

ORDERS FOR MARCH 3 THROUGH
JUNE 18, 1997

MARCH 3, 1997

Certiorari Granted—Vacated and Remanded

No. 95–1028. UNITED STATES *v.* FADEM ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Brockamp*, 519 U. S. 347 (1997). Reported below: 52 F. 3d 202.

Miscellaneous Orders

No. D–1752. IN RE DISBARMENT OF FRIEZE. Disbarment entered. [For earlier order herein, see 519 U. S. 1004.]

No. D–1756. IN RE DISBARMENT OF ALLEN. Disbarment entered. [For earlier order herein, see 519 U. S. 1005.]

No. D–1786. IN RE DISBARMENT OF MARONEY. John W. Maroney, of Portland, Ore., 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. JOSEPH ET AL. *v.* QUAGLINO TOBACCO & CANDY CO. ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. M–62. DUNBAR *v.* IOWA. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 96–79. BOGGS *v.* BOGGS ET AL. C. A. 5th Cir. [Certiorari granted, 519 U. S. 957.] Motion of the Acting Solicitor General for leave to file a supplemental brief as *amicus curiae* after argument granted.

No. 96–272. METROPOLITAN STEVEDORE CO. *v.* RAMBO ET AL. C. A. 9th Cir. [Certiorari granted, 519 U. S. 1002.] Motion of the Acting Solicitor General for divided argument granted.

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No. 96-318. RICHARDSON ET AL. *v.* MCKNIGHT. C. A. 6th Cir. [Certiorari granted, 519 U. S. 1002.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-491. INTER-MODAL RAIL EMPLOYEES ASSN. ET AL. *v.* ATCHISON, TOPEKA & SANTA FE RAILWAY CO. ET AL. C. A. 9th Cir. [Certiorari granted, 519 U. S. 1003.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-651. GILBERT, PRESIDENT, EAST STROUDSBURG UNIVERSITY, ET AL. *v.* HOMAR. C. A. 3d Cir. [Certiorari granted, 519 U. S. 1052.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-5955. RICHARDS *v.* WISCONSIN. Sup. Ct. Wis. [Certiorari granted, 519 U. S. 1052.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-511. RENO, ATTORNEY GENERAL OF THE UNITED STATES, ET AL. *v.* AMERICAN CIVIL LIBERTIES UNION ET AL. D. C. E. D. Pa. [Probable jurisdiction noted, 519 U. S. 1025.] Motion of appellees for divided argument denied.

No. 96-542. MCMILLIAN *v.* MONROE COUNTY, ALABAMA. C. A. 11th Cir. [Certiorari granted, 519 U. S. 1025.] Motion of Southern States Police Benevolent Association for leave to file a brief as *amicus curiae* granted. Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 96-1324. ZARNES *v.* UNITED STATES. C. A. 7th Cir. Motion of petitioner to expedite consideration of petition for writ of certiorari denied.

No. 96-7773. IN RE BONNER. Petition for writ of habeas corpus denied.

No. 96-7613. IN RE SNIPE; and

No. 96-7730. IN RE WILLIAMS. Petitions for writs of mandamus denied.

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No. 96-795. ALLENTOWN MACK SALES & SERVICE, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. D. C. Cir. Certiorari granted. Reported below: 83 F. 3d 1483.

Certiorari Denied

No. 95-746. LINSOMB *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 56 F. 3d 1386.

No. 95-8279. TAYLOR *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 66 F. 3d 254.

No. 96-845. ANDERSON ET AL. *v.* CLOW ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 89 F. 3d 1399.

No. 96-846. CEMEX, S. A. *v.* UNITED STATES ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 95 F. 3d 1164.

No. 96-895. FRANKLIN ET AL. *v.* HISER. C. A. 9th Cir. Certiorari denied. Reported below: 94 F. 3d 1287.

