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No. A-835. *AYERS ET AL. v. FORDICE, GOVERNOR OF MISSISSIPPI, ET AL.* Application for stay of order of the United States District Court for the Northern District of Mississippi, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

No. A-843 (95-1649). *KANSAS v. HENDRICKS.* Sup. Ct. Kan. Application for stay, presented to JUSTICE BREYER, and by him referred to the Court, granted, and it is ordered that the mandate of the Supreme Court of Kansas, case No. 73,039, is stayed pending this Court's action of the petition for writ of certiorari. Should the petition for writ of certiorari be granted, this order is to continue in effect pending the issuance of the mandate of this Court. If the petition for writ of certiorari is denied, this order is to terminate automatically.

No. D-1671. *IN RE DISBARMENT OF WALL.* Kevin F. Wall, of Oaklyn, N. J., is suspended from the practice of law in this Court, and a rule will 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-1672. *IN RE DISBARMENT OF JENNINGS.* Kathleen Perry Jennings, of Greenville, S. C., is suspended from the practice of law in this Court, and a rule will 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-1673. *IN RE DISBARMENT OF POLLACK.* Sanford E. Pollack, of Baldwin, N. Y., is suspended from the practice of law in this Court, and a rule will 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-1675. *IN RE DISBARMENT OF PINCHAM.* Robert Eugene Pincham, Jr., of Chicago, Ill., is suspended from the practice of law in this Court, and a rule will 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. 95-137. *WILLIAMS ET AL. v. NATIONAL BASKETBALL ASSN. ET AL.* C. A. 2d Cir. Motion of respondents to defer consideration of petition for writ of certiorari denied.

No. 95-345. *UNITED STATES v. URSERY.* C. A. 6th Cir. [Certiorari granted, 516 U. S. 1070]; and

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No. 95-346. UNITED STATES *v.* \$405,089.23 IN UNITED STATES CURRENCY ET AL. C. A. 9th Cir. [Certiorari granted, 516 U. S. 1070.] Motion of National Association of Criminal Defense Lawyers for leave to file a brief as *amicus curiae* granted.

No. 95-860. SMILEY *v.* CITIBANK (SOUTH DAKOTA), N. A. Sup. Ct. Cal. [Certiorari granted, 516 U. S. 1087.] Motion of the Attorney General of Indiana to withdraw as *amicus curiae* granted.

No. 95-891. OHIO *v.* ROBINETTE. Sup. Ct. Ohio. [Certiorari granted, 516 U. S. 1157.] Motion of Americans for Effective Law Enforcement for leave to file a brief as *amicus curiae* granted.

No. 95-939. IMMIGRATION AND NATURALIZATION SERVICE *v.* ELRAMLY. C. A. 9th Cir. [Certiorari granted, 516 U. S. 1170.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 95-1455. RENO, ATTORNEY GENERAL *v.* BOSSIER PARISH SCHOOL BOARD ET AL. Appeal from D. C. D. C. Motion of appellee to supplement the record denied.

No. 95-8345. IN RE HANEY. Petition for writ of mandamus denied.

*Certiorari Granted*

No. 95-1100. BOARD OF THE COUNTY COMMISSIONERS OF BRYAN COUNTY, OKLAHOMA *v.* BROWN ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 67 F. 3d 1174.

No. 95-1228. UNITED STATES *v.* WELLS ET AL. C. A. 8th Cir. Certiorari granted. Reported below: 63 F. 3d 745.

No. 95-1376. ROBINSON *v.* SHELL OIL Co. C. A. 4th Cir. Certiorari granted. Reported below: 70 F. 3d 325.

*Certiorari Denied*

No. 95-803. BLACK *v.* UNITED STATES ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 62 F. 3d 1115.

No. 95-958. NELSON *v.* OFFICE OF PERSONNEL MANAGEMENT. C. A. Fed. Cir. Certiorari denied. Reported below: 48 F. 3d 1238.

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No. 95-959. 640 BROADWAY RENAISSANCE CO. *v.* EISNER ET AL. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 212 App. Div. 2d 376, 622 N. Y. S. 2d 262.

No. 95-1134. RODRIGUEZ DE CASTRO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 63 F. 3d 148.

No. 95-1143. OREGON PUBLIC UTILITY COMMISSION *v.* GTE NORTHWEST INC. Sup. Ct. Ore. Certiorari denied. Reported below: 321 Ore. 458, 900 P. 2d 495.

No. 95-1146. CLARK ET AL. *v.* CLARKSTOWN CENTRAL SCHOOL DISTRICT ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 71 F. 3d 405.

No. 95-1150. J. A. CROSON CO. *v.* CENTRAL OHIO JOINT VOCATIONAL SCHOOL DISTRICT ET AL. Ct. App. Ohio, Madison County. Certiorari denied. Reported below: 104 Ohio App. 3d 146, 661 N. E. 2d 250.

No. 95-1156. LONDON *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 66 F. 3d 1227.

No. 95-1173. HAMLET *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 63 F. 3d 1097.

No. 95-1182. ST. PETER VILLA, INC., ET AL. *v.* LINTON, BY HER NEXT FRIEND, ARNOLD, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 65 F. 3d 508.

No. 95-1191. TRAHAN *v.* TRAHAN. Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 894 S. W. 2d 113.

No. 95-1195. WHITMORE ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 68 F. 3d 1212.

No. 95-1197. NATIONAL ASSOCIATION OF BROADCASTERS ET AL. *v.* MILLER ET AL.;

No. 95-1200. FEDERAL COMMUNICATIONS COMMISSION ET AL. *v.* MILLER ET AL.; and

No. 95-1361. MILLER ET AL. *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 1140.

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No. 95-1255. *SHELSTAD ET AL. v. WEST ONE BANK (IDAHO), FKA IDAHO FIRST NATIONAL BANK, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 59 F. 3d 176.

No. 95-1280. *BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT v. ABBOTT AMBULANCE, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 118.

No. 95-1294. *SAWATZKY v. OKLAHOMA CITY.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 906 P. 2d 785.

No. 95-1298. *ABELES v. INFOTECHNOLOGY, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 89 F. 3d 825.

No. 95-1299. *"BOB" v. "MARY" ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 273 Mont. 351, 903 P. 2d 207.

No. 95-1313. *CAFE 207, INC. v. ST. JOHNS COUNTY.* C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 272.

No. 95-1316. *SOLVENTES Y QUIMICA DE NICARAGUA, S. A. SOLQUIMISA, ET AL. v. WEAVER, LIQUIDATING TRUSTEE.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 878.

No. 95-1320. *BROWN ET AL. v. PASKVAN.* C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 1272.

No. 95-1322. *CREHAN ET UX. v. DEBOER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 64 F. 3d 1171.

No. 95-1327. *IN RE CARGILL, INC.* C. A. 1st Cir. Certiorari denied. Reported below: 66 F. 3d 1256.

No. 95-1334. *GRIGGS ET VIR v. SOUTH CAROLINA ELECTRIC & GAS Co.* Sup. Ct. S. C. Certiorari denied. Reported below: 320 S. C. 127, 463 S. E. 2d 608.

No. 95-1342. *FRED MEYER, INC. v. CASEY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 1412.

No. 95-1346. *VASQUEZ ET VIR v. HERNANDEZ ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 60 F. 3d 325.

No. 95-1350. *CHEROKEE INSURANCE Co., BY AND THROUGH WEED, SPECIAL DEPUTY COMMISSIONER OF COMMERCE AND INSURANCE FOR THE REHABILITATION OF CHEROKEE INSURANCE*



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Co. *v.* E. W. BLANCH CO. ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 66 F. 3d 117.

No. 95-1399. EADES ET UX. *v.* CLARK DISTRIBUTING CO., INC., ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 441.

No. 95-1421. JENSEN *v.* COUNTY OF SANTA CLARA, CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 544.

No. 95-1442. HUANG *v.* FRENCH ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 73 F. 3d 357.

No. 95-1466. PLOTT *v.* GENERAL MOTORS CORP., PACKARD ELECTRIC DIVISION. C. A. 6th Cir. Certiorari denied. Reported below: 71 F. 3d 1190.

No. 95-1476. JACKSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 1370.

No. 95-1499. DALEY ET AL. *v.* RAMBO. C. A. 7th Cir. Certiorari denied. Reported below: 68 F. 3d 203.

No. 95-1553. FLINN *v.* FLORIDA BAR ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 62 F. 3d 400.

No. 95-1562. WILLIAMS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 59 F. 3d 1180.

No. 95-1564. KIMBROUGH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 69 F. 3d 723.

No. 95-6984. TRIESTMAN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 60 F. 3d 812.

No. 95-7178. BUYEA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 66 F. 3d 336.

No. 95-7190. JORDAN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 66 F. 3d 317.

No. 95-7198. GRAHAM *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. Reported below: 541 Pa. 173, 661 A. 2d 1367.

No. 95-7279. BEETS *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 65 F. 3d 1258.

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No. 95-7433. *COOPER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 63 F. 3d 761.

No. 95-7525. *TEAGUE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 67 F. 3d 1208.

No. 95-7540. *JERVIS, AKA HARRISON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 62 F. 3d 1426.

No. 95-7546. *RUTH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 65 F. 3d 599.

No. 95-7560. *TERRY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 125.

No. 95-7583. *EDWARDS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 70 F. 3d 1274.

No. 95-7598. *NICHOLAS v. RENO, ATTORNEY GENERAL OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 95-7616. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 64 F. 3d 1105.

No. 95-7812. *DUCKETT v. GODINEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 734.

No. 95-7933. *J. A. L. v. HAMPTON ET AL.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 658 So. 2d 331.

No. 95-7937. *SHORES v. FOSTER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 69 F. 3d 533.

No. 95-7938. *ROBINSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 73 F. 3d 1107.

No. 95-7940. *ROBINSON v. MELOY, SUPERINTENDENT, ROCKVILLE TRAINING CENTER.* C. A. 7th Cir. Certiorari denied.

No. 95-7944. *SEVIGNY ET VIR v. MAINE ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 69 F. 3d 531.

No. 95-7947. *OLSEN v. LANE ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 666 So. 2d 906.

No. 95-7953. *BARNO v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 95-7956. *YATES v. GODWIN*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 1266.

No. 95-7958. *WILLIAMS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-7964. *SIQUEROS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 11 Cal. 4th 568, 904 P. 2d 1197.

No. 95-7969. *JOHNSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 660 So. 2d 637.

No. 95-7970. *JOHNSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 660 So. 2d 648.

No. 95-7976. *JAE v. GOOD*. C. A. 3d Cir. Certiorari denied. Reported below: 65 F. 3d 162.

No. 95-7977. *McREYNOLDS v. PATAKI, GOVERNOR OF NEW YORK, ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 87 N. Y. 2d 860, 662 N. E. 2d 793.

No. 95-7983. *SMITH v. HERRING, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-7990. *WRIGHT v. BROWN, SUPERINTENDENT, CLALLAM BAY CORRECTIONS CENTER, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 311.

No. 95-7991. *ZANKICH v. ALLEN, CLERK, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-7998. *CORTEZ ESCAMILLA v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-8001. *RIVENS v. DUNN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 375.

No. 95-8008. *PARKS v. ALLSTATE INSURANCE Co.* Ct. App. Ga. Certiorari denied.

No. 95-8009. *MANGRUM v. SIMMONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8013. *CAMPISI v. MAFFEO, TRUSTEE OF THE JOHN CAPOBIANCO TRUST, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 66 F. 3d 306.

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No. 95-8014. *KOFFIEL v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 62 F. 3d 400.

No. 95-8015. *KENNEDY v. COURT OF APPEALS OF MICHIGAN.* Sup. Ct. Mich. Certiorari denied.

No. 95-8024. *BERGMANN v. MCCAUGHTRY, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 65 F. 3d 1372.

No. 95-8025. *TAYLOR v. COBB ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-8053. *NOTHEIS v. PETKOVICH.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 908 S. W. 2d 803.

No. 95-8061. *COLEMAN v. NEW YORK COMMISSION OF CORRECTION ET AL.; COLEMAN v. MURRAY ET AL.; and COLEMAN v. NEW YORK COMMISSION OF CORRECTION ET AL.* C. A. 2d Cir. Certiorari denied.

No. 95-8062. *BARBEE v. STATE FARM AUTOMOBILE INSURANCE CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 66 F. 3d 310.

No. 95-8072. *HUGHEY v. COLUMBIA COUNTY SHERIFF'S DEPARTMENT ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 74 F. 3d 1243.

No. 95-8079. *WALP v. GOODWIN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 66 F. 3d 323.

No. 95-8096. *RIOS v. NEW HAMPSHIRE.* Sup. Ct. N. H. Certiorari denied.

No. 95-8102. *CSORBA v. ITT ELECTRO-OPTICAL PRODUCTS DIVISION.* C. A. 4th Cir. Certiorari denied. Reported below: 73 F. 3d 356.

No. 95-8141. *WOODBURY v. SEARS, ROEBUCK & Co.* C. A. 11th Cir. Certiorari denied.

No. 95-8156. *BUIVIDAS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 95-8205. *RISE ET AL. v. OREGON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 59 F. 3d 1556.

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No. 95-8211. *SHAFII v. BRITISH AIRWAYS*. C. A. 2d Cir. Certiorari denied. Reported below: 71 F. 3d 404.

No. 95-8237. *OKOLIE ET AL. v. RICHARDSON, COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied.

No. 95-8242. *CRABTREE v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8274. *BYNUM v. STATE FARM INSURANCE CO.* Ct. App. Ga. Certiorari denied. Reported below: 219 Ga. App. XXVI.

No. 95-8277. *SNEEDEN v. NORTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 375.

No. 95-8310. *MAYBECK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 376.

No. 95-8313. *MILLER v. OREGON STATE PRISON*. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 369.

No. 95-8321. *HARDY v. PINKERTON SECURITY SERVICES*. C. A. 5th Cir. Certiorari denied. Reported below: 59 F. 3d 1241.

No. 95-8326. *CAMILO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 71 F. 3d 984.

No. 95-8328. *JOYCE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 70 F. 3d 679.

No. 95-8331. *KELLOTTAT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 309.

No. 95-8347. *MARTIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 62 F. 3d 1009.

No. 95-8348. *CAMPBELL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 61 F. 3d 976.

No. 95-8350. *TOBISCH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 69 F. 3d 540.

No. 95-8355. *HODGES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 364.

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No. 95-8357. *HAND v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 76 F. 3d 393.

No. 95-8366. *ROBERTSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 74 F. 3d 1247.

No. 95-8367. *PEDRAZA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 73 F. 3d 374.

No. 95-8369. *COX v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 72 F. 3d 138.

No. 95-8370. *CAMP ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 759.

No. 95-8371. *BENNETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 113.

No. 95-8372. *COLEMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 52 F. 3d 326.

No. 95-8378. *ALVAREZ-FIGUEROA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 370.

No. 95-8380. *THOMAS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 74 F. 3d 676.

No. 95-8381. *YILDIRIM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 73 F. 3d 363.

No. 95-8389. *ANDERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 72 F. 3d 563.

No. 95-8395. *HYPPOLITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 65 F. 3d 1151.

No. 95-8398. *FORTY-ESTREMER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 67 F. 3d 1002.

No. 95-8399. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 73 F. 3d 1108.

No. 95-8400. *DANOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 476.

No. 95-8401. *FOX v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 73 F. 3d 359.

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No. 95–8403. GONZALES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 78 F. 3d 581.

No. 95–8404. KENDRICKS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 73 F. 3d 1108.

No. 95–8405. KUSSAIR *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 371.

No. 95–1159. NANSAY HAWAII, INC. *v.* PUBLIC ACCESS SHORELINE HAWAII. Sup. Ct. Haw. Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 79 Haw. 425, 903 P. 2d 1246.

No. 95–1315. METROPOLITAN EDISON CO. ET AL. *v.* DODSON ET AL. C. A. 3d Cir. Motion of Nuclear Energy Institute et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this motion and this petition. Reported below: 67 F. 3d 1119.

*Rehearing Granted.* (See No. 95–642, *supra*, at 1152.)

*Rehearing Denied*

No. 94–8729. BENNIS *v.* MICHIGAN, 516 U. S. 442;

No. 95–880. TATUM ET AL. *v.* COLUMBIA NATURAL RESOURCES, INC., ET AL., 516 U. S. 1158;

No. 95–6905. ESPARZA *v.* ELLIOTT, WARDEN, ET AL., 516 U. S. 1122;

No. 95–7280. SIKORA *v.* DOE ET AL., 516 U. S. 1148;

No. 95–7376. HAMAN *v.* KING ET AL., 516 U. S. 1162;

No. 95–7419. NASIM *v.* WARDEN, MARYLAND HOUSE OF CORRECTION, ET AL., 516 U. S. 1177;

No. 95–7429. BOWLES *v.* MINNESOTA, 516 U. S. 1162;

No. 95–7642. SIMPSON *v.* CRISTINO RIVERA MINING CO. ET AL., *ante*, p. 1109;

No. 95–7719. WRIGHT, AKA DENVERS *v.* UNITED STATES, 516 U. S. 1164; and

No. 95–7776. IN RE KENNEDY, 516 U. S. 1157. Petitions for rehearing denied.

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*Miscellaneous Orders.* (For the Court's orders prescribing amendments to the Federal Rules of Appellate Procedure, see *post*, p. 1257; amendments to the Federal Rules of Bankruptcy Procedure, see *post*, p. 1265; amendments to the Federal Rules of Civil Procedure, see *post*, p. 1281; and amendments to the Federal Rules of Criminal Procedure, see *post*, p. 1287.)

## APRIL 25, 1996

*Certiorari Denied*

No. 95-8717 (A-873). BREWER *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: 83 F. 3d 431.

## APRIL 26, 1996

*Dismissal Under Rule 46*

No. 95-1430. ROGERS ET AL. *v.* DESIDERIO ET AL. App. Ct. Ill., 3d Dist. Certiorari dismissed under this Court's Rule 46.1. Reported below: 274 Ill. App. 3d 446, 655 N. E. 2d 930.

## APRIL 29, 1996

*Dismissal Under Rule 46*

No. 94-2016. INDEPENDENT LIFE & ACCIDENT INSURANCE CO. *v.* HARRINGTON, AS ADMINISTRATRIX OF THE ESTATE OF CASEY, DECEASED. Sup. Ct. Ala. Certiorari dismissed under this Court's Rule 46. Reported below: 658 So. 2d 892.

*Certiorari Granted—Vacated and Remanded*

No. 94-2081. UNITED STATES SURGICAL CORP. *v.* ETHICON, INC., ET AL. C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Markman v. Westview Instruments, Inc.*, *ante*, p. 370. JUSTICE BREYER took no part in the consideration or decision of this case. Reported below: 48 F. 3d 1237.

No. 95-7711. RHODES *v.* UNITED STATES. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis*



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granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 62 F. 3d 1449.

*Miscellaneous Orders*

No. D-1613. IN RE DISBARMENT OF JONES. Disbarment entered. [For earlier order herein, see 516 U. S. 985.]

No. D-1645. IN RE DISBARMENT OF SCHOUMAN. Disbarment entered. [For earlier order herein, see 516 U. S. 1107.]

No. D-1648. IN RE DISBARMENT OF SWANO. Disbarment entered. [For earlier order herein, see 516 U. S. 1108.]

No. D-1650. IN RE DISBARMENT OF GERDEMAN. Disbarment entered. [For earlier order herein, see 516 U. S. 1108.]

No. D-1651. IN RE DISBARMENT OF PIPER. Disbarment entered. [For earlier order herein, see 516 U. S. 1108.]

No. D-1652. IN RE DISBARMENT OF ALLEN. Disbarment entered. [For earlier order herein, see 516 U. S. 1108.]

No. D-1654. IN RE DISBARMENT OF KELLEHER. Disbarment entered. [For earlier order herein, see 516 U. S. 1108.]

No. D-1674. IN RE DISBARMENT OF MIMS. Larry Mims, of Chicago, Ill., is suspended from the practice of law in this Court, and a rule will 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-1676. IN RE DISBARMENT OF SUMMERS. Robert L. Summers, of Millersport, Ohio, is suspended from the practice of law in this Court, and a rule will 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. M-57. MCEL RATH *v.* PHILLIPS; and

No. M-58. ABRAMS *v.* URBAN HOMEOWNERS' CORPORATION OF NEW ORLEANS. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 95-1111. ESTATE OF MENNA ET AL. *v.* ST. AGNES MEDICAL CENTER, 516 U. S. 1172. Motion of respondent for damages denied.