No. 96-922. MERCHANTS BANK OF CALIFORNIA, N. A. *v.* MARDULA. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 43 Cal. App. 4th 790, 51 Cal. Rptr. 2d 63.

No. 96-943. HOME DEPOT U. S. A., INC. *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA (BUTLER ET AL., REAL PARTIES IN INTEREST). C. A. 9th Cir. Certiorari denied.

No. 96-968. CIGNA HEALTHCARE OF CONNECTICUT, INC. *v.* NAPOLETANO ET AL. Sup. Ct. Conn. Certiorari denied. Reported below: 238 Conn. 216, 680 A. 2d 127.

No. 96-985. CHAMORRO-TORRES *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 5th Cir. Certiorari denied.

No. 96-1015. ROBOKOFF ET AL. *v.* WOMEN'S CHOICE OF BERGEN COUNTY. Super. Ct. N. J., App. Div. Certiorari denied.

No. 96-1018. WILSON, BY AND THROUGH WILSON AS CONSERVATOR OF THE PERSON AND ESTATE OF WILSON, ET AL. *v.* BROTHER RECORDS, INC., ET AL. Sup. Ct. N. H. Certiorari denied. Reported below: 141 N. H. 322, 682 A. 2d 714.

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No. 96-1024. OHIO ASSOCIATION OF INDEPENDENT SCHOOLS ET AL. *v.* GOFF ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 92 F. 3d 419.

No. 96-1032. CINCINNATI ENQUIRER, A DIVISION OF GANNETT SATELLITE INFORMATION NETWORK, INC. *v.* UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 94 F. 3d 198.

No. 96-1046. SHAPER *v.* TRACY, TAX COMMISSIONER OF OHIO. Sup. Ct. Ohio. Certiorari denied. Reported below: 76 Ohio St. 3d 241, 667 N. E. 2d 368.

No. 96-1047. COUNTY OF NASSAU ET AL. *v.* AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO (AFSCME), ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 96 F. 3d 644.

No. 96-1048. ZIELINSKI *v.* OAK FOREST POLICE PENSION BOARD. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 281 Ill. App. 3d 1137, 701 N. E. 2d 839.

No. 96-1074. DAVIS *v.* HANOVER INSURANCE CO. ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 98 F. 3d 1333.

No. 96-1083. LIFE COLLEGE, INC. *v.* MANGUM, DIRECTOR, NONPUBLIC POSTSECONDARY EDUCATION COMMISSION, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 1156.

No. 96-1113. ROSATI *v.* COTTMAN TRANSMISSION SYSTEMS, INC. C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 946.

No. 96-1119. BOYLE *v.* COLORADO BOARD OF MEDICAL EXAMINERS. Ct. App. Colo. Certiorari denied. Reported below: 924 P. 2d 1113.

No. 96-1147. LARK *v.* FLORIDA. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 671 So. 2d 824.

No. 96-1164. LAPLANT *v.* WISCONSIN. Ct. App. Wis. Certiorari denied. Reported below: 204 Wis. 2d 412, 555 N. W. 2d 389.

No. 96-1169. DU VALL *v.* UNITED STATES ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 96 F. 3d 1442.

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No. 96-1176. *DiSANTO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 86 F. 3d 1238.

No. 96-1192. *FALCON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 54.

No. 96-5938. *TREVINO-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 86 F. 3d 65.

No. 96-6227. *WOODS ET AL. v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 51.

No. 96-6570. *OSUME v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 1148.

No. 96-6608. *DEXTER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 94 F. 3d 286.

No. 96-6899. *CLARKE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 87 F. 3d 1214.

No. 96-7245. *BLOCK v. WILKINSON, DIRECTOR, OHIO DEPARTMENT OF CORRECTION, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 96-7246. *MYERS v. SHUMACHER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1158.

No. 96-7249. *FORD v. WILSON*. C. A. 7th Cir. Certiorari denied. Reported below: 90 F. 3d 245.

No. 96-7255. *GILLIAM v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 172 Ill. 2d 484, 670 N. E. 2d 606.