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No. 95-8273. *IN RE BERTASAVAGE*. Petition for writ of prohibition denied.

*Certiorari Granted*

No. 95-1402. *COMMISSIONER OF INTERNAL REVENUE v. ESTATE OF HUBERT, DECEASED, C & S SOVRAN TRUST CO. (GEORGIA) N. A., CO-EXECUTOR*. C. A. 11th Cir. Certiorari granted. Reported below: 63 F. 3d 1083.

No. 95-1352. *EDWARDS ET AL. v. BALISOK*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 70 F. 3d 1277.

*Certiorari Denied*

No. 95-711. *GUSSIN v. NINTENDO OF AMERICA, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 62 F. 3d 1433.

No. 95-815. *GLOBE NEWSPAPER CO. v. UNITED STATES ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 61 F. 3d 86.

No. 95-1099. *RUSSELL ET UX. v. FEDERAL DEPOSIT INSURANCE CORPORATION, AS CONSERVATOR FOR FIRST AMERICAN SAVINGS BANK*. C. A. 11th Cir. Certiorari denied. Reported below: 62 F. 3d 401.

No. 95-1119. *CITY OF BLUE SPRINGS ET AL. v. KINCADE*. C. A. 8th Cir. Certiorari denied. Reported below: 64 F. 3d 389.

No. 95-1193. *SARACO ET AL. v. UNITED STATES ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 61 F. 3d 863.

No. 95-1204. *SKEPTON v. REICH, SECRETARY OF LABOR*. C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1257.

No. 95-1206. *CORCES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 95-1222. *SHAK v. TANAKA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 65 F. 3d 175.

No. 95-1226. *KELLEY, ATTORNEY GENERAL OF MICHIGAN, ET AL. v. DEPARTMENT OF JUSTICE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 1503.

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No. 95-1234. *DIXON ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 68 F. 3d 1253.

No. 95-1267. *WILBURTA T. HOLDEN LIVING TRUST v. JOINT CITY-COUNTY BOARD OF TAX ASSESSORS*. Ct. App. Ga. Certiorari denied. Reported below: 218 Ga. App. XXVIII.

No. 95-1354. *LIU v. NEW YORK CITY POLICE DEPARTMENT ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 216 App. Div. 2d 67, 627 N. Y. S. 2d 683.

No. 95-1357. *JONES ET UX. v. GARCIA ET UX*. C. A. 5th Cir. Certiorari denied. Reported below: 63 F. 3d 411.

No. 95-1362. *TAM v. CONTINENTAL INSURANCE*. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 124.

No. 95-1364. *SMITH v. GLENOLDEN BOROUGH ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1257.

No. 95-1365. *ARCHEXPO COMMERCE & INDUSTRY CENTRE ET AL. v. INTERNATIONAL AMBASSADOR PROGRAMS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 68 F. 3d 337.

No. 95-1369. *RODIME PLC v. QUANTUM CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 65 F. 3d 1577.

No. 95-1372. *AUVIL ET AL. v. CBS "60 MINUTES" ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 816.

No. 95-1375. *GILL v. TERRITORY OF GUAM*. C. A. 9th Cir. Certiorari denied. Reported below: 61 F. 3d 688.

No. 95-1378. *FURRER ET UX. v. BROWN ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 62 F. 3d 1092.

No. 95-1380. *HARRIS v. CITY OF VIRGINIA BEACH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 69 F. 3d 532.

No. 95-1384. *SMITH & NEPHEW DYONICS, INC. v. VIOLETTE*. C. A. 1st Cir. Certiorari denied. Reported below: 62 F. 3d 8.

No. 95-1387. *ATLANTIC RICHFIELD Co. v. BECK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 62 F. 3d 1240.

No. 95-1388. *ST. PAUL MERCURY INSURANCE CO. ET AL. v. B & D MECHANICAL CONTRACTORS, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 70 F. 3d 1115.

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No. 95-1389. *ALLARD, CHAPTER 7 TRUSTEE OF THE ESTATE OF CHOMAKOS, ET AL. v. FLAMINGO HILTON*. C. A. 6th Cir. Certiorari denied. Reported below: 69 F. 3d 769.

No. 95-1398. *ALSBERG, DBA ALSBERG BROTHERS BOATWORKS v. ROBERTSON, CHAPTER 7 TRUSTEE*. C. A. 9th Cir. Certiorari denied. Reported below: 68 F. 3d 312.

No. 95-1403. *STRUCK v. KENNEBEC COUNTY, MAINE, ET AL.* Sup. Jud. Ct. Me. Certiorari denied. Reported below: 668 A. 2d 411.

No. 95-1410. *DART ET UX. v. DART ET AL.* Cir. Ct. Mich., Ingham County. Certiorari denied.

No. 95-1411. *WALSH v. IVKOVICH*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 274 Ill. App. 3d 1113, 691 N. E. 2d 1201.

No. 95-1412. *BROWN ET AL. v. PLYWOOD PANELS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 293.

No. 95-1416. *STRAMEL v. STONE*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 272 Ill. App. 3d 1116, 688 N. E. 2d 392.

No. 95-1422. *SECAKUKU, CHAIRMAN, HOPI TRIBAL COUNCIL OF THE HOPI INDIAN TRIBE, FOR AND ON BEHALF OF THE HOPI INDIAN TRIBE v. HALE, PRESIDENT OF THE NAVAJO NATION, FOR AND ON BEHALF OF THE NAVAJO NATION*. C. A. 9th Cir. Certiorari denied. Reported below: 65 F. 3d 1445.

No. 95-1424. *VANYO v. FARGO WOMEN'S HEALTH ORGANIZATION, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 65 F. 3d 173.

No. 95-1443. *STORK BRABANT B.V. ET AL. v. D'ALMEIDA ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 71 F. 3d 50.

No. 95-1451. *CLASS OF GUTIERREZ ET AL. v. SANTA ANA UNIFIED SCHOOL DISTRICT ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 95-1457. *HUTTON v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 95-1490. *METCALFE v. KELLY, FKA METCALFE*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 655 So. 2d 1251.

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No. 95-1506. *IFILL v. DISTRICT OF COLUMBIA ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 665 A. 2d 185.

No. 95-1548. *GASTON v. VICLO REALTY CO. ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 215 App. Div. 2d 174, 626 N. Y. S. 2d 131.

No. 95-1549. *ZHADANOV v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1229.

No. 95-1563. *GENISH v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 341.

No. 95-1582. *JENSEN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 69 F. 3d 906.

No. 95-1588. *JESPERSEN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 65 F. 3d 993.

No. 95-7203. *GREEN v. HOUSING AUTHORITY OF NEW ORLEANS.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 657 So. 2d 552.

No. 95-7506. *DOBYNE v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 672 So. 2d 1354.

No. 95-7645. *COLEY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 126.

No. 95-7675. *STINE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 121.

No. 95-7690. *COLLADO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 125.

No. 95-7744. *BAKER v. MARYLAND.* Cir. Ct. Harford County, Md. Certiorari denied.

No. 95-7974. *McFARLAND v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 95-8017. *BURRESS v. UNITARIAN-UNIVERSALIST SOCIETY OF SACRAMENTO, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-8031. *FRANKLYN v. VISTA DEL MAR ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 119.

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No. 95–8038. *HAYES v. SPEARS, WARDEN, ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 95–8042. *SMITH v. McBRIDE, SUPERINTENDENT, WESTVILLE CORRECTIONAL CENTER.* C. A. 7th Cir. Certiorari denied. Reported below: 64 F. 3d 665.

No. 95–8043. *RUSSELL v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied. Reported below: 77 F. 3d 486.

No. 95–8045. *RAMER v. JOHNSON ET AL.* Sup. Ct. Okla. Certiorari denied.

No. 95–8057. *MARKS v. HERRING, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 59 F. 3d 1247.

No. 95–8059. *MINETTI v. LOCAL 9, INTERNATIONAL LONGSHOREMEN AND WAREHOUSEMEN UNION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95–8063. *BOGAN v. SESSIONS, ATTORNEY GENERAL OF ALABAMA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 340.

No. 95–8067. *GUCIKOVA v. CHROST.* App. Ct. Mass. Certiorari denied. Reported below: 39 Mass. App. 1110, 655 N. E. 2d 1296.

No. 95–8068. *HILL v. SAN MATEO COUNTY YOUTH AND FAMILY SERVICES DIVISION.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95–8069. *HILL v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 37 Cal. App. 4th 220, 44 Cal. Rptr. 2d 11.

No. 95–8073. *DALE v. CHAMPION, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 72 F. 3d 137.

No. 95–8074. *GREEN v. MELLON BANK, N. A.* C. A. 3d Cir. Certiorari denied.

No. 95–8075. *HAMILTON v. FRAGOSO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 66 F. 3d 335.

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No. 95-8076. *JAFFER v. BOARD OF MANAGERS OF THE REVERE CONDOMINIUM*. Ct. App. N. Y. Certiorari denied. Reported below: 87 N. Y. 2d 952, 664 N. E. 2d 892.

No. 95-8077. *JOHNSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 477.

No. 95-8078. *NOBLES, AKA SHARIF v. WELBORN, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 67 F. 3d 301.

No. 95-8080. *WHITE v. ZIMMERS, CLERK, COURT OF COMMON PLEAS OF OHIO, MONTGOMERY COUNTY*. Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 95-8081. *RAMOS v. BUNNELL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 544.

No. 95-8084. *NASH v. LACOMBE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 66 F. 3d 322.

No. 95-8085. *SCOTT v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-8090. *HURST v. SUPREME COURT OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-8091. *GRAHAM v. TURPIN, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8094. *KORNAHRENS v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 66 F. 3d 1350.

No. 95-8101. *OLSEN v. SABAL MARKETING, INC., ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 661 So. 2d 824.

No. 95-8103. *MORROW v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 266 Ga. 3, 463 S. E. 2d 472.

No. 95-8111. *STEEVES v. BENSON ET AL.* C. A. 8th Cir. Certiorari denied.

No. 95-8112. *LARRABEE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 222 App. Div. 2d 1129, 636 N. Y. S. 2d 963.

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No. 95–8113. *SHABAZZ v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 95–8114. *ANDERSON v. DAVIS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95–8116. *AL-WAHHAB v. VIRGINIA ET AL.* (two judgments). C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1260 (first judgment); 73 F. 3d 356 (second judgment).

No. 95–8124. *BALELE v. KLAUSER, SECRETARY, DEPARTMENT OF ADMINISTRATION, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 74 F. 3d 1242.

No. 95–8125. *ABRAHAM v. ADCOCK ET AL.* C. A. 8th Cir. Certiorari denied.

No. 95–8130. *SWARTZ v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 541 N. W. 2d 533.

No. 95–8132. *SIMS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 167 Ill. 2d 483, 658 N. E. 2d 413.

No. 95–8135. *SEDANO v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 273 Ill. App. 3d 1110, 690 N. E. 2d 1089.

No. 95–8148. *IDEMUDIA v. CONSOLIDATED RAIL CORPORATION*. C. A. 6th Cir. Certiorari denied.

No. 95–8150. *MCGUFFEY v. GWINNETT COUNTY SCHOOL SYSTEM ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95–8177. *D'AMBROSIO v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 73 Ohio St. 3d 141, 652 N. E. 2d 710.

No. 95–8190. *JOHNSON v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 100 F. 3d 941.

No. 95–8191. *MULLHOLAND v. HARRIS CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 72 F. 3d 130.

No. 95–8218. *WYLDES v. HUNDLEY, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 69 F. 3d 247.

No. 95–8250. *PITSCH v. MICHIGAN ATTORNEY GRIEVANCE COMMISSION*. Sup. Ct. Mich. Certiorari denied.



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No. 95-8257. *STEINBERG v. STEINBERG*. Sup. Ct. Va. Certiorari denied.

No. 95-8258. *SEEHAN v. IOWA*. C. A. 8th Cir. Certiorari denied. Reported below: 72 F. 3d 607.

No. 95-8284. *CATON v. CLARKE, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 64.

No. 95-8308. *DAVIS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 445 Pa. Super. 625, 664 A. 2d 1054.

No. 95-8359. *ELROD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 474.

No. 95-8368. *SIMMONS v. UNITED STATES*; and  
No. 95-8460. *SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1251.

No. 95-8383. *SUSSMAN v. NEW YORK*. App. Term, Sup. Ct. N. Y., 9th and 10th Jud. Dists. Certiorari denied.

No. 95-8384. *CAIRNES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 64 F. 3d 659.

No. 95-8406. *KNIGHT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 65 F. 3d 178.

No. 95-8407. *GRENNIER v. NAGLE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 364.

No. 95-8411. *OKAYFOR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 72 F. 3d 130.

No. 95-8419. *MCCORMACK v. THOMPSON, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 369.

No. 95-8432. *BARNETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 65 F. 3d 180.

No. 95-8439. *GIBSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 64 F. 3d 617.

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No. 95-8440. *PRATT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1255.

No. 95-8442. *BRADFORD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 78 F. 3d 1216.

No. 95-8444. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 72 F. 3d 134.

No. 95-8456. *MONREAL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 64 F. 3d 355.

No. 95-8467. *PADILLA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95-8471. *BRATTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 478.

No. 95-8475. *ROSE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1252.

No. 95-8480. *CABALLERO YBARRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 362.

No. 95-8486. *RENELUS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 72 F. 3d 888.

No. 95-8489. *BROWN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 370.

No. 95-8490. *ALEXANDER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 548.

No. 95-8498. *GREENIDGE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 100 F. 3d 941.

No. 95-8503. *RODRIGUEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 67 F. 3d 1312.

No. 95-856. *JANKLOW, GOVERNOR OF SOUTH DAKOTA, ET AL. v. PLANNED PARENTHOOD, SIOUX FALLS CLINIC, ET AL.* C. A. 8th Cir. Motion of National Right to Life Committee, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 63 F. 3d 1452.

Memorandum of JUSTICE STEVENS, respecting the denial of the petition for certiorari.

The Court's opinion in *United States v. Salerno*, 481 U. S. 739 (1987), correctly summarized a long established principle of our jurisprudence: "The fact that [a legislative] Act might operate unconstitutionally under some conceivable set of circumstances is insufficient to render it wholly invalid." *Id.*, at 745.

Unfortunately, the preceding sentence in the *Salerno* opinion went well beyond that principle. That sentence opens Part II of the opinion with a rhetorical flourish, stating that a facial challenge must fail unless there is "no set of circumstances" in which the statute could be validly applied. *Ibid.*; *post*, at 1178. That statement was unsupported by citation or precedent. It was also unnecessary to the holding in the case, for the Court effectively held that the statute at issue would be constitutional as applied in a large fraction of cases. See 481 U. S., at 749–750.

While a facial challenge may be more difficult to mount than an as-applied challenge, the dicta in *Salerno* "does not accurately characterize the standard for deciding facial challenges," and "neither accurately reflects the Court's practice with respect to facial challenges, nor is it consistent with a wide array of legal principles." Dorf, *Facial Challenges to State and Federal Statutes*, 46 Stan. L. Rev. 235, 236, 238 (1994). For these reasons, *Salerno's* rigid and unwise dictum has been properly ignored in subsequent cases even outside the abortion context.<sup>1</sup> Accordingly, there is

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<sup>1</sup>See, e.g., *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U. S. 833, 895 (1992) (statute facially invalid as "substantial obstacle" to exercise of right in "large fraction" of cases); *id.*, at 972–973 (REHNQUIST, C. J., concurring in judgment in part and dissenting in part) (arguing that "no circumstance" dictum should have led to different result); *Kraft Gen. Foods, Inc. v. Iowa Dept. of Revenue and Finance*, 505 U. S. 71, 82 (1992) (REHNQUIST, C. J., dissenting) (arguing that tax statute was facially valid because it would be constitutional under certain facts); *INS v. National Center for Immigrants' Rights, Inc.*, 502 U. S. 183, 188 (1991) (applying appropriate rule: "That the regulation may be invalid as applied in [some] cases, . . . does not mean that the regulation is facially invalid"); *Bowen v. Kendrick*, 487 U. S. 589, 602 (1988) (statute facially invalid under Establishment Clause only if, *inter alia*, law's "primary effect" is advancement of religion, or if it requires "excessive entanglement" between church and state); *id.*, at 627, n. 1 (Blackmun, J., dissenting) (pointing out and agreeing with majority's failure to apply "no circumstance" dictum); *Shaffer v. Heitner*, 433 U. S. 186 (1977)

no need for this Court affirmatively to disavow that unfortunate language, in the abortion context or otherwise, until it is clear that a federal court has ignored the appropriate principle and applied the draconian “no circumstance” dictum to deny relief in a case in which a facial challenge would otherwise be successful.<sup>2</sup> I thus concur in the denial of this petition.

JUSTICE SCALIA, with whom THE CHIEF JUSTICE and JUSTICE THOMAS join, dissenting.

In this case, the United States Court of Appeals for the Eighth Circuit declared unconstitutional a South Dakota law which requires a physician to notify a pregnant minor’s parent of an impending abortion 48 hours before the abortion is to be performed.<sup>1</sup>

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(examining facial validity of state statute permitting exercise of personal jurisdiction over defendant without reference to whether statute was constitutional as applied to petitioner).

These cases, along with other decisions and the holding in *Salerno* itself (that the challenged Act was constitutional in *most* circumstances, not merely *one*), should have braced the dissent against the minor risk of whiplash from the “head-snapping” observation, *post*, at 1180, that our “doctrinal pattern is somewhat more complex” than *Salerno*’s “no circumstance” language suggests, Fallon, *Making Sense of Overbreadth*, 100 Yale L. J. 853, 859, n. 29 (1991) (citing cases).

<sup>2</sup>In all likelihood, the decision of the Fifth Circuit applying the “no circumstance” test would have been decided the same way even if that court had utilized the “large fraction” test applied by the Eighth Circuit in this case. See *Barnes v. Moore*, 970 F. 2d 12, 14 (CA5 1992) (noting that the provisions at issue were “substantially identical” to provisions upheld in *Casey*).

Furthermore, it is not at all clear to me, given intervening statements by Members of this Court, see *Fargo Women’s Health Organization v. Schafer*, 507 U. S. 1013, 1014 (1993), that subsequent Fifth Circuit panels would follow *Barnes*’ application of the “no circumstance” test, providing yet another reason to deny the petition in this case.

<sup>1</sup>South Dakota Codified Laws §34–23A–7 (1994 rev.) provides, in relevant part:

“No abortion may be performed upon an unemancipated minor or upon a female for whom a guardian has been appointed because of a finding of incompetency, until at least forty-eight hours after written notice of the pending operation has been delivered in the manner specified in this section. The notice shall be addressed to the parent at the usual place of abode of the parent and shall be delivered personally to the parent by the physician or an agent. In lieu of such delivery, notice may be made by certified mail addressed to the parent at the usual place of abode of the parent with return receipt requested and restricted delivery to the addressee, which means a postal employee can only deliver the mail to the authorized addressee. If

The court's basis for the invalidation was that "*a large fraction of minors seeking pre-viability abortions would be unduly burdened by [the] statute, despite its abuse exception,*"<sup>2</sup> *Planned Parenthood, Sioux Falls Clinic v. Miller*, 63 F. 3d 1452, 1463 (1995) (emphasis added).

This decision is questionable enough that we should, since the invalidation of state law is at issue, accord review. Among other things, it rested upon the court's belief that "it seems, South Dakota's abuse exception will sometimes result in parental notification, even if after-the-fact." *Id.*, at 1461. That reasoning is inconsistent with our holding in *Ohio v. Akron Center for Reproductive Health*, 497 U.S. 502, 514 (1990), another case involving a parental notification provision, that "[t]he Court of Appeals should not have invalidated the Ohio statute on a facial challenge based upon a worst-case analysis that may never occur." The Eighth Circuit's holding is also dependent on the questionable conclusions (1) that "parental-notice provisions, like parental-consent provisions, are unconstitutional without a *Bellotti*-type bypass," 63 F. 3d, at 1460, see *Bellotti v. Baird*, 443 U.S. 622 (1979), and (2) that the South Dakota law's exception for abused

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notice is made by certified mail, the time of delivery shall be deemed to occur at twelve o'clock noon on the next day on which regular mail delivery takes place, subsequent to mailing."

<sup>2</sup>South Dakota Codified Laws §34-23A-7 (1994 rev.) sets forth the following exceptions to its notice requirement:

"No notice is required under this section if:

"(1) The attending physician certifies in the pregnant minor's medical record that, on the basis of the physician's good faith clinical judgment, a medical emergency exists that so complicates the medical condition of a pregnant female as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial and irreversible impairment of a major bodily function and there is insufficient time to provide the required notice; or

"(2) The person who is entitled to notice certifies in writing that he has been notified; or

"(3) The pregnant minor declares, or provides information that indicates, that she is an abused or neglected child as defined in §26-8A-2 and the attending physician has reported the alleged or suspected abuse or neglect as required in accordance with [state law]. In such circumstances, the department of social services, the state's attorney and law enforcement officers to whom the report is made or referred for investigation or litigation shall maintain the confidentiality of the fact that she has sought or obtained an abortion and shall take all necessary steps to ensure that this information is not revealed to her parents."

and neglected minors did not satisfy the need for a bypass procedure, 63 F. 3d, at 1460–1463.

Beyond these issues, however (or, more accurately, preceding them), is another question that virtually cries out for our review. In *United States v. Salerno*, 481 U. S. 739 (1987), summarizing a long established principle of our jurisprudence, we observed:

“A facial challenge to a legislative Act is, of course, the most difficult challenge to mount successfully, since the challenger must establish that no set of circumstances exists under which the Act would be valid. The fact that [a legislative Act] might operate unconstitutionally under some conceivable set of circumstances is insufficient to render it wholly invalid, since we have not recognized an ‘overbreadth’ doctrine outside the limited context of the First Amendment.” *Id.*, at 745.

It has become questionable whether, for some reason, this clear principle does not apply in abortion cases. As I observed three Terms ago in a case very similar to this one, we have sent mixed signals on the question—seemingly employing an overbreadth approach in *Roe v. Wade*, 410 U. S. 113 (1973), but explicitly rejecting that approach in such later abortion cases as *Ohio v. Akron Center for Reproductive Health*, *supra*, at 514, and *Rust v. Sullivan*, 500 U. S. 173, 183 (1991).<sup>3</sup> In dissenting from denial of certiorari in *Ada v. Guam Soc. of Obstetricians & Gynecologists*,

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<sup>3</sup>See also *Webster v. Reproductive Health Services*, 492 U. S. 490, 524 (1989) (O’CONNOR, J., concurring in part and concurring in judgment) (“[S]ome quite straightforward applications of the Missouri ban on the use of public facilities for performing abortions would be constitutional and that is enough to defeat appellees’ assertion that the ban is facially unconstitutional”). JUSTICE STEVENS’ memorandum in support of the denial of certiorari says that the *Salerno* rule “has been properly ignored in subsequent cases even outside the abortion context.” *Ante*, at 1175. If he means by this that the rule has *consistently* been ignored, the statement is proved false by the cases cited here in text, where the rule was both recited and followed. (And there are other post-*Salerno* cases reciting and applying the rule outside the abortion context, see, e. g., *Anderson v. Edwards*, 514 U. S. 143, 155–156, n. 6 (1995), and *Reno v. Flores*, 507 U. S. 292, 301, 309 (1993).) If, on the other hand, JUSTICE STEVENS merely means that the *Salerno* rule has *sometimes* “been ignored,” though it has other times been *applied*, then he makes a good case for granting, rather than denying, certiorari.

506 U.S. 1011, 1013 (1992), I expressed my view that “[t]he Court did not purport to change this well-established rule . . . in *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992).” Since then, two Members of the *Casey* majority have expressed their view that *Salerno* is “inconsistent with *Casey*.” See *Fargo Women’s Health Organization v. Schafer*, 507 U.S. 1013, 1014 (1993) (O’CONNOR, J., joined by SOUTER, J., concurring).

In this case—after reviewing the incompatible pronouncements of the Court’s opinions on this subject, and remarking that “even the Justices of the Supreme Court dispute *Casey*’s effect,” 63 F. 3d, at 1457—the Court of Appeals concluded, in effect, that *Salerno* had been chewed up by the “ad hoc nullification machine” which is our abortion jurisprudence, *Madsen v. Women’s Health Center, Inc.*, 512 U.S. 753, 785 (1994) (SCALIA, J., dissenting). The court decided that *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992), without so much as alluding to the facial-challenge rule, “effectively overruled *Salerno* for facial challenges to abortion statutes,” 63 F. 3d, at 1458. This holding conflicts head on with a post-*Casey* decision of the Fifth Circuit. In *Barnes v. Moore*, 970 F. 2d 12, cert. denied, 506 U.S. 1021 (1992), the Fifth Circuit rejected a facial challenge to the Mississippi Informed Consent to Abortion Act. In the process, it said that “[b]ecause the plaintiffs are challenging the facial validity of the Mississippi Act, they must ‘establish that no set of circumstances exists under which the Act would be valid,’” 970 F. 2d, at 14, adding that “we do not interpret *Casey* as having overruled, *sub silentio*, longstanding Supreme Court precedent governing challenges to the facial constitutionality of statutes,” *id.*, at 14, n. 2. The split between the Fifth and Eighth Circuits is unmistakably clear. The Third Circuit has also weighed in on this question (albeit in dictum), siding with the Eighth Circuit. See *Casey v. Planned Parenthood of Southeastern Pa.*, 14 F. 3d 848, 863, n. 21 (1994).

The *Salerno* question could not be more squarely presented. The Court of Appeals explained that “[t]he critical issue in this case is . . . what is the standard for a challenge to the facial constitutionality of an abortion law?” 63 F. 3d, at 1456 (emphasis added). It specifically acknowledged that “Planned Parenthood cannot meet the *Salerno* test.” *Id.*, at 1457. Had the Court of Appeals not concluded that the *Salerno* rule has been selectively



(and *sub silentio*) nullified in abortion cases, respondents' facial challenge quite simply would have failed.

JUSTICE STEVENS' memorandum in support of the denial of this petition provides even stronger reasons than I have why it should be granted. JUSTICE STEVENS asserts that *Casey* could not possibly have been contrary to the "no set of circumstances" rule because, contrary to the repeated statement of our cases, *that rule never existed*. For that head-snapping proposition, he relies upon no less weighty authority than a law review article by Michael C. Dorf. According to that author, THE CHIEF JUSTICE's statement on behalf of the Court in *Salerno* was not only "wrong" but "draconian." Dorf, *Facial Challenges to State and Federal Statutes*, 46 Stan. L. Rev. 235, 238, 239 (1994); see *ante*, at 1176. But if that is so, if *Salerno* is a dead letter *even outside of the abortion context*, all the more reason to grant certiorari and make that clear.<sup>4</sup> For the courts of appeals regularly enforce that supposed dead letter, often in cases in which its "draconian" character prevents the facial challenge from succeeding. See, e.g., *Chemical Waste Management, Inc. v. United States Environmental Protection Agency*, 56 F. 3d 1434, 1437 (CA10 1995) ("We discern at least one scenario where the off-site rule would be procedurally valid. . . . While this hypothetical scenario may not be common, it is sufficient to establish that petitioners' facial challenge must fail"); *United States v. Mena*, 863 F. 2d 1522, 1527 (CA11 1989) ("[T]he defendants have simply failed even to suggest 'that no set of circumstances exists under which the Act would be valid.' Such is the defendant's burden in a case challenging the facial validity of a congressional enactment on other than first-amendment grounds"); *Roulette v. Seattle*, 78 F. 3d 1425, 1430 (CA9 1996) ("Plaintiffs have conceded that 'the city may prevent individuals or groups of people from sitting or lying across a sidewalk in such a way as to prevent others from passing.' The Seattle ordinance plainly may be applied to such cases, and plaintiffs' facial substantive due process challenge therefore fails") (ci-

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<sup>4</sup> While we are in the process of adopting Professor Dorf's revisionist view of *Salerno*, we could also embrace his modest proposal for what ought to replace the rule described in that case. His proposal is not, curiously enough, the regime that JUSTICE STEVENS suggests, but rather total elimination of the distinction between facial and as-applied challenges. Dorf, *Facial Challenges to State and Federal Statutes*, 46 Stan. L. Rev. 235, 294 (1994).



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tation omitted); *Government Suppliers Consolidating Servs., Inc. v. Bayh*, 975 F. 2d 1267, 1283 (CA7 1992); *Dean v. McWherter*, 70 F. 3d 43, 45 (CA6 1995); *National Treasury Employees Union v. Bush*, 891 F. 2d 99, 101 (CA5 1989) (“[B]ecause not every application of the Order would be invalid, the Order is facially valid”); *Jordan v. Jackson*, 15 F. 3d 333, 343–344 (CA4 1994); *Giusto v. INS*, 9 F. 3d 8, 10 (CA2 1993).

Finally, I cannot let pass without comment JUSTICE STEVENS’ suggestion that Fifth Circuit panels might, in future abortion cases, ignore the clear language of *Salerno*, and the Fifth Circuit’s own decision in *Barnes*, “given intervening statements by Members of this Court”—by which he means the memorandum of JUSTICE O’CONNOR, joined by JUSTICE SOUTER, concurring in the Court’s order of April 2, 1993, denying (without opinion) the application for stay and injunction pending appeal in *Fargo Women’s Health Organization v. Schafer*, *supra*. See *ante*, at 1176, n. 2. That the Fifth Circuit *might* give such authoritative effect to this two-Justice concurrence is certainly true; courts of appeals, no less than practitioners, sometimes count votes instead of following cases. But I am surprised to find that practice endorsed by JUSTICE STEVENS, who has hitherto taken a dim view of separate writings appended to discretionary (and unexplained) denials, calling “all opinions dissenting from the denial of certiorari” “totally unnecessary” and “examples of the purest form of dicta.” *Singleton v. Commissioner*, 439 U. S. 940, 944–945 (1978) (STEVENS, J., respecting denial of certiorari). More fundamentally, I find it hard to understand why one who believes that *Salerno*’s “no set of circumstances” rule is nothing more than unwise, rigid, and inaccurate dictum, *ante*, at 1175, would not seize upon this opportunity “affirmatively to disavow” it, *ante*, at 1176, instead of hoping that the courts of appeals will be induced to abandon it by reading the tea leaves of concurring opinions. Today’s denial serves only one rational purpose: It makes our abortion ad hoc nullification machine as stealthful as possible.

For the foregoing reasons, I dissent from the Court’s denial of the petition for certiorari.

No. 95–1572. ALLEN *v.* UNITED STATES. C. A. 6th Cir. Motion of Michael Allen, personal representative of the estate of Albert A. Allen, to be substituted as petitioner in place of Albert

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A. Allen, deceased, denied. Certiorari denied. Reported below: 73 F. 3d 64.

*Rehearing Denied*

No. 95-7761. CALHOUN *v.* HUSKISSON ET AL., 516 U. S. 1180; and

No. 95-7978. LEMON *v.* JOHNSON, WARDEN, 516 U. S. 1184. Petitions for rehearing denied.

APRIL 30, 1996

*Dismissal Under Rule 46*

No. 95-928. ATHERTON ET AL. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR CITY SAVINGS, F. S. B. C. A. 3d Cir. [Certiorari granted, *ante*, p. 1133.] Writ of certiorari dismissed as to Gordon E. Allen and Peter R. Kellogg under this Court's Rule 46.1.

MAY 2, 1996

*Miscellaneous Order*

No. A-894. CALDERON, WARDEN, ET AL. *v.* CALIFORNIA FIRST AMENDMENT COALITION ET AL. D. C. N. D. Cal. Application for stay pending appeal, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied.

MAY 3, 1996

*Dismissal Under Rule 46*

No. 95-1699. AMPEX CORP. *v.* FRYMIRE ET AL. C. A. 10th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 61 F. 3d 757.

*Certiorari Granted*

No. 95-8836 (A-890). FELKER *v.* TURPIN, 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 parties shall submit briefs limited to the following questions: "(1) Whether Title I of the Anti-Terrorism and Effective Death Penalty Act of 1996 (Act), and in particular § 106(b)(3)(E), 28 U. S. C.

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§ 2244(b)(3)(E), is an unconstitutional restriction of the jurisdiction of this Court. (2) Whether and to what extent the provisions of Title I of the Act apply to petitions for habeas corpus filed as original matters in this Court pursuant to 28 U. S. C. § 2241. (3) Whether application of the Act in this case is a suspension of the writ of habeas corpus in violation of Art. I, § 9, cl. 2 of the Constitution.” The parties’ briefs are to be filed with the Clerk of this Court and served upon opposing counsel on or before 2 p.m., Friday, May 17, 1996. Reply briefs, if any, may be filed with the Clerk of this Court and served upon opposing counsel on or before 2 p.m., Tuesday, May 28, 1996. The Solicitor General is invited to file a brief expressing the views of the United States. Briefs may be submitted in compliance with this Court’s Rule 33.2 to be replaced as soon as possible with briefs prepared under Rule 33.1. Rule 29.2 does not apply. Oral argument is set for Monday, June 3, 1996, at 10 a.m. Reported below: 83 F. 3d 1303.

JUSTICE STEVENS, with whom JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER join, dissenting.

In my opinion, it is both unnecessary and profoundly unwise for the Court to order expedited briefing of the important questions raised by the petition for certiorari and application for a writ of habeas corpus. Even if the majority were right that this petition squarely presents substantial constitutional questions about the power of Congress to limit this Court’s jurisdiction, our consideration of them surely should be undertaken with the utmost deliberation, rather than unseemly haste. Accordingly, I respectfully dissent from the entry of the foregoing order.

*Certiorari Denied*

No. 95–8845 (A–895). WILLIAMS *v.* CALDERON, WARDEN. 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. Reported below: 83 F. 3d 281.

MAY 13, 1996

*Dismissal Under Rule 46*

No. 95–1087. LONDON ET AL. *v.* CONCHA ET AL. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 62 F. 3d 1493.

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*Certiorari Granted—Vacated and Remanded*

No. 95–851. UNIVERSITY OF HOUSTON ET AL. *v.* CHAVEZ. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Seminole Tribe of Fla. v. Florida*, ante, p. 44. Reported below: 59 F. 3d 539.

No. 95–7750. ADAMS *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 68 F. 3d 471.

No. 95–7831. OLDS *v.* UNITED STATES. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 70 F. 3d 116.

No. 95–8128. CARTER *v.* UNITED STATES. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 72 F. 3d 130.

*Miscellaneous Orders*

No. A–733 (95–8566). YOUNGS *v.* WHELESS, BANKRUPTCY JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, ET AL. C. A. 5th Cir. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. A–820. JAMES *v.* COLLINS. Application for preliminary injunction, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. D–1587. IN RE DISBARMENT OF GENINS. Disbarment entered. [For earlier order herein, see 515 U. S. 1185.]

No. D–1655. IN RE DISBARMENT OF TANNER. Disbarment entered. [For earlier order herein, see 516 U. S. 1144.]

No. D–1656. IN RE DISBARMENT OF MARKOVITCH. Disbarment entered. [For earlier order herein, see 516 U. S. 1144.]

No. D–1657. IN RE DISBARMENT OF DAMERON. Disbarment entered. [For earlier order herein, see 516 U. S. 1169.]

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No. D-1660. IN RE DISBARMENT OF TIGHE. Disbarment entered. [For earlier order herein, see 516 U. S. 1169.]

No. D-1677. IN RE DISBARMENT OF WITT. Ralph H. Witt, of Atlanta, Ga., is suspended from the practice of law in this Court, and a rule will 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-1678. IN RE DISBARMENT OF HIRSH. Stuart H. Hirsh, of Los Angeles, Cal., is suspended from the practice of law in this Court, and a rule will 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-1679. IN RE DISBARMENT OF BROWN. David M. Brown, of Sherman Oaks, Cal., is suspended from the practice of law in this Court, and a rule will 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-1680. IN RE DISBARMENT OF CALVERT. David Ross Calvert, of Englewood, Colo., is suspended from the practice of law in this Court, and a rule will 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. M-61. HOESTEREY *v.* CITY OF CATHEDRAL CITY ET AL.; and

No. M-62. JARDINE *v.* BROWN, SECRETARY OF VETERANS AFFAIRS. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 95-853. M. L. B. *v.* S. L. J., INDIVIDUALLY AND AS NEXT FRIEND OF THE MINOR CHILDREN, S. L. J. AND M. L. J., ET UX. Sup. Ct. Miss. [Certiorari granted, *ante*, p. 1118.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 95-865. UNITED STATES *v.* WINSTAR CORP. ET AL. C. A. Fed. Cir. [Certiorari granted, 516 U. S. 1087.] Motion of respondent Glendale Federal Bank, FSB, for leave to file a supplemental brief after argument denied.

No. 95-1748. AARON *v.* PUBLIC UTILITIES COMMISSION OF CALIFORNIA. Sup. Ct. Cal. Motion of petitioner to expedite consideration of petition for writ of certiorari denied.

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No. 95-7587. SHIEH *v.* KAKITA ET AL. C. A. 9th Cir.; and  
No. 95-7589. SHIEH *v.* KRIEGER ET AL. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 343] denied.

No. 95-7588. SHIEH *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 343] denied.

No. 95-7693. JONES *v.* AMERICAN CIVIL LIBERTIES UNION FOUNDATION ET AL. C. A. 8th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1118] denied.

No. 95-8785. KACZYNSKI *v.* UNITED STATES. C. A. 9th Cir. Motion of petitioner to expedite consideration of petition for writ of certiorari denied.

No. 95-8633. IN RE DAY. Petition for writ of habeas corpus denied.

No. 95-8209. IN RE WILLIAMS;  
No. 95-8251. IN RE CORDOVA; and  
No. 95-8281. IN RE REEVES. Petitions for writs of mandamus denied.

No. 95-1647. IN RE BIO-RECOVERY, INC. Petition for writ of prohibition denied.

*Certiorari Granted*

No. 95-1441. BLESSING, DIRECTOR, ARIZONA DEPARTMENT OF ECONOMIC SECURITY *v.* FREESTONE ET AL., ON BEHALF OF THEIR MINOR CHILDREN. C. A. 9th Cir. Certiorari granted. Reported below: 68 F. 3d 1141.

No. 95-1081. INGALLS SHIPBUILDING, INC., ET AL. *v.* DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL. C. A. 5th Cir. Certiorari granted limited to Questions 1 and 2 presented by the petition. Reported below: 65 F. 3d 460.

No. 95-7452. LYNCE *v.* MATHIS, SUPERINTENDENT, TOMOKA CORRECTIONAL INSTITUTION, ET AL. C. A. 11th Cir. Motion of

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petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 1 presented by the petition.

*Certiorari Denied*

No. 95-847. GAMBINO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 59 F. 3d 353.

No. 95-965. STERN *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 68 F. 3d 485.

No. 95-1036. MENKEN ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 309.

No. 95-1040. ALABAMA *v.* SEELEY. Ct. Crim. App. Ala. Certiorari denied. Reported below: 669 So. 2d 209.

No. 95-1075. CHAVEZ *v.* UNIVERSITY OF HOUSTON ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 59 F. 3d 539.

No. 95-1084. ALASKA *v.* BABBITT, SECRETARY OF THE INTERIOR, ET AL.; and

No. 95-1496. ALASKA FEDERATION OF NATIVES *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 698.

No. 95-1103. WAPNICK ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 60 F. 3d 948.

No. 95-1109. MURDOCK *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 63 F. 3d 1391.

No. 95-1121. CALVO *v.* UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT. C. A. 11th Cir. Certiorari denied.

No. 95-1162. SUMPTER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 64 F. 3d 663.

No. 95-1233. COST CONTROL MARKETING & SALES MANAGEMENT OF VIRGINIA, INC., ET AL. *v.* CISNEROS, SECRETARY OF HOUSING AND URBAN DEVELOPMENT. C. A. 4th Cir. Certiorari denied. Reported below: 64 F. 3d 920.

No. 95-1240. CAMPBELL *v.* LOUISIANA. Sup. Ct. La. Certiorari denied. Reported below: 661 So. 2d 1321.

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No. 95-1243. *PLUNK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 68 F. 3d 482.

No. 95-1246. *SMITH v. RUNYON, POSTMASTER GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 65 F. 3d 182.

No. 95-1249. *CHILES, GOVERNOR OF FLORIDA, ET AL. v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 69 F. 3d 1094.

No. 95-1259. *HOLMES, DBA HOLMES BI-RITE SUPERMARKET v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 67 F. 3d 314.

No. 95-1266. *ALEXANDER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 63 F. 3d 820.