No. 96-7260. *SLAGEL v. SHELL OIL CO., INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 95 F. 3d 1154.

No. 96-7262. *PHILIPPEAUX v. NORTH CENTRAL BRONX HOSPITAL ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 353.

No. 96-7267. *HUALDE-REDIN ET AL. v. FIRST FEDERAL SAVINGS BANK*. C. A. 1st Cir. Certiorari denied. Reported below: 50 F. 3d 1.

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No. 96-7270. *ELLIOTT v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 344 N. C. 242, 475 S. E. 2d 202.

No. 96-7278. *TAYLOR v. LOVE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-7280. *STEPHEN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-7288. *HARRINGTON v. CALIFORNIA COMMITTEE OF BAR EXAMINERS*. Sup. Ct. Cal. Certiorari denied.

No. 96-7291. *SING CHO NG v. QUIET FOREST II HOMEOWNERS ASSN. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 87 F. 3d 1321.

No. 96-7293. *AZUBUKO v. MONTGOMERY, CLERK-MAGISTRATE, DISTRICT COURT OF MASSACHUSETTS, SUFFOLK COUNTY*. C. A. 1st Cir. Certiorari denied.

No. 96-7294. *LEVINE v. GOORD, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 504.

No. 96-7296. *NICKEL v. HANNIGAN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 97 F. 3d 403.

No. 96-7297. *BONNER v. ALABAMA DEPARTMENT OF HUMAN RESOURCES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 86 F. 3d 1170.

No. 96-7304. *TATUM v. LAW OFFICES OF LINNIE L. DARDEN III ET AL.* C. A. 2d Cir. Certiorari denied.

No. 96-7306. *MULLIGAN v. BARNETT BANK OF CENTRAL FLORIDA, N. A.* Sup. Ct. Fla. Certiorari denied. Reported below: 678 So. 2d 339.

No. 96-7307. *WOLF v. FEDERAL REPUBLIC OF GERMANY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 95 F. 3d 536.

No. 96-7308. *TIMMONS v. TURNER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1140.

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No. 96-7310. *VRETTOS v. BELL ATLANTIC-NEW JERSEY, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 949.

No. 96-7313. *WILLIS v. PARRISH ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 1469.

No. 96-7317. *CARTER v. HOPKINS, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 92 F. 3d 666.

No. 96-7318. *CARTER v. NEUSTRUP.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-7319. *ARIGONI v. MASSACHUSETTS ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 40 Mass. App. 1129, 666 N. E. 2d 1331.

No. 96-7320. *ELLISON v. FORREST CITY, ARKANSAS, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 96-7322. *GALLEGO v. WILSON ET AL.* C. A. 1st Cir. Certiorari denied.

No. 96-7323. *DAY v. PAINTER, SHERIFF, MIDLAND COUNTY, TEXAS.* C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 1135.

No. 96-7324. *HENDRICKSON v. MINNESOTA ET AL.* C. A. 8th Cir. Certiorari denied.

No. 96-7326. *SCOTT v. NACHMAN.* Cir. Ct., City of Newport News, Va. Certiorari denied.

No. 96-7327. *HOLCOMB v. THOMPSON, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 87 F. 3d 1330.

No. 96-7359. *DRINKARD v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 97 F. 3d 751.

No. 96-7398. *HOPPER v. GOOSBLY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-7410. *REYNA v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 50.

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No. 96-7414. *PHIDD v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 42 Conn. App. 17, 681 A. 2d 310.

No. 96-7443. *JACKSON v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 96-7444. *MIXON v. JOHNSON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 96-7459. *ADKINS v. GILMORE, ATTORNEY GENERAL OF VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 97 F. 3d 1446.

No. 96-7489. *JOHNSON v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 276 Ill. App. 3d 1144, 697 N. E. 2d 25.