No. 95-1275. *LEFEVRE ET AL. v. BROWN, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 66 F. 3d 1191.

No. 95-1288. *ALL AMERICAN ASPHALT ET AL. v. HYLES ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 95-1344. *CHAVEZ v. HOUSING AUTHORITY OF THE CITY OF EL PASO*. Ct. App. Tex., 8th Dist. Certiorari denied. Reported below: 897 S. W. 2d 523.

No. 95-1373. *LEBRON v. NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)*. C. A. 2d Cir. Certiorari denied. Reported below: 69 F. 3d 650 and 74 F. 3d 371.

No. 95-1405. *LAMB v. CITIBANK, N. A.* C. A. 2d Cir. Certiorari denied. Reported below: 122 F. 3d 1056.

No. 95-1408. *CARTER v. MONTANA DEPARTMENT OF TRANSPORTATION ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 274 Mont. 39, 905 P. 2d 1102.

No. 95-1418. *PEREGO ET AL. v. KING INSTRUMENT CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 65 F. 3d 941.

No. 95-1419. *KIOWA TRIBE OF OKLAHOMA v. HOOVER*. Sup. Ct. Okla. Certiorari denied. Reported below: 909 P. 2d 59.

No. 95-1423. *CULLY v. ST. AUGUSTINE MANOR ET AL.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.



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No. 95-1426. ESTATE OF HANSEN *v.* CITY OF NEW HAVEN. App. Ct. Conn. Certiorari denied. Reported below: 38 Conn. App. 902, 659 A. 2d 1231.

No. 95-1432. NATIONAL ASSOCIATION OF REVIEW APPRAISERS & MORTGAGE UNDERWRITERS, INC., ET AL. *v.* APPRAISAL FOUNDATION ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 64 F. 3d 1130.

No. 95-1434. HUGHES SALARIED RETIREES ACTION COMMITTEE ET AL. *v.* ADMINISTRATOR, HUGHES NON-BARGAINING RETIREMENT PLAN. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 686.

No. 95-1435. GRAVEN AUCTION CO., INC., ET AL. *v.* FINK, TRUSTEE. C. A. 8th Cir. Certiorari denied. Reported below: 64 F. 3d 453.

No. 95-1437. SMITH *v.* NORTH CAROLINA. Sup. Ct. N. C. Certiorari denied. Reported below: 342 N. C. 407, 464 S. E. 2d 45.

No. 95-1452. SINGER *v.* SHERIFF, FULTON COUNTY, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 63 F. 3d 110.

No. 95-1456. SPARKY'S WATERFRONT SALOON, INC. *v.* COSMOPOLITAN, INC., ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1227.

No. 95-1459. IRONS *v.* KARCESKI ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 74 F. 3d 1262.

No. 95-1461. PETITTE BROTHERS MINING CO., INC., ET AL. *v.* CONNORS, TRUSTEE, UNITED MINE WORKERS OF AMERICA 1950 PENSION PLAN, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 70 F. 3d 637.

No. 95-1462. ST. LOUIS COUNTY, MISSOURI *v.* KORNBLUM. C. A. 8th Cir. Certiorari denied. Reported below: 72 F. 3d 661.

No. 95-1463. THOMASON *v.* PRINCE GEORGE'S COUNTY, MARYLAND. Ct. Sp. App. Md. Certiorari denied. Reported below: 105 Md. App. 807.

No. 95-1464. HAZEN *v.* COOPER ET AL. Ct. App. Tex., 14th Dist. Certiorari denied.

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No. 95-1465. *VILLAGE OF DEPEW v. GUMMO*. C. A. 2d Cir. Certiorari denied. Reported below: 75 F. 3d 98.

No. 95-1470. *CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND v. SHERWIN-WILLIAMS Co.* C. A. 7th Cir. Certiorari denied. Reported below: 71 F. 3d 1338.

No. 95-1471. *MOTLEY v. MARATHON OIL Co.* C. A. 10th Cir. Certiorari denied. Reported below: 71 F. 3d 1547.

No. 95-1473. *PRAXAIR, INC. v. FLORIDA POWER & LIGHT Co. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 64 F. 3d 609.

No. 95-1474. *NEW MEXICO DEPARTMENT OF HUMAN SERVICES ET AL. v. JOSEPH A. ET AL., BY THEIR NEXT FRIEND, WOLFE, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 1081.

No. 95-1479. *WHEREHOUSE ENTERTAINMENT, INC., ET AL. v. MCMAHAN & Co. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 65 F. 3d 1044.

No. 95-1486. *HOLMES v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 1237.

No. 95-1502. *FOX v. HINSON, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION.* C. A. D. C. Cir. Certiorari denied. Reported below: 76 F. 3d 1244.

No. 95-1518. *FLORIDA v. FRAZIER*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 664 So. 2d 985.

No. 95-1519. *YOUNG v. OFFICE OF PERSONNEL MANAGEMENT.* C. A. Fed. Cir. Certiorari denied. Reported below: 70 F. 3d 130.

No. 95-1520. *ARIZONA ET AL. v. HOOK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 544.

No. 95-1536. *FLORIDA v. DUPONT*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 659 So. 2d 405.

No. 95-1541. *HENNESSEY v. BLALACK ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 473.

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No. 95-1545. *SUTTON v. GIBSON ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 464.

No. 95-1550. *WEINBERG v. MANAGEMENT COMPANY ENTERTAINMENT GROUP ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 71 F. 3d 405.

No. 95-1570. *FRIED v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 436 Pa. Super. 642, 647 A. 2d 262.

No. 95-1577. *CONLEY ET AL. v. EUGENE.* C. A. 5th Cir. Certiorari denied. Reported below: 65 F. 3d 1299.

No. 95-1580. *SMITH ET UX. v. NEW HAMPSHIRE BOARD OF LICENSURE FOR LAND SURVEYORS ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 70 F. 3d 1253.

No. 95-1597. *SMITH v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1264.

No. 95-1600. *CENTRA, INC., ET AL. v. CHANDLER INSURANCE CO., LTD., ET AL.* Sup. Ct. Neb. Certiorari denied. Reported below: 248 Neb. 844, 540 N. W. 2d 318.

No. 95-1604. *KLETZELMAN v. CAPISTRANO UNIFIED SCHOOL DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1279.

No. 95-1606. *BENNETT v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 113.

No. 95-1617. *THOMAS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 479.

No. 95-1618. *GOWIN v. DADE COUNTY AUTO TAG OFFICE, DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.* C. A. 11th Cir. Certiorari denied. Reported below: 55 F. 3d 636.

No. 95-1620. *SHRADER v. NORTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1263.

No. 95-1627. *RAMOS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1281.

No. 95-1632. *SOARES v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 68 F. 3d 19.

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No. 95-1645. JACKSON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 100 F. 3d 941.

No. 95-1652. DYSON *v.* CITY OF PAWTUCKET ET AL. Sup. Ct. R. I. Certiorari denied. Reported below: 670 A. 2d 233.

No. 95-1655. TATE *v.* UNITED STATES. C. A. Armed Forces. Certiorari denied. Reported below: 43 M. J. 464.

No. 95-1660. NORDVIK ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 1489.

No. 95-1663. CATALFO *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 64 F. 3d 1070.

No. 95-1667. BAKER ET UX. *v.* INTERNAL REVENUE SERVICE. C. A. 9th Cir. Certiorari denied. Reported below: 74 F. 3d 906.

No. 95-6992. MORROW *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. Reported below: 910 S. W. 2d 471.

No. 95-7262. JACKSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 297.

No. 95-7317. HOOPER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 65 F. 3d 169.

No. 95-7434. MITCHELL *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 36 Cal. App. 4th 672, 42 Cal. Rptr. 2d 537.

No. 95-7436. JACKSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 67 F. 3d 1359.

No. 95-7505. DAVIS *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied. Reported below: 660 So. 2d 1228.

No. 95-7621. WOLFE *v.* MONTANA DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES. C. A. 9th Cir. Certiorari denied.

No. 95-7720. WILLIAMS *v.* LOVE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL. C. A. 3d Cir. Certiorari denied.

No. 95-7728. DEBARR *v.* NEVADA. Sup. Ct. Nev. Certiorari denied. Reported below: 111 Nev. 1712, 916 P. 2d 194.

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No. 95-7777. *MORRIS v. KING, DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 307.

No. 95-7801. *PONDER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 63 F. 3d 1112.

No. 95-7863. *PRYCE v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 95-7886. *HAWKINS v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 10 Cal. 4th 920, 897 P. 2d 574.

No. 95-7968. *KAILEY v. NORTON, ATTORNEY GENERAL OF COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 74 F. 3d 1249.

No. 95-8146. *MOON v. THOMAS, WARDEN.* Super. Ct. Butts County, Ga. Certiorari denied.

No. 95-8149. *LOWE v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 95-8152. *MULAZIM v. NUCKLES.* C. A. 6th Cir. Certiorari denied.

No. 95-8158. *COTNER v. OKLAHOMA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 74 F. 3d 1248.

No. 95-8166. *HOUSE v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. Reported below: 911 S. W. 2d 705.

No. 95-8189. *WHEELER v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 269 Ill. App. 3d 1129, 685 N. E. 2d 454.

No. 95-8192. *ODEN v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 74 Ohio St. 3d 234, 658 N. E. 2d 273.

No. 95-8196. *WILLIS v. BELL, ROSENBERG & HUGHES ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-8197. *RASHI v. CONLEY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 69 F. 3d 537.

No. 95-8198. *STEPHEN v. HEWITT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 370.

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No. 95–8199. *HANUS ET VIR v. SEARS, ROEBUCK & CO. ET AL.* Ct. App. Neb. Certiorari denied. Reported below: 3 Neb. App. lxxiv.

No. 95–8202. *HARVEY v. HAMILL ET AL.* Sup. Ct. Del. Certiorari denied. Reported below: 670 A. 2d 1338.

No. 95–8213. *TEDDER v. JOHNSON, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 95–8214. *RIKER v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 111 Nev. 1316, 905 P. 2d 706.

No. 95–8215. *ROBERTS v. HANKS, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL INSTITUTE.* C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 364.

No. 95–8216. *WESLEY v. JENKINS, CHIEF OF POLICE, ODESSA, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 1238.

No. 95–8217. *BOYD v. NORTH CAROLINA.* Super. Ct. N. C., Surry County. Certiorari denied.

No. 95–8219. *TAYLOR v. HANKS, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL INSTITUTE.* C. A. 7th Cir. Certiorari denied.

No. 95–8221. *HOYETT v. JONES, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95–8223. *DWYER v. SPARKS.* Sup. Ct. Colo. Certiorari denied.

No. 95–8226. *IN RE BETHEA.* Ct. Common Pleas of Dauphin County, Pa. Certiorari denied.

No. 95–8227. *IGBO v. CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1262.

No. 95–8228. *MELANCON v. RADER, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 95–8230. *JEFFRESS v. SUTER, CLERK, SUPREME COURT OF THE UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 70 F. 3d 638.

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No. 95-8232. *NUNEZ v. COSTELLO*, SUPERINTENDENT, MID-STATE CORRECTIONAL FACILITY, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 89 F. 3d 826.

No. 95-8233. *LANCOUR v. MOORE*, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 60 F. 3d 823.

No. 95-8236. *JONES v. WASHINGTON*, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS. C. A. 7th Cir. Certiorari denied.

No. 95-8239. *SPRANKLE v. SPRANKLE*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 667 So. 2d 784.

No. 95-8240. *JOHNSON-BEY v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 477.

No. 95-8243. *BELL v. BROOKSHIRE*, SHERIFF, ECTOR COUNTY, TEXAS, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 474.

No. 95-8247. *CRAIG v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 274 Mont. 140, 906 P. 2d 683.

No. 95-8249. *ROBERSON v. SUAREZ CORP. ET AL.* Ct. App. Tex., 12th Dist. Certiorari denied.

No. 95-8252. *BROWN v. UNITED STATES CONGRESS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8254. *TAFOYA v. ZAVARAS*, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 77 F. 3d 493.

No. 95-8255. *THOMPSON v. NEW JERSEY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 95-8256. *TEDDER ET VIR v. PACE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 126.

No. 95-8259. *OLENICK v. NEW YORK TELEPHONE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 95-8260. *PASTER v. TENSAS BASIN LEVEE DISTRICT*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 659 So. 2d 857.

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No. 95-8268. *LUKEN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 192.

No. 95-8275. *WINDELBERG v. THOMPSON, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 95-8278. *SMITH v. NUTH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 1233.

No. 95-8285. *SHABAZZ v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 95-8289. *THOMAS v. EVANS.* C. A. 11th Cir. Certiorari denied.

No. 95-8290. *YEOMAN v. DILLEY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 95-8293. *STEVENS v. CITY OF LINCOLN, ARKANSAS.* Sup. Ct. Ark. Certiorari denied.

No. 95-8294. *PICKLE v. DUTTON, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 72 F. 3d 130.

No. 95-8298. *DAWSON v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-8306. *HARVEY v. WASHINGTON, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 95-8315. *JETER v. DIXON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 112.

No. 95-8324. *SWENDRA v. WOODFORD, JUDGE, JEFFERSON COUNTY DISTRICT COURT, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 76 F. 3d 393.

No. 95-8341. *POLUR v. GRIEVANCE COMMITTEE FOR THE SOUTHERN DISTRICT OF NEW YORK.* C. A. 2d Cir. Certiorari denied. Reported below: 67 F. 3d 3.

No. 95-8352. *AUGUSTIN v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 666 So. 2d 218.



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No. 95-8360. *DILWORTH v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 169 Ill. 2d 195, 661 N. E. 2d 310.

No. 95-8363. *HOSIER v. WOLFF ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-8364. *EMERY v. PLANTIER, SUPERINTENDENT, NEW JERSEY ADULT DIAGNOSTIC AND TREATMENT CENTER*. C. A. 3d Cir. Certiorari denied.

No. 95-8392. *ROBINSON v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 342 N. C. 74, 463 S. E. 2d 218.

No. 95-8422. *LYMAN v. HOPKINS, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 69 F. 3d 541.

No. 95-8424. *LINTON v. ALASKA*. Ct. App. Alaska. Certiorari denied. Reported below: 901 P. 2d 439.

No. 95-8428. *MALLOY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 124.

No. 95-8434. *USHER v. DUNCAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 371.

No. 95-8447. *DARDEN v. BARNETT, SUPERINTENDENT, EASTERN CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 1231.

No. 95-8463. *WASHINGTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 69 F. 3d 542.

No. 95-8464. *TRIPPET v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-8473. *NEAL v. COOPER, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 95-8476. *PRICE v. MCDADE, SUPERINTENDENT, HARNETT CORRECTIONAL INSTITUTION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 64 F. 3d 659.

No. 95-8477. *WALLS v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 342 N. C. 1, 463 S. E. 2d 738.

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No. 95-8485. *PALACIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 879.

No. 95-8488. *WEST v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 81 F. 3d 155.

No. 95-8491. *DUKES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1252.

No. 95-8493. *DEYOUNG ET UX. v. LORENTZ, JUDGE, DISTRICT COURT OF KANSAS, 31ST DISTRICT*. C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 547.

No. 95-8495. *HOYETT v. JONES, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8496. *D'AMARIO v. PINE, ATTORNEY GENERAL OF RHODE ISLAND*. C. A. 1st Cir. Certiorari denied.

No. 95-8497. *HERRERA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 70 F. 3d 444.

No. 95-8506. *ABLES v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 73 F. 3d 591.

No. 95-8507. *FIELDS v. THOMPSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 1231.

No. 95-8508. *HINOJOSA v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 78 F. 3d 581.

No. 95-8512. *IVY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 477.

No. 95-8513. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 65 F. 3d 183.

No. 95-8514. *BOUNDS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 480.

No. 95-8527. *GREEN v. MORTON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 95-8529. *GALLIPEAU v. RHODE ISLAND*. Sup. Ct. R. I. Certiorari denied.

No. 95-8530. *VIRTA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 74 F. 3d 1241.

No. 95-8531. *FAULS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 65 F. 3d 592.

No. 95-8541. *AYALA-ALLENDE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 478.

No. 95-8542. *SMITH ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 78 F. 3d 580.

No. 95-8543. *MCINTYRE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 66 F. 3d 313.

No. 95-8544. *RANGEL-IBARRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 477.

No. 95-8548. *KISSANE v. TRIPPETT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 95-8557. *SIMMONS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 474.

No. 95-8558. *VICKARYOUS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 74 F. 3d 1250.

No. 95-8561. *DIAZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 100 F. 3d 941.

No. 95-8567. *JAMES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1228.

No. 95-8571. *VAHOSKY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 76 F. 3d 381.

No. 95-8572. *SILKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1281.

No. 95-8574. *BRADLEY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 95-8579. *MCCUTCHEON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1254.

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No. 95-8581. *FLYNN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 67 F. 3d 315.

No. 95-8582. *HAIRSTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 71 F. 3d 115.

No. 95-8584. *COLLINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 1234.

No. 95-8587. *ALLEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 388.

No. 95-8593. *MOORE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 95-8595. *BREWER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 1234.

No. 95-8600. *BARRON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 76 F. 3d 393.

No. 95-8602. *ROGGY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 76 F. 3d 189.

No. 95-8604. *SAULSBERRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 7 F. 3d 236.

No. 95-8606. *ROSS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95-8609. *KELLEY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 221 App. Div. 2d 661, 633 N. Y. S. 2d 845.

No. 95-8610. *LITTLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 113.

No. 95-8614. *HICKOK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 77 F. 3d 992.

No. 95-8615. *DUNN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 115.

No. 95-8619. *GRANT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 72 F. 3d 503.

No. 95-8621. *COTO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1254.

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No. 95–8626. *COLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 72 F. 3d 128.

No. 95–8628. *FROST v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1280.

No. 95–8629. *ABDUL HAKEEM v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 210 App. Div. 2d 16, 619 N. Y. S. 2d 33.

No. 95–8643. *GILES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 81 F. 3d 161.

No. 95–8644. *DUQUETTE v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 198 Wis. 2d 386, 542 N. W. 2d 237.

No. 95–8646. *YARNELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95–8648. *JUSTICE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 70 F. 3d 1275.

No. 95–8650. *ATKINSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 464.

No. 95–879. *CITY OF EDMOND ET AL. v. ROBINSON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 68 F. 3d 1226.

CHIEF JUSTICE REHNQUIST, with whom JUSTICE SCALIA and JUSTICE THOMAS join, dissenting.

I dissent from the denial of certiorari. Petitioners identify a division between the Courts of Appeals about whether a city violates the First Amendment when its seal includes as one component a religious symbol, in particular a Latin cross. Compare 68 F. 3d 1226 (CA10 1995) and *Harris v. City of Zion*, 927 F. 2d 1401 (CA7 1991) (finding an Establishment Clause violation), with *Murray v. City of Austin*, 947 F. 2d 147 (CA5 1991) (finding no violation), cert. denied *sub nom. Derden v. McNeel*, 508 U. S. 960 (1992). Their petition also suggests—though it does not expressly raise—a serious question about respondents’ standing to press their First Amendment claim.

The Court of Appeals observed that neither party disputed respondents’ standing, but correctly observed that “[s]tanding”

was always necessary. 68 F. 3d, at 1229, n. 6. Last Term, we pointed out that “[t]he question of standing is not subject to waiver: ‘We are required to address the issue even if the courts below have not passed on it, and even if the parties fail to raise the issue before us.’” *United States v. Hays*, 515 U. S. 737, 742 (1995) (quoting *FW/PBS, Inc. v. Dallas*, 493 U. S. 215, 230–231 (1990)) (citation omitted).

The Court of Appeals noted respondents had standing under its decision in *Foremaster v. City of St. George*, 882 F. 2d 1485, 1490 (CA10 1989), cert. denied, 495 U. S. 910 (1990). 68 F. 3d, at 1229, n. 6. In *Foremaster*, the Court of Appeals inquired whether a plaintiff challenging a city logo containing a depiction of the local Mormon temple alleged a direct injury when he alleged that he was “confronted by the logo on a daily basis.” 882 F. 2d, at 1491. Reviewing our decision in *Valley Forge Christian College v. Americans United for Separation of Church and State, Inc.*, 454 U. S. 464 (1982), the court held that “an allegation of direct personal contact with the offensive action alone” alleged a direct injury, and that it was not necessary for a plaintiff to allege also that “he has altered his behavior as a consequence” of the offensive action. 882 F. 2d, at 1490.

The only factual statement as to what injury respondents in the present case might have suffered is that “[p]laintiffs are non-Christians who live or work in Edmond.” 68 F. 3d, at 1228. Mere presence in the city, without further allegations as to injury, quite clearly fails to meet the standing requirements laid down in cases such as *Valley Forge*. There, we said:

“Although respondents claim that the Constitution has been violated, they claim nothing else. They fail to identify any personal injury suffered by them *as a consequence* of the alleged constitutional error, other than the psychological consequence presumably produced by observation of conduct with which one disagrees. That is not an injury sufficient to confer standing under Art. III . . . .” 454 U. S., at 485.

The *Foremaster* court acknowledged that there was disagreement among the Courts of Appeals about whether *Valley Forge* allowed standing to a plaintiff alleging direct injury by being exposed to a state symbol that offends his beliefs. 882 F. 2d, at 1490; see also *Freedom From Religion v. Zielke*, 845 F. 2d 1463 (CA7 1988) (finding this allegation insufficient); *Saladin v. City of*

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*Milledgeville*, 812 F. 2d 687 (CA11 1987); *Hawley v. City of Cleveland*, 773 F. 2d 736 (CA6 1985) (finding it sufficient), cert. denied, 475 U. S. 1047 (1986). Because there are serious arguments on both sides of this question, the Courts of Appeals have divided on the issue, and the issue determines the reach of federal courts' power of judicial review of state actions, I would take this opportunity to consider it.

For these reasons, I would grant the petition for certiorari and request the parties to address the additional question whether respondents showed an injury in fact sufficient to give them standing to raise their claim of violation of the Establishment Clause of the First Amendment.

No. 95-1273. ROCKEFELLER ET AL. *v.* POWERS ET AL.; and

No. 95-1468. POWERS ET AL. *v.* ROCKEFELLER ET AL. C. A. 2d Cir. Motion of William Powers et al. to defer consideration of petitions for writs of certiorari denied. Certiorari denied. Reported below: 74 F. 3d 1367.

No. 95-1284. NORWEST CORP., FKA NORTHWEST BANCORPORATION, ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 69 F. 3d 1404.

No. 95-1438. CURRY *v.* E-SYSTEMS, INC. C. A. 4th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 72 F. 3d 126.

No. 95-1407. MARYLAND *v.* GADSON. Ct. App. Md. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 341 Md. 1, 668 A. 2d 22.

No. 95-1431. MIDWEST MOTOR EXPRESS, INC., ET AL. *v.* CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND. C. A. 8th Cir. Motion of Regular Common Carrier Conference for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 70 F. 3d 1014.

No. 95-1467. PILLSBURY Co., INC. *v.* PORT OF CORPUS CHRISTI AUTHORITY. C. A. 5th Cir. Motion of Port of Houston Authority for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 66 F. 3d 103.

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No. 95-1556 (A-825). CALIFORNIAA *v.* CLINTON, PRESIDENT OF THE UNITED STATES. C. A. 9th Cir. Application for stay, addressed to JUSTICE BREYER and referred to the Court, denied. Certiorari before judgment denied.

No. 95-1566. CRANE VESSEL TITAN 5, IN REM AND ITS CLAIMANT, FAR EASTERN MARINE EXPLORATION DRILLING CO. *v.* ENTRON, LTD., ET AL. C. A. 5th Cir. Motions of Chernomorneftegaz and Maritime Law Association of the United States for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 70 F. 3d 1269.

No. 95-7782. LEWIS *v.* FEDERAL DEPOSIT INSURANCE CORPORATION. C. A. 8th Cir. Motion of petitioner to amend petition for writ of certiorari denied. Certiorari denied.

*Rehearing Denied*

No. 95-1031. GHENT *v.* EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL., 516 U. S. 1172;

No. 95-1213. DELOATCH *v.* HUGHES, *ante*, p. 1120;

No. 95-1252. MATES *v.* OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION ET AL., *ante*, p. 1105;

No. 95-6375. POURZANDVAKIL *v.* HUMPHREY, ATTORNEY GENERAL OF MINNESOTA, ET AL., 516 U. S. 1051;

No. 95-7083. BLACKSTON *v.* RENO, ATTORNEY GENERAL OF THE UNITED STATES, ET AL., 516 U. S. 1125;

No. 95-7222. GORMAN *v.* MCANINCH, WARDEN, *ante*, p. 1106;

No. 95-7252. LAWSON *v.* CHATER, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 1106;

No. 95-7322. ECHOLS *v.* AMERICAN FORK INVESTORS ET AL., 516 U. S. 1161;

No. 95-7373. GUEST *v.* ILLINOIS, 516 U. S. 1176;

No. 95-7417. ARTEAGA *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, 516 U. S. 1177;

No. 95-7464. STROWSKI *v.* BANK OF AMERICA, *ante*, p. 1106;

No. 95-7469. GUMM *v.* OHIO, 516 U. S. 1177;

No. 95-7478. RODRIGUEZ *v.* WOLF, JUDGE, DISTRICT COURT OF APPEAL OF FLORIDA, FIRST DISTRICT, ET AL., 516 U. S. 1178;

No. 95-7496. COVILLION *v.* NEW HAMPSHIRE ET AL., 516 U. S. 1178;

No. 95-7522. WATKIS *v.* WEST, SECRETARY OF THE ARMY, ET AL., 516 U. S. 1149;



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- No. 95-7538. *IN RE LORENZ*, 516 U. S. 1170;
- No. 95-7564. *SMIDDY v. SINGLETARY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 1107;
- No. 95-7605. *NUSS v. OFFICE OF PERSONNEL MANAGEMENT*, 516 U. S. 1163;
- No. 95-7638. *BENNETT v. TEXAS*, *ante*, p. 1109;
- No. 95-7658. *RAMEY v. ASHLAND OIL, INC.*, *ante*, p. 1109;
- No. 95-7712. *SHERMAN v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 516 U. S. 1180;
- No. 95-7714. *RODRIGUEZ v. FLORIDA*, *ante*, p. 1123;
- No. 95-7722. *JOHNSON v. WELBY ET AL.*, 516 U. S. 1180;
- No. 95-7772. *SMITH v. RICHARDSON*, COMMISSIONER OF INTERNAL REVENUE, 516 U. S. 1180;
- No. 95-7785. *JACKSON v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 1124;
- No. 95-7789. *SUDRANSKI v. BROWN*, SECRETARY OF VETERANS AFFAIRS, *ante*, p. 1110;
- No. 95-7878. *STEPHENS v. CAIN*, WARDEN, *ante*, p. 1143;
- No. 95-7881. *GUZMAN ZAYAS v. BROWN*, SECRETARY OF VETERANS AFFAIRS, *ante*, p. 1124;
- No. 95-7934. *WALLACE v. SMITH*, WARDEN, ET AL., 516 U. S. 1183;
- No. 95-8120. *BERGMANN v. MCCAUGHTRY*, WARDEN, *ante*, p. 1126; and
- No. 95-8164. *TAMAKLOE v. UNITED STATES*, *ante*, p. 1127. Petitions for rehearing denied.
- No. 95-7637. *MCDONALD v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 516 U. S. 1179. Motion for leave to file petition for rehearing denied.

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*Dismissal Under Rule 46*

- No. 95-638. *BANKERS TRUST CO. v. PROCTER & GAMBLE CO.* C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 61 F. 3d 465.

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*Certiorari Granted—Vacated and Remanded*

No. 94-1247. HOSPITALITY INVESTMENTS OF PHILADELPHIA, INC. *v.* PENNSYLVANIA STATE POLICE, BUREAU OF LIQUOR CONTROL ENFORCEMENT; NIGHTTIME CONCEPTS, INC. *v.* PENNSYLVANIA STATE POLICE, BUREAU OF LIQUOR CONTROL ENFORCEMENT; and HOSPITALITY INVESTMENTS OF PHILADELPHIA, INC. *v.* PENNSYLVANIA STATE POLICE, BUREAU OF LIQUOR CONTROL ENFORCEMENT. Sup. Ct. Pa. Certiorari granted, judgments vacated, and case remanded for further consideration in light of 44 *Liquormart, Inc. v. Rhode Island*, ante, p. 484. Reported below: 539 Pa. 108, 650 A. 2d 854 (first judgment); 539 Pa. 123, 650 A. 2d 861 (second judgment); 539 Pa. 125, 650 A. 2d 862 (third judgment).

No. 95-685. ANHEUSER-BUSCH, INC., ET AL. *v.* SCHMOKE, MAYOR OF BALTIMORE CITY, ET AL. C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of 44 *Liquormart, Inc. v. Rhode Island*, ante, p. 484. Reported below: 63 F. 3d 1305.

No. 95-1531. ST. LEDGER ET AL. *v.* KENTUCKY REVENUE CABINET ET AL. Sup. Ct. Ky. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Fulton Corp. v. Faulkner*, 516 U. S. 325 (1996). Reported below: 912 S. W. 2d 34.

*Miscellaneous Orders*

No. A-874. TRONI ET UX. *v.* NYNEX ET AL. Bkrtcy. Ct. S. D. N. Y. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. A-892. IN RE TRONI ET UX. Bkrtcy. Ct. S. D. N. Y. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. D-1643. IN RE DISBARMENT OF STANLEY. Disbarment entered. [For earlier order herein, see 516 U.S. 1107.]

No. D-1653. IN RE DISBARMENT OF BASTINE. Disbarment entered. [For earlier order herein, see 516 U.S. 1108.]

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No. D-1658. IN RE DISBARMENT OF BRUCKNER. Disbarment entered. [For earlier order herein, see 516 U.S. 1169.]

No. D-1661. IN RE DISBARMENT OF REEVES. Disbarment entered. [For earlier order herein, see 516 U.S. 1170.]

No. D-1681. IN RE DISBARMENT OF BIEDERMAN. David Arnold Biederman, of Clifton, N. J., is suspended from the practice of law in this Court, and a rule will 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. M-60. MORGAN *v.* UNITED STATES. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 84, Orig. UNITED STATES *v.* ALASKA. Report of the Special Master received and ordered filed. Exceptions to the Report, with supporting briefs, not to exceed 75 pages, may be filed within 75 days. Replies, if any, not to exceed 75 pages, may be filed within 60 days after receipt of the other party's exceptions. Sur-reply briefs, if any, not to exceed 30 pages, may be filed within 30 days after receipt of the other party's reply. [For earlier order herein, see, *e. g.*, 474 U.S. 1044.]

No. 95-8730. IN RE GREENE;

No. 95-8754. IN RE RANDALL; and

No. 95-8804. IN RE CAYTON. Petitions for writs of habeas corpus denied.

No. 95-8479. IN RE TUCKER. Petition for writ of mandamus denied.

No. 95-8625. IN RE CROWDER. Petition for writ of mandamus and/or prohibition denied.

*Probable Jurisdiction Noted*

No. 95-1425. ABRAMS ET AL. *v.* JOHNSON ET AL.; and

No. 95-1460. UNITED STATES *v.* JOHNSON ET AL. Appeals from D. C. S. D. Ga. Probable jurisdiction noted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 922 F. Supp. 1556.

*Certiorari Denied*

No. 95-946. BALDASSARO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 64 F. 3d 206.

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No. 95-1129. RED LAKE BAND OF CHIPPEWA INDIANS ET AL. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 62 F. 3d 1421.

No. 95-1145. DIAZ *v.* DEPARTMENT OF THE AIR FORCE. C. A. Fed. Cir. Certiorari denied. Reported below: 63 F. 3d 1107.

No. 95-1155. SCHUSTERMAN ET UX. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 63 F. 3d 986.

No. 95-1293. TARGET SPORTSWEAR, INC. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 70 F. 3d 604.

No. 95-1308. V-1 OIL Co., INC., DBA V-1 PROPANE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 63 F. 3d 909.

No. 95-1319. HUGHES & LUCE ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 16.

No. 95-1400. CARTER ET AL. *v.* HELMSLEY-SPEAR, INC., ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 71 F. 3d 77.

No. 95-1484. AMPHITHEATER PUBLIC SCHOOLS ET AL. *v.* AITKEN. Sup. Ct. Ariz. Certiorari denied. Reported below: 183 Ariz. 387, 904 P. 2d 456.

No. 95-1489. GODDARD *v.* KANSAS DIRECTOR OF TAXATION ON ASSESSMENT OF MARIJUANA AND CONTROLLED SUBSTANCES TAX. Ct. App. Kan. Certiorari denied.

No. 95-1494. STANLEY *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. Reported below: 10 Cal. 4th 764, 897 P. 2d 481.

No. 95-1495. BERKELEY *v.* HOME INSURANCE Co. C. A. D. C. Cir. Certiorari denied. Reported below: 68 F. 3d 1409.

No. 95-1501. KING *v.* CLAYTON COUNTY COMMISSION ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 66 F. 3d 342.

No. 95-1505. BASS, SURVIVING SPOUSE OF BASS, DECEASED, ET AL. *v.* NATIONAL SUPER MARKETS, INC. Sup. Ct. Mo. Certiorari denied. Reported below: 911 S. W. 2d 617.

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No. 95-1507. *IADAROLA v. NEW YORK* (two judgments). App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 222 App. Div. 2d 454, 634 N. Y. S. 2d 738.

No. 95-1510. *CASSITY, DBA C & B TRUCKING v. KENTUCKY TRANSPORTATION CABINET*. Sup. Ct. Ky. Certiorari denied. Reported below: 912 S. W. 2d 48.

No. 95-1511. *KEMMERER ET AL. v. ICI AMERICAS, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 281.

No. 95-1513. *MARTINEZ v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 95-1515. *GERASOLO ET AL. v. ADHERENCE GROUP, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 371.

No. 95-1522. *DE LOS SANTOS v. CAMBRIDGE TANKERS, INC.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-1526. *SPRINGER v. CITY OF BEND*. C. A. 9th Cir. Certiorari denied. Reported below: 65 F. 3d 176.

No. 95-1527. *HANEY, BY NEXT FRIEND, GUARDIAN OF HIS PROPERTY, HANEY, ET AL. v. CITY OF CUMMING ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 69 F. 3d 1098.

No. 95-1529. *VOIGT v. SAVELL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1552.

No. 95-1535. *NEWTON v. BOARD TO DETERMINE FITNESS OF BAR APPLICANTS, SUPREME COURT OF GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 95-1537. *BROBSTON v. INSULATION CORPORATION OF AMERICA*. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1225.

No. 95-1543. *CAMPBELL v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 95-1551. *HINCHLIFFE ET UX. v. FEDERAL HOME LOAN MORTGAGE CORPORATION ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 462.

No. 95-1552. *ARONSON v. BROWN, SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 677.

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No. 95-1555. *CONNOR v. FLYNN*. Sup. Ct. N. J. Certiorari denied. Reported below: 142 N. J. 440, 663 A. 2d 1350.

No. 95-1561. *KOBAYASHI v. NAKAMURA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-1565. *CARSON v. WATERFRONT COMMISSION OF NEW YORK HARBOR*. C. A. 3d Cir. Certiorari denied. Reported below: 73 F. 3d 24.

No. 95-1578. *KELLY v. PENSON*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 661 So. 2d 1238.

No. 95-1584. *CSX TRANSPORTATION, INC. v. CASTRO*. Ct. Sp. App. Md. Certiorari denied. Reported below: 106 Md. App. 770.

No. 95-1587. *MORETTI v. CITY OF HACKENSACK*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 95-1589. *HALL ET UX. v. INDIANA DEPARTMENT OF REVENUE ET AL.* Sup. Ct. Ind. Certiorari denied. Reported below: 660 N. E. 2d 319.

No. 95-1607. *WILLIS v. GEORGIA DEPARTMENT OF PUBLIC SAFETY ET AL.* Ct. App. Ga. Certiorari denied. Reported below: 218 Ga. App. 541, 462 S. E. 2d 386.

No. 95-1616. *EAMES ET UX. v. SMALL BUSINESS ADMINISTRATION*. C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 1236.

No. 95-1629. *CLEMENT v. FLORIDA BAR*. Sup. Ct. Fla. Certiorari denied. Reported below: 662 So. 2d 690.

No. 95-1657. *DAVIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 60 F. 3d 1479.

No. 95-1658. *BARTLEY v. THOMPSON, GOVERNOR OF WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 198 Wis. 2d 323, 542 N. W. 2d 227.

No. 95-1664. *HELLER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 27 F. 3d 559.

No. 95-1678. *SCHUTTERLE v. UNITED STATES ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 74 F. 3d 846.

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No. 95-1692. *SHAW v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95-1704. *GRAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 95-1706. *SEVER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1258.

No. 95-1713. *GAYLOR ET AL. v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 74 F. 3d 214.

No. 95-1718. *CLAASSEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 69 F. 3d 550.

No. 95-6304. *MARSHALL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 56 F. 3d 1210.

No. 95-7022. *CAPERS ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 61 F. 3d 1100.

No. 95-7236. *LEE v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 541 Pa. 260, 662 A. 2d 645.

No. 95-7952. *AMEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 1273.

No. 95-7962. *POPE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 58 F. 3d 1567.

No. 95-8082. *CUDAL v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 674.

No. 95-8138. *PAJE v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 674.

No. 95-8143. *SANDOVAL v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 674.

No. 95-8153. *BURT v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 168 Ill. 2d 49, 658 N. E. 2d 375.

No. 95-8224. *DE GUZMAN v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 674.

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No. 95–8282. *ALEALI v. MERKLE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 73 F. 3d 368.

No. 95–8283. *CRAWLEY v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 541 Pa. 408, 663 A. 2d 676.

No. 95–8297. *FAUNCE v. WHITE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 62 F. 3d 1424.

No. 95–8302. *HELMS v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95–8303. *DERRYBERRY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 95–8305. *FABIAN v. SHADE*. Sup. Ct. Fla. Certiorari denied. Reported below: 669 So. 2d 250.

No. 95–8307. *FUNAI v. FRISOLI*. Super. Ct. Mass., Middlesex County. Certiorari denied.

No. 95–8309. *JEDRZEJEWSKI v. MENACKER*. Ct. Sp. App. Md. Certiorari denied. Reported below: 105 Md. App. 799.

No. 95–8314. *JACQUES v. RHODE ISLAND*. Sup. Ct. R. I. Certiorari denied. Reported below: 669 A. 2d 1124.

No. 95–8316. *STITT v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 95–8317. *MCNELTON v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 111 Nev. 900, 900 P. 2d 934.

No. 95–8320. *BUC-HANAN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 95–8322. *TREADWAY v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95–8327. *MCGESHICK v. CHOUCAIR ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 72 F. 3d 62.

No. 95–8329. *SIMPSON, AS NEXT FRIEND TO TONY L. ET AL. v. CHILDERS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 71 F. 3d 1182.



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No. 95-8332. *MILLER v. AMSOUTH BANCORPORATION*, N. A. C. A. 11th Cir. Certiorari denied. Reported below: 71 F. 3d 882.

No. 95-8334. *SHABAZZ v. PARSONS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 73 F. 3d 374.

No. 95-8336. *VRBA v. MILTON S. KATZ & ASSOCIATES ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-8337. *MADDEN v. SAVAGE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-8338. *BRUELLISAUER v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 95-8340. *MILLER v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 95-8342. *PHILLIPS v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 74 Ohio St. 3d 72, 656 N. E. 2d 643.

No. 95-8344. *BRITT v. WELLS ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-8349. *SMITH v. PITTSBURGH POLICE DEPARTMENT ET AL.* C. A. 3d Cir. Certiorari denied.

No. 95-8351. *THORNBRUGH v. BRETT, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 548.

No. 95-8354. *CROOMS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 95-8356. *GOLD v. MORRISON-KNUDSEN Co. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 68 F. 3d 1475.

No. 95-8358. *DEPPERMAN v. LOCAL 1199, DRUG, HOSPITAL AND HEALTH CARE EMPLOYEES UNION, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 95-8362. *HERNANDEZ v. VAN OSS, JUDGE, SUPERIOR COURT OF CALIFORNIA, SAN JOAQUIN COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 95-8379. *WEBER v. WOOD*, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS. C. A. 8th Cir. Certiorari denied. Reported below: 73 F. 3d 366.

No. 95-8382. *TRACY v. CHIEF OF THE NATIONAL GUARD BUREAU ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 76 F. 3d 380.

No. 95-8385. *BROOKS v. WICHITA FALLS STATE HOSPITAL*. C. A. 5th Cir. Certiorari denied.

No. 95-8393. *MILLS v. SINGLETARY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 63 F. 3d 999.