No. 96-7527. *MCKINLEY v. DISTRICT OF COLUMBIA DEPARTMENT OF HUMAN SERVICES*. Ct. App. D. C. Certiorari denied.

No. 96-7528. *MORETZ v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 96-7540. *ASONYE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 96-7548. *ONTIVEROS v. DORSEY, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 99 F. 3d 1150.

No. 96-7552. *OLIVER v. FUCH ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 947.

No. 96-7578. *GLENN v. BARTLETT, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 98 F. 3d 721.

No. 96-7579. *BARNETT v. TEXAS*. Ct. App. Tex., 8th Dist. Certiorari denied.

No. 96-7580. *GRAY v. NIELSON*. C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1157.

No. 96-7581. *HUFF v. CHAPLEAU, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 1341.

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No. 96-7590. *CAFFREY v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 96-7603. *MAROZSAN v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 90 F. 3d 1284.

No. 96-7605. *SAWYERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 649.

No. 96-7611. *MACK v. CASPARI, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 92 F. 3d 637.

No. 96-7622. *CARDENAS CUELLAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 96 F. 3d 1179.

No. 96-7623. *CHATRIAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 965.

No. 96-7648. *MCDONNELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1459.

No. 96-7653. *GENINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 96-7666. *NELSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 96 F. 3d 1455.

No. 96-7669. *WOOD-EDE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 95 F. 3d 58.

No. 96-7672. *MITCHELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 85 F. 3d 623.

No. 96-7673. *ANDERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 359.

No. 96-7677. *DOHERTY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1159.

No. 96-7687. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 698.

No. 96-7688. *SHAFFER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 114.

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No. 96-7690. SWANEY *v.* CHATER, COMMISSIONER OF SOCIAL SECURITY. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 957.

No. 96-7693. SANCHEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 375.

No. 96-7698. JOHNSON *v.* UNITED STATES. Ct. App. D. C. Certiorari denied.

No. 96-7700. MCKINNEY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 98 F. 3d 974.

No. 96-7705. THOMAS *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 1014.

No. 96-7706. SANDOVAL ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 1148.

No. 96-7710. DEMPSEY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 129.

No. 96-7711. GRESCHNER *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 99 F. 3d 1151.

No. 96-7725. MATTHEWS *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 96-850. CITY OF ST. PETERSBURG *v.* BOWEN, TRUSTEE OF THE WILLIAM A. BOWEN TRUST AGREEMENT. Dist. Ct. App. Fla., 2d Dist. Motion of Florida League of Cities, Inc., et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 675 So. 2d 626.

No. 96-860. ROE *v.* KENTUCKY BAR ASSN. Sup. Ct. Ky. Motion of petitioner for leave to file redacted appendices to petition for writ of certiorari granted. Certiorari denied.

No. 96-1027. MICHIGAN *v.* FERNENGEL. Ct. App. Mich. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 216 Mich. App. 420, 549 N. W. 2d 361.

Rehearing Denied

No. 95-8502. TIDIK *v.* TIDIK, 519 U. S. 1076;

No. 96-409. DROBNY ET UX. *v.* UNITED STATES, 519 U. S. 1055;

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No. 96-423. COULTER ET AL. *v.* METROPOLITAN LIFE INSURANCE CO., INC., ET AL., 519 U. S. 1040;

No. 96-809. GOULDING *v.* UNITED STATES, 519 U. S. 1059;

No. 96-835. BELL *v.* UNITED STATES POSTAL SERVICE, 519 U. S. 1078;

No. 96-5170. MORRIS ET UX. *v.* UNITED STATES ET AL., 519 U. S. 883;

No. 96-6427. COOPER *v.* MALONE ET AL., 519 U. S. 1062;

No. 96-6517. PARKER *v.* NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, 519 U. S. 1064;

No. 96-6617. BAST *v.* UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT, 519 U. S. 1081;

No. 96-6668. WOMBLE *v.* NORTH CAROLINA, 519 U. S. 1095;

No. 96-6737. WRONKE *v.* CANADY, 519 U. S. 1096;

No. 96-6813. FOX *v.* UNITED STATES, 519 U. S. 1068; and

No. 96-6932. IN RE DELESPINE, 519 U. S. 1054. Petitions for rehearing denied.