No. 95-8416. *NAVE v. BOWERSOX*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 62 F. 3d 1024.

No. 95-8421. *JACKSON v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 95-8435. *WORNUM v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 421 Mass. 220, 656 N. E. 2d 579.

No. 95-8468. *COOPER v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 38 Conn. App. 661, 664 A. 2d 773.

No. 95-8505. *ABBOTT v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 136 Ore. App. 547, 901 P. 2d 268.

No. 95-8528. *SLATON v. MILLER*, SUPERINTENDENT, CORRECTIONAL INDUSTRIAL COMPLEX, PENDLETON, INDIANA. C. A. 7th Cir. Certiorari denied. Reported below: 77 F. 3d 484.

No. 95-8554. *MCCLELLAND v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 95-8605. *SANCHEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 75 F. 3d 603.

No. 95-8616. *DELGADO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 464.

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No. 95–8617. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 1236.

No. 95–8618. *DAVID v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 78 F. 3d 579.

No. 95–8624. *ABDULLAH v. GROOSE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 75 F. 3d 408.

No. 95–8627. *HOPE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 87.

No. 95–8635. *SCHWARZ v. PATENT AND TRADEMARK OFFICE*. C. A. D. C. Cir. Certiorari denied. Reported below: 80 F. 3d 558.

No. 95–8661. *HOWARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 389.

No. 95–8663. *MATTOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1197.

No. 95–8667. *CIAPPONI v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 77 F. 3d 1247.

No. 95–8670. *TRUESDALE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 78 F. 3d 580.

No. 95–8673. *HUFFMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 74 F. 3d 1247.

No. 95–8679. *ROURKE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 74 F. 3d 802.

No. 95–8683. *BURKS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 74 F. 3d 1244.

No. 95–8684. *CHAMBERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 73 F. 3d 359.

No. 95–8685. *SHAFFER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 480.

No. 95–8689. *BUTTERFLY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 136.

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No. 95–8695. *SMITH v. KUHLMANN*, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 95–8708. *MALONE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 1276.

No. 95–8715. *AGUIRRE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 100 F. 3d 942.

No. 95–1244. *RUVALCABA v. CITY OF LOS ANGELES ET AL.* C. A. 9th Cir. Motion of Police Misconduct Lawyers Referral Service for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 64 F. 3d 1323.

No. 95–1329. *MOCK ET UX. v. PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES*. Sup. Ct. Pa. Motions of Washington Legal Foundation et al. and Pacific Legal Foundation for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 542 Pa. 357, 667 A. 2d 212.

No. 95–1514. *CALIFORNIA ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 75 F. 3d 1350.

*Rehearing Denied*

No. 95–887. *WAYMER v. UNITED STATES*, *ante*, p. 1119;

No. 95–1123. *GODBY v. ELECTROLUX CORP.*, *ante*, p. 1120;

No. 95–1296. *TALLEY v. FLATHEAD VALLEY COMMUNITY COLLEGE ET AL.*, *ante*, p. 1121;

No. 95–7824. *BANKS v. CALIFORNIA ET AL.*, *ante*, p. 1142;

No. 95–7868. *BURLEY v. McDONNELL DOUGLAS HELICOPTER CO.*, *ante*, p. 1143; and

No. 95–8003. *SARTIN v. VIRGINIA ET AL.*, *ante*, p. 1125. Petitions for rehearing denied.

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*Certiorari Granted—Vacated and Remanded*

No. 94–1838. *OXY USA INC. v. CONTINENTAL TREND RESOURCES, INC., ET AL.* C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in

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light of *BMW of North America, Inc. v. Gore*, ante, p. 559. Reported below: 44 F. 3d 1465.

No. 95-771. *FORD MOTOR CO. v. SPERAU ET AL.* Sup. Ct. Ala. Motion of Business Council of Alabama for leave to file a brief as *amicus curiae* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *BMW of North America, Inc. v. Gore*, ante, p. 559. Reported below: 674 So. 2d 24.

No. 95-1072. *COMBUSTION ENGINEERING, INC. v. JOHANSEN ET AL.* C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *BMW of North America, Inc. v. Gore*, ante, p. 559. Reported below: 67 F. 3d 314.

No. 95-1414. *APACHE CORP. v. MOORE ET AL.* Ct. App. Tex., 7th Dist. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *BMW of North America, Inc. v. Gore*, ante, p. 559. Reported below: 891 S. W. 2d 671.

No. 95-8396. *PEEPLS v. UNITED STATES.* C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Bailey v. United States*, 516 U. S. 137 (1995). Reported below: 70 F. 3d 1275.

#### *Miscellaneous Orders*

No. D-1682. *IN RE DISBARMENT OF BRAMHALL.* Richard Arthur Bramhall, Jr., of York, Pa., is suspended from the practice of law in this Court, and a rule will 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-1683. *IN RE DISBARMENT OF CLINARD.* William Faulkner Clinard, of Germantown, Ohio, is suspended from the practice of law in this Court, and a rule will 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-1684. *IN RE DISBARMENT OF BLOOMFIELD.* Gerald R. Bloomfield, of Albuquerque, N. M., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40

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

No. D-1685. *IN RE DISBARMENT OF REILLY*. Paul G. Reilly, Jr., of New York, N. Y., is suspended from the practice of law in this Court, and a rule will 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-1686. *IN RE DISBARMENT OF JONES*. Lester V. Jones, of Hydes, Md., is suspended from the practice of law in this Court, and a rule will 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. M-63. *LEVARIO v. STATE BAR OF TEXAS ET AL.* Motion to direct the Clerk to file jurisdictional statement and for transfer denied.

No. 95-728. *WARNER-JENKINSON CO., INC. v. HILTON DAVIS CHEMICAL CO.* C. A. Fed. Cir. [Certiorari granted, 516 U. S. 1145.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted to be divided as follows: 25 minutes, petitioner; 25 minutes, respondent; 10 minutes, the Solicitor General.

No. 95-992. *TURNER BROADCASTING SYSTEM, INC., ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* D. C. D. C. [Probable jurisdiction noted, 516 U. S. 1110.] Motion of the Solicitor General for divided argument granted.

No. 95-1340. *HUGHES AIRCRAFT CO. v. UNITED STATES EX REL. SCHUMER.* C. A. 9th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 95-7894. *SHIEH v. HATHAWAY ET AL.* C. A. 9th Cir.; and No. 95-7895. *SHIEH v. EBERSHOFF ET AL.* C. A. 9th Cir. Motions of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 1132] denied.

No. 95-8836 (A-890). *FELKER v. TURPIN, WARDEN.* C. A. 11th Cir. [Certiorari granted, ante, p. 1182.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

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No. 95-8796. IN RE SISK. Petition for writ of habeas corpus denied.

No. 95-8387. IN RE SPELLMAN; and

No. 95-8453. IN RE JAMES. Petitions for writs of mandamus denied.

No. 95-8448. IN RE FLYNN; and

No. 95-8454. IN RE MAXWELL. Petitions for writs of prohibition denied.

*Certiorari Granted*

No. 95-1181. DUNN ET AL. *v.* COMMODITY FUTURES TRADING COMMISSION ET AL. C. A. 2d Cir. Certiorari granted. Reported below: 58 F. 3d 50.

No. 95-1608. MCKENNA, DIRECTOR, RAMSEY COUNTY DEPARTMENT OF PROPERTY RECORDS AND REVENUE, ET AL. *v.* TWIN CITIES AREA NEW PARTY. C. A. 8th Cir. Certiorari granted. Reported below: 73 F. 3d 196.

No. 95-1598. YOUNG ET AL. *v.* HARPER. C. A. 10th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 64 F. 3d 563.

*Certiorari Denied*

No. 94-1230. FRAIDIN *v.* WEITZMAN ET AL. Ct. Sp. App. Md. Certiorari denied. Reported below: 99 Md. App. 747.

No. 94-1337. LIBERTY MUTUAL INSURANCE CO. *v.* CHEMSTAR, INC., ET AL. (three judgments). C. A. 9th Cir. Certiorari denied. Reported below: 41 F. 3d 429 (first judgment); 42 F. 3d 1398 (second judgment) and 1399 (third judgment).

No. 94-1890. HONDA MOTOR CO., LTD., ET AL. *v.* OBERG. Sup. Ct. Ore. Certiorari denied. Reported below: 320 Ore. 544, 888 P. 2d 8.

No. 95-433. WOLFBERG ET UX. *v.* GREENBERG. C. A. 10th Cir. Certiorari denied. Reported below: 54 F. 3d 787.

No. 95-563. CONSTRUCTION AND LABORERS' UNION LOCAL NO. 324 ET AL. *v.* MURRAY. C. A. 9th Cir. Certiorari denied. Reported below: 55 F. 3d 1445.

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No. 95-1297. *PIERCE v. IOWA-MISSOURI CONFERENCE OF SEVENTH-DAY ADVENTISTS*. Sup. Ct. Iowa. Certiorari denied. Reported below: 534 N. W. 2d 425.

No. 95-1310. *ISRAEL TRAVEL ADVISORY SERVICE, INC. v. ISRAEL IDENTITY TOURS, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 61 F. 3d 1250.

No. 95-1330. *AMERICAN STEAMSHIP CO. v. CLEVELAND TANKERS, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 67 F. 3d 1200.

No. 95-1341. *ROBINSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 62 F. 3d 1325.

No. 95-1353. *FORT SUMTER TOURS, INC. v. BABBITT, SECRETARY OF THE INTERIOR*. C. A. 4th Cir. Certiorari denied. Reported below: 66 F. 3d 1324.

No. 95-1359. *MARYBOY v. UTAH STATE TAX COMMISSION ET AL.* Sup. Ct. Utah. Certiorari denied. Reported below: 904 P. 2d 662.

No. 95-1363. *MOSIER, TRUSTEE v. KROGER CO.* C. A. 9th Cir. Certiorari denied. Reported below: 65 F. 3d 778.

No. 95-1417. *KANE ET VIR v. MAGNA MIXER CO. ET AL.*; and  
No. 95-1610. *MAGNA MIXER CO. ET AL. v. KANE ET VIR*. C. A. 6th Cir. Certiorari denied. Reported below: 71 F. 3d 555.

No. 95-1420. *PHILIP MORRIS INC. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. Reported below: 71 F. 3d 1040.

No. 95-1448. *NERNBERG v. LUDMER*. Super. Ct. Pa. Certiorari denied. Reported below: 433 Pa. Super. 316, 640 A. 2d 939.

No. 95-1477. *SCHULTE ET AL. v. SMITH, ADMINISTRATOR OF THE ESTATE OF SMITH, DECEASED*. Sup. Ct. Ala. Certiorari denied. Reported below: 671 So. 2d 1334.

No. 95-1517. *INDIANA DEPARTMENT OF CORRECTION v. SAMPLEY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 72 F. 3d 528.

No. 95-1525. *FOSTER, SHERIFF, NEWBERRY COUNTY, ET AL. v. GILLIAM*. C. A. 4th Cir. Certiorari denied. Reported below: 75 F. 3d 881.



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No. 95-1530. *GLAVEY v. DIME SAVINGS BANK OF NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 214 App. Div. 2d 419, 625 N. Y. S. 2d 181.

No. 95-1532. *LINDENMEIER ET AL. v. SIEMENS POWER CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 544.

No. 95-1533. *MOOSE LODGE #259 (SALT LAKE CITY) ET AL. v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL*. Sup. Ct. Utah. Certiorari denied. Reported below: 905 P. 2d 1189.

No. 95-1539. *KITTLER ET UX. v. ECKBERG, LAMMERS, BRIGGS, WOLFF & VIERLING ET AL.* Ct. App. Minn. Certiorari denied. Reported below: 535 N. W. 2d 653.

No. 95-1540. *HOKE ET AL. v. BLUDWORTH ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 878 and 82 F. 3d 413.

No. 95-1542. *COOPER ET AL. v. MASSACHUSETTS COMMISSIONER OF REVENUE*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 421 Mass. 557, 658 N. E. 2d 963.

No. 95-1544. *BURKHART ET UX. v. AGOSTINI*. Sup. Ct. Del. Certiorari denied. Reported below: 670 A. 2d 1336.

No. 95-1547. *AMERICAN PREMIER UNDERWRITERS, INC. v. USX CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 71 F. 3d 1113.

No. 95-1554. *BATTS v. TOW-MOTOR FORKLIFT CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 66 F. 3d 743.

No. 95-1559. *HICKAM v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 235 Conn. 614, 668 A. 2d 1321.

No. 95-1560. *CROW TRIBE OF INDIANS ET AL. v. REPSIS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 73 F. 3d 982.

No. 95-1568. *VENEMAN, SECRETARY, CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE, ET AL. v. PACIFIC MERCHANT SHIPPING ASSN.* Sup. Ct. Cal. Certiorari denied. Reported below: 12 Cal. 4th 503, 907 P. 2d 430.

No. 95-1574. *ALTON & SOUTHERN RAILWAY CO. v. EDWARDS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 275 Ill. App. 3d 529, 656 N. E. 2d 208.

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No. 95-1583. *GREEN ET AL. v. PENNSYLVANIA MUNICIPAL SERVICE CO. ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 661 A. 2d 44.

No. 95-1586. *BROWN v. CAMPBELL COUNTY BOARD OF EDUCATION ET AL.* Sup. Ct. Tenn. Certiorari denied. Reported below: 915 S. W. 2d 407.

No. 95-1590. *GONZALEZ ET AL. v. MOISES LUNA AND ASSOCIATES.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-1591. *NEUFELD v. CITY OF BALTIMORE, MARYLAND, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1262.

No. 95-1611. *R. J. REYNOLDS TOBACCO CO. ET AL. v. MINNESOTA ET AL.* Ct. App. Minn. Certiorari denied.

No. 95-1615. *TAMBURELLO v. COMM-TRACT CORP. ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 67 F. 3d 973.

No. 95-1626. *AMERICANOS v. CARTER, ATTORNEY GENERAL OF INDIANA, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 74 F. 3d 138.

No. 95-1656. *TAYLOR v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 121.

No. 95-1661. *ROBERT ET AL. v. PHILADELPHIA PARK ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 542 Pa. 355, 667 A. 2d 211.

No. 95-1673. *SPENCER v. SPENCER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 68 F. 3d 479.

No. 95-1716. *GREAT FALLS EYE SURGERY CENTER ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 75 F. 3d 470.

No. 95-1740. *KOTSIAS v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 274 Ill. App. 3d 1107, 691 N. E. 2d 1198.

No. 95-1772. *MUSSER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 62 F. 3d 1425.

No. 95-1776. *MCNEEL ET UX. v. COMMISSIONER OF INTERNAL REVENUE; KURNIK ET UX. v. COMMISSIONER OF INTERNAL REVE-*

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NUE; and *PRESSLEY v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 387 (first judgment); 70 F. 3d 120 (second judgment) and 1279 (third judgment).

No. 95-7660. *ROSARIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 66 F. 3d 321.

No. 95-7765. *ANTONELLI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 72 F. 3d 132.

No. 95-7854. *JUAREZ v. LEE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 548.

No. 95-8041. *PALMISANO v. EXECUTIVE COMMITTEE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS*; and *PALMISANO v. BILANDIC, CHIEF JUSTICE, SUPREME COURT OF ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 70 F. 3d 483 (first judgment); 73 F. 3d 364 (second judgment).

No. 95-8092. *SEVER v. BELL COMMUNICATIONS RESEARCH, AKA BELLCORE*. C. A. 3d Cir. Certiorari denied. Reported below: 60 F. 3d 817.

No. 95-8167. *HOPE v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 168 Ill. 2d 1, 658 N. E. 2d 391.

No. 95-8365. *HERNANDEZ v. STARBUCK, SUPERINTENDENT, WYOMING HONOR FARM, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 1089.

No. 95-8373. *SPYCHALA v. LEWIS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 388.

No. 95-8375. *SANBORN v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 95-8376. *RODENBAUGH v. LEARY*. C. A. 3d Cir. Certiorari denied.

No. 95-8377. *PRIETO v. CRAWFORD ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8386. *STRICKLAND v. CROWE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 69 F. 3d 550.

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No. 95-8388. *SLADE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 95-8390. *CHAMBERLIN v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-8408. *DALE v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN LUIS OBISPO, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-8409. *DYMITIS v. CENTER FOR INDEPENDENCE OF THE DISABLED ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-8410. *FRANCIS v. DEPARTMENT OF COMMERCE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 477.

No. 95-8412. *ADAMS v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 95-8414. *POPKE ET AL. v. OHIO DEPARTMENT OF REHABILITATION AND CORRECTION ET AL.* C. A. 6th Cir. Certiorari denied.

No. 95-8417. *MCQUEEN v. MATA ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 876.

No. 95-8418. *MCQUEEN v. TURNER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 876.

No. 95-8420. *MOOMCHI v. UNIVERSITY OF NEW MEXICO ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 72 F. 3d 138.

No. 95-8423. *JOHNSON v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 462.

No. 95-8425. *JANNEH v. THE REGENCY ET AL.* C. A. 2d Cir. Certiorari denied.

No. 95-8426. *LOCKE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 1237.

No. 95-8427. *JOHNSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

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No. 95-8429. *STEARNS-MILLER v. AULT ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8430. *STEARNS-MILLER v. BROWN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8433. *ARTIS v. GARRAGHTY, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 1260.

No. 95-8436. *HENTZ v. ROBERTS, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 1169.

No. 95-8443. *CARTER v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 342 N. C. 312, 464 S. E. 2d 272.

No. 95-8445. *ROUSSOS v. BAXLEY.* Ct. Sp. App. Md. Certiorari denied. Reported below: 103 Md. App. 781.

No. 95-8446. *ROUSSOS v. FELTER.* Cir. Ct. Montgomery County, Md. Certiorari denied.

No. 95-8449. *FLYNN v. CITY OF GARDEN CITY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 95 F. 3d 1152.

No. 95-8450. *HARVELL v. NAGLE, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 58 F. 3d 1541.

No. 95-8452. *BAL v. CITY OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 402.

No. 95-8455. *NAVA v. UNITED STATES SOCCER FEDERATION.* Sup. Ct. Fla. Certiorari denied. Reported below: 662 So. 2d 932.

No. 95-8457. *MATTISON v. ROACH ET AL.* C. A. 6th Cir. Certiorari denied.

No. 95-8459. *RIGGINS v. KASENOW ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 1273.

No. 95-8461. *MISCH v. WASHINGTON.* Sup. Ct. Wash. Certiorari denied. Reported below: 127 Wash. 2d 1024, 904 P. 2d 1157.

No. 95-8474. *LEVINE v. UNITED STATES ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 74 F. 3d 1260.

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No. 95-8484. *JIM W. v. MARGENE L.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-8516. *KLEINSCHMIDT v. DISTRICT COURT OF APPEAL OF FLORIDA, FIRST DISTRICT, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 663 So. 2d 630.

No. 95-8522. *ALVAREZ v. OFFICE OF PERSONNEL MANAGEMENT.* C. A. Fed. Cir. Certiorari denied. Reported below: 64 F. 3d 672.

No. 95-8523. *DUKES v. UNITED STATES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 68 F. 3d 460.

No. 95-8526. *HAMMOND v. LINDLER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 1231.

No. 95-8532. *SCHWARZ v. UNITED STATES FIDELITY & GUARANTY CO. ET AL.* Sup. Ct. Utah. Certiorari denied.

No. 95-8547. *MARSH v. DEPARTMENT OF VETERANS AFFAIRS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 77 F. 3d 469.

No. 95-8549. *BOWEN v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 322 Ark. 483, 911 S. W. 2d 555.

No. 95-8564. *HASA v. NEVADA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-8586. *McLAUGHLIN v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied.

No. 95-8590. *BARBEE v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 461.

No. 95-8597. *SCOTT v. MOYER, CHIEF JUSTICE, SUPREME COURT OF OHIO, ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 74 Ohio St. 3d 1509, 659 N. E. 2d 1286.

No. 95-8603. *PRIVETT v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 68 F. 3d 101.

No. 95-8639. *HUNTER v. BOYD ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 95–8642. *PRINGLE v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 82 F. 3d 406.

No. 95–8649. *AYARS v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 95–8657. *DAVIS v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 74 F. 3d 1248.

No. 95–8669. *CURLEY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 74 F. 3d 1246.

No. 95–8688. *HARRIS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 81 F. 3d 535.

No. 95–8690. *TILLI v. VAN ANTWERPEN, JUDGE, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 95–8700. *DANGER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 68 F. 3d 485.

No. 95–8701. *HAYNES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 877.

No. 95–8711. *LAPIERRE v. KINCHELOE, SUPERINTENDENT, SPRING CREEK CORRECTIONAL CENTER.* C. A. 9th Cir. Certiorari denied. Reported below: 74 F. 3d 1246.

No. 95–8731. *BRANCH v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 72 F. 3d 140.

No. 95–8733. *HUTCHING v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 95–8737. *SHAVERS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95–8738. *ARIAS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 74 F. 3d 1241.

No. 95–8739. *CASTORENA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 1150.

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No. 95-8740. *CORCORAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 100 F. 3d 944.

No. 95-8741. *WILLIAMS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1229.

No. 95-8751. *NOCK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95-8752. *JENNINGS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 72 F. 3d 887.

No. 95-8753. *MEDLOCK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 77 F. 3d 497.

No. 95-8755. *SANTANA-CASTELLANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 593.

No. 95-8761. *LOWE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 389.

No. 95-8764. *HUDSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 55 F. 3d 635.

No. 95-8765. *DOLLOPH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 75 F. 3d 35.

No. 95-8766. *AKERE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 81 F. 3d 151.

No. 95-8769. *CAMPBELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 477.

No. 95-8776. *REESE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 67 F. 3d 902.

No. 95-8777. *ELLIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 389.

No. 95-8786. *MILLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 69 F. 3d 1109.

No. 95-8788. *MOORE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 73 F. 3d 666.

No. 95-8792. *LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 74 F. 3d 575.



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No. 95-8794. THOMAS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 76 F. 3d 394.

No. 95-8800. BURNETTE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 376.

No. 95-8801. BANKS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 389.

No. 95-8805. SMALL *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Reported below: 74 F. 3d 1276.

No. 95-8806. APA *v.* SWEENEY, NEW YORK COMMISSIONER OF LABOR. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 220 App. Div. 2d 916, 632 N. Y. S. 2d 326.

No. 95-8808. GOODEN *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 79 F. 3d 1139.

No. 95-8815. NELSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 77 F. 3d 497.

No. 95-8820. CHARA *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 100 F. 3d 943.

No. 95-8821. ABBAS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 506.

No. 95-8822. ASRAR *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 309.

No. 95-8823. CLEMENTS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 51 F. 3d 273.

No. 95-8828. NELSON *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95-8839. JACKSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 376.

No. 95-1516. FORD MOTOR CO. *v.* FULKERSON ET AL. Ct. App. Ky. Motion of Product Liability Advisory Council, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied.

No. 95-1576. BORAWICK *v.* SHAY ET UX. C. A. 2d Cir. Motion of American Coalition for Abuse Awareness et al. for leave

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to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 68 F. 3d 597.

*Rehearing Denied*

- No. 90–5549. *VOTTELER v. UNITED STATES*, 498 U. S. 1000;  
No. 95–508. *KEARNS v. CHRYSLER CORP. ET AL.*, 516 U. S. 989;  
No. 95–1276. *ZOLT ET AL. v. BINGHAM, ANCILLARY ADMINISTRATOR OF THE ESTATE OF MARLEY, ET AL.*, *ante*, p. 1134;  
No. 95–6847. *NADAL v. UNITED STATES*, 516 U. S. 1122;  
No. 95–7569. *VARGAS v. GUNN, WARDEN*, *ante*, p. 1107;  
No. 95–7600. *KOWALSKI v. OREGON STATE BAR ET AL.*, *ante*, p. 1108;  
No. 95–7751. *BERGMANN v. MCCOLLOUGH*, *ante*, p. 1141;  
No. 95–7856. *MISEK-FALKOFF v. INTERNATIONAL BUSINESS MACHINES CORP.*, *ante*, p. 1111;  
No. 95–7861. *IN RE ROY*, *ante*, p. 1132;  
No. 95–7885. *ESTES v. NAMBA ET AL.*, *ante*, p. 1144;  
No. 95–7900. *IN RE ROBINSON*, 516 U. S. 1170;  
No. 95–7940. *ROBINSON v. MELOY, SUPERINTENDENT, ROCKVILLE TRAINING CENTER*, *ante*, p. 1158;  
No. 95–7956. *YATES v. GODWIN*, *ante*, p. 1159;  
No. 95–8048. *AKECH v. UNITED STATES*, *ante*, p. 1125;  
No. 95–8064. *AGUILAR v. NEWTON, WARDEN, ET AL.*, *ante*, p. 1145; and  
No. 95–8200. *GARNER v. OHIO*, *ante*, p. 1147. Petitions for rehearing denied.

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*Dismissal Under Rule 46*

- No. 95–1321. *TALBOTT, INDIVIDUALLY, AND AS ADMINISTRATRIX OF THE ESTATE OF BEAVERS, ET AL. v. C. R. BARD, INC., ET AL.* C. A. 1st Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 63 F. 3d 25.

*Certiorari Granted—Vacated and Remanded*

- No. 95–740. *UNION SECURITY LIFE INSURANCE CO. v. CROCKER*. Sup. Ct. Ala. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *BMW of North America, Inc. v. Gore*, *ante*, p. 559. Reported below: 667 So. 2d 688.

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No. 95-1325. AMERICAN PIONEER LIFE INSURANCE CO. ET AL. v. WILLIAMSON. Sup. Ct. Ala. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *BMW of North America, Inc. v. Gore*, ante, p. 559. Reported below: 681 So. 2d 1040.

No. 95-1491. UNITED STATES v. D. F. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Ornelas v. United States*, ante, p. 690. Reported below: 63 F. 3d 671.

No. 95-5845. BALDWIN v. UNITED STATES. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Ornelas v. United States*, ante, p. 690. Reported below: 60 F. 3d 363.

*Miscellaneous Orders*

No. D-1662. IN RE DISBARMENT OF BRINKLEY. Disbarment entered. [For earlier order herein, see *ante*, p. 1117.]

No. D-1663. IN RE DISBARMENT OF SEIKEL. Disbarment entered. [For earlier order herein, see *ante*, p. 1117.]

No. D-1664. IN RE DISBARMENT OF SEAMAN. Disbarment entered. [For earlier order herein, see *ante*, p. 1117.]

No. D-1665. IN RE DISBARMENT OF MICCI. Disbarment entered. [For earlier order herein, see *ante*, p. 1117.]

No. D-1666. IN RE DISBARMENT OF O'KICKI. Disbarment entered. [For earlier order herein, see *ante*, p. 1117.]

No. D-1687. IN RE DISBARMENT OF GOTTFRIED. Lawrence Robert Gottfried, of Silver Spring, Md., is suspended from the practice of law in this Court, and a rule will 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. M-64. PETERSEN v. GOVERNMENT OF THE VIRGIN ISLANDS; and

No. M-66. CALIENDO v. RODRIGUEZ, SUPERINTENDENT OF POLICE OF CHICAGO, ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

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No. 65, Orig. TEXAS *v.* NEW MEXICO. Motion of the River Master for award of fees and expenses granted, and the River Master is awarded a total of \$2,632 for the period January 1 through March 31, 1996, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 516 U. S. 803.]

No. 95–1594. DE BUONO, NEW YORK COMMISSIONER OF HEALTH, ET AL. *v.* NYSA–ILA MEDICAL AND CLINICAL SERVICES FUND, BY ITS TRUSTEES, BOWERS ET AL. C. A. 2d Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 95–8919. IN RE LORENZ. Petition for writ of habeas corpus denied.

No. 95–1684. IN RE MELKA MARINE, INC.;

No. 95–1687. IN RE MISTRANO; and

No. 95–8500. IN RE DIAS. Petitions for writs of mandamus denied.

*Probable Jurisdiction Noted*

No. 95–1455. RENO, ATTORNEY GENERAL *v.* BOSSIER PARISH SCHOOL BOARD ET AL.; and

No. 95–1508. PRICE ET AL. *v.* BOSSIER PARISH SCHOOL BOARD ET AL. Appeals from D. C. D. C. Probable jurisdiction noted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 907 F. Supp. 434.

*Certiorari Granted*

No. 95–1595. BABBITT, SECRETARY OF THE INTERIOR, ET AL. *v.* YOUPEE ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 67 F. 3d 194.

No. 95–1184. GLICKMAN, SECRETARY OF AGRICULTURE *v.* WILEMAN BROTHERS & ELLIOTT, INC., ET AL. C. A. 9th Cir. Motions of American Mushroom Institute et al. and National Association of State Departments of Agriculture for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 58 F. 3d 1367.

No. 95–1225. UNITED STATES *v.* BROCKAMP, ADMINISTRATOR OF THE ESTATE OF MCGILL, DECEASED; and UNITED STATES *v.* SCOTT. C. A. 9th Cir. Motion of Vincent Tassinari for leave to

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file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 67 F. 3d 260 (first judgment); 70 F. 3d 120 (second judgment).

*Certiorari Denied*

No. 95-1101. WILSON *v.* WASHINGTON. Super. Ct. Wash., King County. Certiorari denied.

No. 95-1286. BAKKER ET AL. *v.* FEDERAL DEPOSIT INSURANCE CO., RECEIVER FOR HANSEN SAVINGS BANK, SLA. C. A. 11th Cir. Certiorari denied. Reported below: 51 F. 3d 242.

No. 95-1328. FIRST NATIONAL BANK & TRUST, WIBAUX, MONTANA, ET AL. *v.* COMPTROLLER OF THE CURRENCY. C. A. 9th Cir. Certiorari denied. Reported below: 63 F. 3d 894.

No. 95-1349. MORALES *v.* INDUSTRIAL COMMISSION OF ARIZONA ET AL. Ct. App. Ariz. Certiorari denied.

No. 95-1351. BLYTHEVILLE SCHOOL DISTRICT No. 5 ET AL. *v.* HARVELL ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 71 F. 3d 1382.

No. 95-1393. WILEMAN BROTHERS & ELLIOTT, INC., ET AL. *v.* GLICKMAN, SECRETARY OF AGRICULTURE. C. A. 9th Cir. Certiorari denied. Reported below: 58 F. 3d 1367.

No. 95-1395. CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS HEALTH AND WELFARE FUND ET AL. *v.* PATHOLOGY LABORATORIES OF ARKANSAS. C. A. 7th Cir. Certiorari denied. Reported below: 71 F. 3d 1251.

No. 95-1406. BAKER ET AL. *v.* HADLEY, COLUMBIANA COUNTY AUDITOR. C. A. 6th Cir. Certiorari denied. Reported below: 72 F. 3d 129.

No. 95-1413. BIERI ET VIR *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 68 F. 3d 232.

No. 95-1427. RYE PSYCHIATRIC HOSPITAL CENTER, INC. *v.* SURLES, NEW YORK COMMISSIONER OF MENTAL HEALTH, ET AL. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 218 App. Div. 2d 853, 630 N. Y. S. 2d 593.

No. 95-1445. UNITED STATES EX REL. FINE *v.* CHEVRON U. S. A. INC. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 740.

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No. 95-1475. *WINSTON & STRAWN v. HYATT REGENCY PHOENIX HOTEL CO. ET AL.* Ct. App. Ariz. Certiorari denied. Reported below: 184 Ariz. 120, 907 P. 2d 506.

No. 95-1482. *MATA v. FEDERAL BUREAU OF INVESTIGATION ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 513.

No. 95-1585. *COLVARD v. FULTON-DEKALB HOSPITAL AUTHORITY.* C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1252.

No. 95-1602. *IDAHO v. STUART.* Sup. Ct. Idaho. Certiorari denied. Reported below: 127 Idaho 806, 907 P. 2d 783.

No. 95-1638. *LIBMAN CO. v. VINING INDUSTRIES, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 69 F. 3d 1360.

No. 95-1640. *ANDERSON v. SHARMA ET AL.* (two judgments). Sup. Ct. Va. Certiorari denied.

No. 95-1668. *MOORE v. INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 569 ET AL.* C. A. 9th Cir. Certiorari denied.

No. 95-1689. *BASS v. NEVADA BOARD OF MEDICAL EXAMINERS ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 111 Nev. 1734, 916 P. 2d 217.

No. 95-1715. *BRASSEUR v. EMPIRE TRAVEL SERVICE, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 135.

No. 95-1722. *RIOS v. LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-1724. *JACOB v. METROLASER, INC., ET AL.* Ct. App. N. M. Certiorari denied.

No. 95-1754. *BAILEY ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 136.

No. 95-1775. *PAGAN-SAN-MIGUEL v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 63 F. 3d 1142.

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No. 95-1778. *McMILLAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 95-1783. *PRUITT ET AL. v. HOWARD COUNTY SHERIFF'S DEPARTMENT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 374.

No. 95-1791. *MISSOURI PACIFIC RAILROAD CO. v. SHEPHERD*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 276 Ill. App. 3d 1148, 697 N. E. 2d 27.

No. 95-1795. *LANE v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied. Reported below: 70 F. 3d 1276.

No. 95-1798. *MARTORANO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95-1818. *MATTHEWS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 72 F. 3d 130.

No. 95-7946. *PULIDO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 125.

No. 95-8052. *HILL v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 542 Pa. 291, 666 A. 2d 642.

No. 95-8115. *WORTHEY v. COLLINS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 95-8137. *NGUYEN HUU TO v. RUBIN, SECRETARY OF THE TREASURY*. C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 400.

No. 95-8353. *BARCHER v. SHIPMAN*. Sup. Ct. Del. Certiorari denied. Reported below: 676 A. 2d 900.

No. 95-8361. *HATCH v. OKLAHOMA*. C. A. 10th Cir. Certiorari denied. Reported below: 58 F. 3d 1447.

No. 95-8397. *ROGERS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 340.

No. 95-8413. *BATTLE v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 64 F. 3d 347.

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No. 95-8462. *SMART v. PURNELL ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 364.

No. 95-8472. *COTTON v. NAGLE, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 95-8481. *SHABAZZ v. UNKNOWN NAMED HEADS OF CLANDESTINE SECRET BODIES OF THE LEXINGTON, OKLAHOMA, CORRECTIONAL CENTER MAIL ROOM AND LITERARY REVIEW COMMITTEE MEMBERS ET AL.* (two judgments). Sup. Ct. Okla. Certiorari denied.

No. 95-8482. *ROSS v. NELTHROPP.* Super. Ct. Pa. Certiorari denied. Reported below: 446 Pa. Super. 691, 667 A. 2d 430.

No. 95-8492. *FRASER DEEBLE v. DYSLIN ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 70 F. 3d 1282.

No. 95-8494. *DEYOUNG v. KANSAS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 547.

No. 95-8499. *DYMITS v. GRIM.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 95-8501. *BOYD v. MISSISSIPPI* (two judgments). Sup. Ct. Miss. Certiorari denied. Reported below: 667 So. 2d 1312.

No. 95-8504. *CURRENT v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 95-8510. *JOHNSON v. AARON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 78 F. 3d 581.

No. 95-8515. *MAYDAK v. WENER ET AL.* C. A. 3d Cir. Certiorari denied.

No. 95-8517. *MORRIS v. HOUSING AUTHORITY OF KANSAS CITY ET AL.* C. A. 8th Cir. Certiorari denied.

No. 95-8518. *STANISLAW v. NAVAJO COUNTY BOARD OF SUPERVISORS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 70 F. 3d 1280.

No. 95-8519. *TAYLOR v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.



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No. 95-8521. *LEWIS v. CENTURY MORTGAGE CO. ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 95-8524. *DAVIS v. THOMPSON, SUPERINTENDENT, OREGON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 306.

No. 95-8525. *GARCIA v. RIVERDALE PLATING & HEAT TREATING CO.* C. A. 7th Cir. Certiorari denied. Reported below: 48 F. 3d 1221.

No. 95-8533. *DEDES v. PAGE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 72 F. 3d 126.

No. 95-8535. *MUKHERJEE v. SHERATON-PALACE HOTEL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 3d 1143.

No. 95-8538. *BARKETT v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 666 So. 2d 902.

No. 95-8539. *PEARSON v. PADOVANO, CHIEF JUDGE, CIRCUIT COURT OF FLORIDA, LEON COUNTY.* Sup. Ct. Fla. Certiorari denied. Reported below: 673 So. 2d 29.

No. 95-8559. *WRIGHT v. REICH, SECRETARY OF LABOR.* C. A. 3d Cir. Certiorari denied. Reported below: 70 F. 3d 1259.

No. 95-8573. *REYNOLDS v. VERMONT.* Sup. Ct. Vt. Certiorari denied. Reported below: 164 Vt. 651, 677 A. 2d 429.

No. 95-8578. *MANGRUM v. CHATER, COMMISSIONER OF SOCIAL SECURITY.* C. A. 11th Cir. Certiorari denied. Reported below: 77 F. 3d 496.

No. 95-8594. *BLASSINGAME v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 73 F. 3d 379.

No. 95-8632. *OSBORNE ET AL. v. FIRST FEDERAL SAVINGS BANK.* Sup. Ct. Del. Certiorari denied. Reported below: 670 A. 2d 1337.

No. 95-8655. *BRUNSTON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 81 F. 3d 155.

No. 95-8658. *GEERY v. SHELLEY SCHOOL DISTRICT.* Sup. Ct. Idaho. Certiorari denied.

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No. 95-8666. *BIES v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 74 Ohio St. 3d 320, 658 N. E. 2d 754.

No. 95-8680. *PARKHURST ET AL. v. SHILLINGER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 72 F. 3d 138.

No. 95-8687. *SANTIAGO v. SNYDER, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 95-8721. *SNURKOWSKI v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 70 F. 3d 112.

No. 95-8747. *HARRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 59 F. 3d 168.

No. 95-8759. *OLLIE v. KUHN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 79 F. 3d 1138.

No. 95-8762. *ISAAC v. TAYLOR, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 1232.

No. 95-8770. *CHILLI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 77 F. 3d 497.

No. 95-8773. *SALDAMARCO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 465.

No. 95-8774. *OLEKA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 79 F. 3d 1140.

No. 95-8775. *PADGETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 78 F. 3d 580.

No. 95-8798. *STANCIL v. MOO & OINK, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 76 F. 3d 381.

No. 95-8802. *SANDERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 376.

No. 95-8810. *HYDE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 389.

No. 95-8832. *BENNETT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 464.

No. 95-8834. *COOK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 78 F. 3d 585.

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No. 95-8840. *MASON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 74 F. 3d 890.

No. 95-8843. *IDOWU v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 74 F. 3d 387.

No. 95-8850. *WILLIAMS v. ABBEY MEDICAL, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 79 F. 3d 1144.

No. 95-8851. *CRISPIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 95-8853. *DORSEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 77 F. 3d 490.

No. 95-8854. *GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 78 F. 3d 1457.

No. 95-8855. *SHELTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 81 F. 3d 157.

No. 95-8858. *PRICE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 75 F. 3d 1440.

No. 95-8860. *WATSON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 76 F. 3d 4.

No. 95-8872. *LOVE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 116.

No. 95-8876. *BREATH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 76 F. 3d 393.

No. 95-8878. *ROGERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 73 F. 3d 774.

No. 95-8880. *BAILEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 76 F. 3d 320.

No. 95-8882. *ANDREWS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 75 F. 3d 552.

No. 95-8890. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 56 F. 3d 74.

No. 95-8891. *HAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 74 F. 3d 537.

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No. 95–8899. THOMAS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 95–1230. BELL SOUTH TELECOMMUNICATIONS, INC., ET AL. *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 59 F. 3d 1407.

No. 95–1581. HURINENKO ET AL. *v.* CHEVRON U. S. A. INC. ET AL. C. A. 8th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 69 F. 3d 283.

No. 95–1593. BOURNE, DBA BOURNE CO. *v.* WALT DISNEY CO. ET AL. C. A. 2d Cir. Motions of National Music Publishers’ Association, Inc., and Karen Adams et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 68 F. 3d 621.