No. 95-6649. JONES *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 516 U. S. 1057. Motion for leave to file petition for rehearing denied.

Assignment Order

An order of THE CHIEF JUSTICE designating and assigning Justice White (retired) to perform judicial duties in the United States Court of Appeals for the Ninth Circuit during the period March 10 through March 11, 1997, and for such time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

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Certiorari Granted—Vacated and Remanded

No. 95-1546. SHOKETSU KINZOKU KOGYO KABUSHIKI CO., LTD., AKA SMC CORP., ET AL. *v.* FESTO CORP. C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, *ante*, p. 17. Reported below: 72 F. 3d 857.

No. 96-874. HONEYWELL, INC. *v.* LITTON SYSTEMS, INC. C. A. Fed. Cir. Certiorari granted, judgment vacated, and case

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remanded for further consideration in light of *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, ante, p. 17. Reported below: 87 F. 3d 1559.

No. 96-939. BRANDT, AS CHAPTER 7 TRUSTEE OF THE ESTATE OF SOUTHEAST BANKING CORP., ET AL. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR SOUTHEAST BANK, N. A., ET AL. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Atherton v. FDIC*, 519 U.S. 213 (1997). Reported below: 92 F. 3d 1199.

Miscellaneous Orders

No. A-598. GESKE & SONS, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. D-1764. IN RE DISBARMENT OF MINCEY. Disbarment entered. [For earlier order herein, see 519 U.S. 1075.]

No. D-1765. IN RE DISBARMENT OF FIORE. Disbarment entered. [For earlier order herein, see 519 U.S. 1075.]

No. D-1766. IN RE DISBARMENT OF PITT. Disbarment entered. [For earlier order herein, see 519 U.S. 1075.]

No. D-1778. IN RE DISBARMENT OF RUDD. Jeffrey D. Rudd, of Roanoke, Va., 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 February 18, 1997 [519 U.S. 1105], is discharged.

No. D-1787. IN RE DISBARMENT OF LEVY. Gerald Levy, of Parsippany, 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-1788. IN RE DISBARMENT OF AURIEMMA. Robert C. Auriemma, of Towaco, 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.

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No. D-1789. IN RE DISBARMENT OF DENKER. Aaron David Denker, of Mt. Laurel, 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-32. BILLY-EKO *v.* UNITED STATES. Motion for reconsideration of order denying motion to direct the Clerk to file petition for writ of certiorari out of time [519 U. S. 991] denied.

No. M-63. PRINGLE *v.* DAVIS ET AL.; and

No. M-64. MILNES *v.* FLETCHER PACIFIC CONSTRUCTION CO. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 96-511. RENO, ATTORNEY GENERAL OF THE UNITED STATES, ET AL. *v.* AMERICAN CIVIL LIBERTIES UNION ET AL. D. C. E. D. Pa. [Probable jurisdiction noted, 519 U. S. 1025.] Motion of James J. Clancy for leave to file a brief as *amicus curiae* granted.

No. 96-651. GILBERT, PRESIDENT, EAST STROUDSBURG UNIVERSITY, ET AL. *v.* HOMAR. C. A. 3d Cir. [Certiorari granted, 519 U. S. 1052.] Motion of National Treasury Employees Union for leave to participate in oral argument as *amicus curiae* and for divided argument granted to be divided as follows: respondent, 20 minutes; National Treasury Employees Union, 10 minutes.