*Rehearing Denied*

No. 95–1245. STEINBERG *v.* BINGHAM, ANCILLARY ADMINISTRATOR OF THE ESTATE OF MARLEY, ET AL., *ante*, p. 1134;

No. 95–1256. DOLENZ *v.* SOUTHWEST MEDIA CORP. ET AL., *ante*, p. 1134;

No. 95–1261. GREEN *v.* UNITED PENTECOSTAL CHURCH INTERNATIONAL, *ante*, p. 1134;

No. 95–1277. LITZ *v.* THOMAS, *ante*, p. 1135;

No. 95–1314. CLEMENTS *v.* BABCOCK & WILCOX CO. ET AL., *ante*, p. 1136;

No. 95–7216. GREEN *v.* 25TH JUDICIAL DISTRICT PROBATION DEPARTMENT, 516 U. S. 1130;

No. 95–7594. MCCARTHY *v.* KANSAS CITY, MISSOURI, *ante*, p. 1108;

No. 95–7698. PAGE ET AL. *v.* TEXAS BOARD OF PARDONS AND PAROLE ET AL., *ante*, p. 1123;

No. 95–8024. BERGMANN *v.* MCCAUGHTRY, WARDEN, *ante*, p. 1160; and

No. 95–8242. CRABTREE *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 1161. Petitions for rehearing denied.

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*Miscellaneous Order*

No. A-982 (95-1425). ABRAMS ET AL. *v.* JOHNSON ET AL. D. C. S. D. Ga. [Probable jurisdiction noted, *ante*, p. 1207.] Application for stay, presented to JUSTICE KENNEDY, and by him referred to the Court, denied.

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*Affirmed on Appeal*

No. 95-1623. MOORE, ATTORNEY GENERAL OF MISSISSIPPI, ET AL. *v.* DUPREE ET AL.; and

No. 95-1624. LAMAR COUNTY BOARD OF EDUCATION AND TRUSTEES ET AL. *v.* DUPREE ET AL. Affirmed on appeals from D. C. S. D. Miss.

*Certiorari Granted—Vacated and Remanded*

No. 95-963. GREENWOOD TRUST CO. *v.* HUNTER. Sup. Ct. N. J. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Smiley v. Citibank (South Dakota)*, N. A., *ante*, p. 735. Reported below: 143 N. J. 97, 668 A. 2d 1067.

No. 95-991. CITIBANK (SOUTH DAKOTA), N. A. *v.* SHERMAN. Sup. Ct. N. J. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Smiley v. Citibank (South Dakota)*, N. A., *ante*, p. 735. Reported below: 143 N. J. 35, 668 A. 2d 1036.

No. 95-1251. WARMUS *v.* MELAHN ET AL. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Quackenbush v. Allstate Ins. Co.*, *ante*, p. 706. Reported below: 62 F. 3d 252.

*Miscellaneous Orders*

No. A-974. WASHINGTON ET AL. *v.* GLUCKSBERG ET AL. Application for stay of issuance of mandate of the United States Court of Appeals for the Ninth Circuit, case No. 94-35534, issued on May 29, 1996, presented to JUSTICE O'CONNOR, and by her referred to the Court, granted pending the timely filing and disposition by this Court of a petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay terminates

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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.

No. D-1688. *IN RE DISBARMENT OF GARRIGAN*. Daniel P. Garrigan, of Dallas, Tex., is suspended from the practice of law in this Court, and a rule will 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-1689. *IN RE DISBARMENT OF TAYLOR*. Joe Edward Taylor, of Dallas, Tex., is suspended from the practice of law in this Court, and a rule will 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-1690. *IN RE DISBARMENT OF WEINIG*. Harvey Weinig, of New York, N. Y., is suspended from the practice of law in this Court, and a rule will 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. M-67. *POZSGAY v. POZSGAY*; and

No. M-69. *COLON v. FLORIDA COMMISSION ON ETHICS*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 120, Orig. *NEW JERSEY v. NEW YORK*. Motion of the Special Master for award of fees and expenses granted, and the Special Master is awarded a total of \$144,837.50 for the period November 18, 1995, through May 15, 1996, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 516 U. S. 1026.]

No. 95-891. *OHIO v. ROBINETTE*. Sup. Ct. Ohio. [Certiorari granted, 516 U. S. 1157.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 95-974. *ARIZONANS FOR OFFICIAL ENGLISH ET AL. v. ARIZONA ET AL.* C. A. 9th Cir. [Certiorari granted, *ante*, p. 1102.] Motion of U. S. English, Inc., for leave to file a brief as *amicus curiae* granted.

No. 95-1065. *SCHENCK ET AL. v. PRO-CHOICE NETWORK OF WESTERN NEW YORK ET AL.* C. A. 2d Cir. [Certiorari granted,

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516 U. S. 1170.] Motion of Legal Defense for Unborn Children for leave to file a brief as *amicus curiae* denied. Motion of Alan Ernest for leave to represent children unborn and born alive denied.

No. 95-1081. INGALLS SHIPBUILDING, INC., ET AL. *v.* DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL. C. A. 5th Cir. [Certiorari granted, *ante*, p. 1186.] Motion of the parties to dispense with printing the joint appendix granted.

*Certiorari Denied*

No. 94-1476. OWENS-CORNING FIBERGLAS CORP. *v.* PICKERING, AS SPECIAL ADMINISTRATOR OF THE ESTATE OF PICKERING, DECEASED, ET AL. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 265 Ill. App. 3d 806, 638 N. E. 2d 1127.

No. 95-800. OWENS-CORNING FIBERGLAS CORP. *v.* BRENNAN. C. A. 9th Cir. Certiorari denied. Reported below: 61 F. 3d 910.

No. 95-818. OWENS-CORNING FIBERGLAS CORP. *v.* REKDAHL ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-951. HARRIS *v.* CHASE MANHATTAN BANK, N. A., ET AL. Sup. Ct. Cal. Certiorari denied.

No. 95-1056. COPELAND *v.* MBNA AMERICA BANK, N. A. Sup. Ct. Colo. Certiorari denied. Reported below: 907 P. 2d 87.

No. 95-1257. FALLINI ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 56 F. 3d 1378.

No. 95-1318. PITTMAN ET AL. *v.* CHICAGO BOARD OF EDUCATION ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 64 F. 3d 1098.

No. 95-1348. LOWENSCHUSS *v.* RESORTS INTERNATIONAL, INC. C. A. 9th Cir. Certiorari denied. Reported below: 67 F. 3d 1394.

No. 95-1355. CHAPLIN *v.* UNITED STATES;

No. 95-8134. RATLIFF *v.* UNITED STATES; and

No. 95-8147. LAWRENCE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 69 F. 3d 419.

No. 95-1440. PRESIDENT CONTAINER, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1227.

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No. 95-1444. *CAHILL v. DEPARTMENT OF LABOR ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 63 F. 3d 1111.

No. 95-1449. *OWENS-CORNING FIBERGLAS CORP. v. DUDLEY ET UX.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 667 So. 2d 783.

No. 95-1450. *CAMP, ADMINISTRATOR OF THE ESTATE OF YOUNG, DECEASED v. GREGORY*; and

No. 95-1669. *GREGORY v. CAMP, ADMINISTRATOR OF THE ESTATE OF YOUNG, DECEASED.* C. A. 7th Cir. Certiorari denied. Reported below: 67 F. 3d 1286.

No. 95-1493. *RICHARDSON v. CITIBANK (SOUTH DAKOTA), N. A.*; and

No. 95-1500. *STOORMAN v. GREENWOOD TRUST Co.* Sup. Ct. Colo. Certiorari denied. Reported below: No. 95-1493, 908 P. 2d 532; No. 95-1500, 908 P. 2d 133.

No. 95-1497. *CRAMER ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. Reported below: 64 F. 3d 1406.

No. 95-1512. *TOTEMOFF v. ALASKA.* Sup. Ct. Alaska. Certiorari denied. Reported below: 905 P. 2d 954.

No. 95-1538. *WEBB v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. Reported below: 68 F. 3d 482.

No. 95-1614. *WESTLAND DEVELOPMENT CO., INC. v. CITY OF ALBUQUERQUE.* Ct. App. N. M. Certiorari denied. Reported below: 121 N. M. 144, 909 P. 2d 25.

No. 95-1622. *GURLEY, DBA MOLTAN Co. v. SWAIM.* C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 711.

No. 95-1625. *BOYCE ET AL. v. GREENWAY.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 1177.

No. 95-1628. *LEHTINEN v. QUANTUM CHEMICAL CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 70 F. 3d 1272.

No. 95-1630. *NASSIMOS ET AL. v. NEW JERSEY BOARD OF EXAMINERS OF MASTER PLUMBERS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 74 F. 3d 1227.



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No. 95-1643. *ELLIS ET AL. v. UNITED AIRLINES, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 73 F. 3d 999.

No. 95-1648. *WECHSLER v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 95-1650. *KNAPP SHOES INC. v. SYLVANIA SHOE MANUFACTURING CORP.* C. A. 1st Cir. Certiorari denied. Reported below: 72 F. 3d 190.

No. 95-1651. *SHEARSON LEHMAN BROTHERS, INC., FKA SHEARSON LEHMAN HUTTON, INC., ET AL. v. HUGHES, HUBBARD & REED.* Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 902 S. W. 2d 60.

No. 95-1654. *ENVIRONMENTAL COALITION OF OJAI ET AL. v. SECRETARY OF COMMERCE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 72 F. 3d 1411.

No. 95-1665. *BALANDRA SCHIFFFAHRTS-GESELLSCHAFT MBH & Co., KG v. COSTA.* C. A. 9th Cir. Certiorari denied. Reported below: 78 F. 3d 592.

No. 95-1671. *SOFFER v. QUEENS COLLEGE OF THE CITY UNIVERSITY OF NEW YORK.* C. A. 2d Cir. Certiorari denied.

No. 95-1677. *LEVIEU ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 11th Cir. Certiorari denied. Reported below: 77 F. 3d 497.

No. 95-1683. *HAWES v. VIRGINIA.* Ct. App. Va. Certiorari denied.

No. 95-1685. *MELKA MARINE, INC. v. TOWN OF COLONIAL BEACH.* Sup. Ct. Va. Certiorari denied.

No. 95-1686. *MITRANO v. TOWN OF COLONIAL BEACH.* Sup. Ct. Va. Certiorari denied.

No. 95-1701. *ARMSTRONG v. COMMODITY FUTURES TRADING COMMISSION.* C. A. 3d Cir. Certiorari denied. Reported below: 77 F. 3d 461.

No. 95-1736. *PEPPER ET UX. v. DAMER ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 95-1777. *BASS v. SARASOTA COUNTY, FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 662 So. 2d 347.

No. 95-1792. *OYLER v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 76 F. 3d 393.

No. 95-1804. *LINEHAN ET AL. v. KEEFFE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 401.

No. 95-1806. *SHOFFEITT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 126.

No. 95-1814. *HUTCHING v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 75 F. 3d 1453.

No. 95-1816. *SANCHEZ v. UNITED STATES*; and  
No. 95-8924. *CARVAJAL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 78 F. 3d 599.

No. 95-1823. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 77 F. 3d 472.

No. 95-1824. *SYKES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 73 F. 3d 772.

No. 95-1829. *MARCHESE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 72 F. 3d 124.

No. 95-1833. *MIMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 79 F. 3d 1158.

No. 95-1849. *PIC-A-STATE PA, INC., ET AL. v. RENO, ATTORNEY GENERAL, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 76 F. 3d 1294.

No. 95-1859. *MCCASTLE v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 43 M. J. 438.

No. 95-1875. *REED v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 77 F. 3d 139.

No. 95-7378. *SANDERS v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 648 So. 2d 1272.

No. 95-7925. *MAYS v. UNITED STATES*; and  
No. 95-7926. *MAYS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 69 F. 3d 116.

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No. 95-8108. *WHARTON v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 542 Pa. 83, 665 A. 2d 458.

No. 95-8394. *MEDINA v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 59 F. 3d 1095.

No. 95-8540. *BERGET v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 907 P. 2d 1078.

No. 95-8545. *RADIC v. CHICAGO TRANSIT AUTHORITY*. C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 159.

No. 95-8546. *MCQUEEN v. CANNON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 79 F. 3d 1145.

No. 95-8552. *JACKSON v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 672 So. 2d 810.

No. 95-8553. *MESSLER ET AL. v. FARMER, JUDGE, DISTRICT COURT OF APPEAL OF FLORIDA, FOURTH DISTRICT, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 666 So. 2d 901.

No. 95-8555. *BISHOP v. RICKLES, FULTON COUNTY CHILD SUPPORT RECEIVER, FOR THE USE AND BENEFIT OF SMITH*. C. A. 11th Cir. Certiorari denied.

No. 95-8556. *CHRISTOPHER v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 95-8562. *GLASSCOCK v. UTAH*. Ct. App. Utah. Certiorari denied.

No. 95-8565. *DUELL v. UTAH ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 76 F. 3d 385.

No. 95-8566. *YOUNGS v. WHELESS, BANKRUPTCY JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 70 F. 3d 1268.

No. 95-8568. *LUCAS v. THOMPSON, WARDEN*. Super. Ct. Tattall County, Ga. Certiorari denied.

No. 95-8570. *CALHOUN v. ALLEN ET AL.* C. A. 7th Cir. Certiorari denied.

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No. 95-8575. *BOYD v. CHRISTIAN METHODIST EPISCOPAL CHURCH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 73 F. 3d 356.

No. 95-8576. *FULLER v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 95-8577. *HOLMES v. SOUTH CAROLINA.* Sup. Ct. S. C. Certiorari denied. Reported below: 320 S. C. 259, 464 S. E. 2d 334.

No. 95-8580. *WILLIAMS v. WORKERS' COMPENSATION APPEALS BOARD ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-8583. *CHENG v. METROPOLITAN LIFE INSURANCE CO.* C. A. 2d Cir. Certiorari denied. Reported below: 71 F. 3d 404.

No. 95-8589. *TUCKER v. MONTGOMERY WARD CREDIT CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 71 F. 3d 876.

No. 95-8592. *JAMES v. GRAZIANI ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 67 F. 3d 295.

No. 95-8596. *ZILICH v. MAZURKIEWICZ, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 82 F. 3d 408.

No. 95-8598. *CATANIO v. MYERS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 543.

No. 95-8607. *WARREN v. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 402.

No. 95-8622. *CANTRELL v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 73 F. 3d 356.

No. 95-8656. *GEE v. CAMPBELL.* C. A. 10th Cir. Certiorari denied. Reported below: 77 F. 3d 492.

No. 95-8662. *MURPHY v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 82 F. 3d 434.

No. 95-8664. *LANG v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 95-8729. *DOWNNS v. VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 76 F. 3d 372.

No. 95-8758. *WRIGHT v. DELAWARE.* Sup. Ct. Del. Certiorari denied. Reported below: 671 A. 2d 1353.

No. 95-8782. *HANSEN v. NEBRASKA.* Sup. Ct. Neb. Certiorari denied. Reported below: 249 Neb. 177, 542 N. W. 2d 424.

No. 95-8816. *WOOTTON v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 672 So. 2d 553.

No. 95-8818. *BAXTER v. CITY OF LOS ANGELES, CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 95-8837. *CARSON v. FAUVER.* C. A. 3d Cir. Certiorari denied.

No. 95-8847. *MEDINA-ACEVEDO v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 364.

No. 95-8866. *MOLINA v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 75 F. 3d 600.

No. 95-8869. *GRAVES v. SAUNDERS, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 77 F. 3d 468.

No. 95-8875. *LEBON v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 72 F. 3d 121.

No. 95-8883. *BEVILL v. MISSISSIPPI.* Ct. App. Miss. Certiorari denied. Reported below: 672 So. 2d 768.

No. 95-8884. *CORREA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 69 F. 3d 679.

No. 95-8896. *SMITH v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 81 F. 3d 166.

No. 95-8901. *COUSE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 70 F. 3d 1284.

No. 95-8907. *SMITH v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 78 F. 3d 585.

No. 95-8908. *SWEAT v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 78 F. 3d 600.

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No. 95–8916. *LLOYD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 71 F. 3d 1256.

No. 95–8930. *ANGEL RIVERA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 77 F. 3d 1348.

No. 95–8931. *BENAVIDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 79 F. 3d 1144.

No. 95–8932. *BOLD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 100 F. 3d 944.

No. 95–8933. *ADAMES ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 56 F. 3d 737.

No. 95–8934. *BARRON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 77 F. 3d 490.

No. 95–8937. *CORTI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 79 F. 3d 1158.

No. 95–8940. *RIVERS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 681.

No. 95–8941. *PUREFOY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 79 F. 3d 1142.

No. 95–8946. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 79 F. 3d 1144.

No. 95–8947. *STEDMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 69 F. 3d 737.

No. 95–8955. *ASHLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 78 F. 3d 600.

No. 95–8956. *FRANCIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 82 F. 3d 77.

No. 95–8957. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 75 F. 3d 178.

No. 95–8959. *HURTADO-GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 74 F. 3d 1147.

No. 95–8961. *GAMBLE v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 73 F. 3d 357.

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No. 95–8962. ERWIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 77 F. 3d 475.

No. 95–8965. DOUGLAS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 81 F. 3d 324.

No. 95–8977. JACOBS *v.* CIRCUIT COURT OF WISCONSIN, MARATHON COUNTY. C. A. 7th Cir. Certiorari denied. Reported below: 73 F. 3d 164.

No. 95–8980. KARIMI *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 79 F. 3d 1139.

No. 95–8982. MARTIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 79 F. 3d 1145.

No. 95–1429. ILLINOIS *v.* MONTANEZ. App. Ct. Ill., 1st Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 273 Ill. App. 3d 844, 652 N. E. 2d 1271.

No. 95–1636. EXXON CORP. *v.* YUELL ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 74 F. 3d 373.

No. 95–8824. PANDEY *v.* PAUL REVERE LIFE INSURANCE CO. ET AL. App. Ct. Mass. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 39 Mass. App. 1108, 655 N. E. 2d 391.

No. 95–1637. SEARIVER MARITIME, INC. *v.* EXXON SEAMEN'S UNION. C. A. 3d Cir. Motion of Institute for a Drug-Free Workplace for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 73 F. 3d 1287.

*Rehearing Denied*

No. 95–1191. TRAHAN *v.* TRAHAN, *ante*, p. 1155;

No. 95–1364. SMITH *v.* GLENOLDEN BOROUGH ET AL., *ante*, p. 1167;

No. 95–6996. QUIBA *v.* OFFICE OF PERSONNEL MANAGEMENT, *ante*, p. 1138;

No. 95–7008. DAGUINOTNOT *v.* OFFICE OF PERSONNEL MANAGEMENT, *ante*, p. 1138;

No. 95–7043. ALFEROS *v.* OFFICE OF PERSONNEL MANAGEMENT, *ante*, p. 1139;

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No. 95-7045. *BONDAD v. OFFICE OF PERSONNEL MANAGEMENT*, *ante*, p. 1139;

No. 95-7066. *RABE v. OFFICE OF PERSONNEL MANAGEMENT*, *ante*, p. 1139;

No. 95-7089. *FLORENTINO v. OFFICE OF PERSONNEL MANAGEMENT*, *ante*, p. 1139;

No. 95-7279. *BEETS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, *ante*, p. 1157;

No. 95-7359. *MISEK-FALKOFF v. KELLER*, 516 U.S. 1135;

No. 95-7389. *CORONEL v. OFFICE OF PERSONNEL MANAGEMENT*, *ante*, p. 1140;

No. 95-7485. *SANTOS v. OFFICE OF PERSONNEL MANAGEMENT*, *ante*, p. 1141;

No. 95-7725. *FORONDA v. OFFICE OF PERSONNEL MANAGEMENT*, *ante*, p. 1141;

No. 95-7726. *GARCIA v. OFFICE OF PERSONNEL MANAGEMENT*, *ante*, p. 1141;

No. 95-7769. *SMITH v. PENNSYLVANIA*, *ante*, p. 1141;

No. 95-7852. *LYNCH v. NORTH CAROLINA*, *ante*, p. 1143;

No. 95-7947. *OLSEN v. LANE ET AL.*, *ante*, p. 1158;

No. 95-8031. *FRANKLYN v. VISTA DEL MAR ET AL.*, *ante*, p. 1169;

No. 95-8102. *CSORBA v. ITT ELECTRO-OPTICAL PRODUCTS DIVISION*, *ante*, p. 1160; and

No. 95-8151. *MAURO v. UNITED STATES*, *ante*, p. 1126. Petitions for rehearing denied.

No. 95-7134. *HARDY ET UX. v. CITY OF ORLANDO*, *ante*, p. 1139. Motion for leave to file petition for rehearing denied.

JUNE 11, 1996

*Miscellaneous Order*

No. A-1022 (95-9264). *OXFORD v. BOWERSOX, 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, 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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*Miscellaneous Order*

No. A-1019 (95-9261). SMITH *v.* PARKE, SUPERINTENDENT, INDIANA STATE PRISON. C. A. 7th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, 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.