No. 96-1037. KIOWA TRIBE OF OKLAHOMA *v.* MANUFACTURING TECHNOLOGIES, INC. Ct. Civ. App. Okla.;

No. 96-1059. SYCUAN BAND OF MISSION INDIANS ET AL. *v.* WILSON, GOVERNOR OF CALIFORNIA, ET AL. C. A. 9th Cir.; and

No. 96-1102. SOUTH CAROLINA ET AL. *v.* ENVIRONMENTAL TECHNOLOGY COUNCIL. C. A. 4th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 96-1330. BLACK *v.* UNITED STATES. C. A. 7th Cir. Motion of petitioner to expedite consideration of petition for writ of certiorari denied.

No. 96-6673. STEVEN L. ET AL. *v.* BOARD OF EDUCATION OF DOWNERS GROVE GRADE SCHOOL DISTRICT No. 58. C. A. 7th Cir.;

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No. 96-7348. *VEALE ET UX. v. CITIBANK, F. S. B.* C. A. 11th Cir.; and

No. 96-7397. *GUERRIERO v. LUFTHANSA GERMAN AIRLINES, INC.* App. Ct. Mass. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until April 7, 1997, within which to pay the docketing fee required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 96-6867. *O'DELL v. NETHERLAND, WARDEN, ET AL.* C. A. 4th Cir. [Certiorari granted, 519 U. S. 1050.] Motion for appointment of counsel granted, and it is ordered that Robert S. Smith, Esq., of New York, N. Y., be appointed to serve as counsel for petitioner in this case.

No. 96-7185. *BATES v. UNITED STATES.* C. A. 7th Cir. [Certiorari granted, 519 U. S. 1108.] Motion for appointment of counsel granted, and it is ordered that C. Richard Oren, Esq., of Rochester, Ind., be appointed to serve as counsel for petitioner in this case.

No. 96-7824. *IN RE IJEMBA*; and

No. 96-7899. *IN RE WILLIAMS.* Petitions for writs of habeas corpus denied.

No. 96-7382. *IN RE MARTIN*; and

No. 96-7495. *IN RE ATKINS.* Petitions for writs of mandamus denied.

Certiorari Granted

No. 96-188. *GENERAL ELECTRIC CO. ET AL. v. JOINER ET UX.* C. A. 11th Cir. Certiorari granted. Reported below: 78 F. 3d 524.

No. 96-670. *FOSTER, GOVERNOR OF LOUISIANA, ET AL. v. LOVE ET AL.* C. A. 5th Cir. Certiorari granted. Reported below: 90 F. 3d 1026.

No. 96-779. *ARKANSAS EDUCATIONAL TELEVISION COMMISSION v. FORBES.* C. A. 8th Cir. Certiorari granted. Reported below: 93 F. 3d 497.

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Certiorari Denied

No. 95-1096. MICRON SEPARATIONS, INC. *v.* PALL CORP. C. A. Fed. Cir. Certiorari denied. Reported below: 66 F. 3d 1211.

No. 96-235. CALIFORNIA FRANCHISE TAX BOARD *v.* MACFARLANE. C. A. 9th Cir. Certiorari denied. Reported below: 83 F. 3d 1041.

No. 96-684. JONES *v.* RUNYON, POSTMASTER GENERAL. C. A. 10th Cir. Certiorari denied. Reported below: 91 F. 3d 1398.

No. 96-766. ARGENT CHEMICAL LABORATORIES, INC. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 93 F. 3d 572.

No. 96-812. HINES *v.* FRANKLIN HOMES, INC., ET AL. Sup. Ct. Ala. Certiorari denied. Reported below: 680 So. 2d 1033.

No. 96-815. D'AMELIA *v.* DOE. C. A. 2d Cir. Certiorari denied. Reported below: 81 F. 3d 1204.

No. 96-851. MAXWELL *v.* J. BAKER, INC. C. A. Fed. Cir. Certiorari denied. Reported below: 86 F. 3d 1098.

No. 96-856. YEE *v.* HUGHES AIRCRAFT CO. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 92 F. 3d 1195.

No. 96-868. CONLEY *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 92 F. 3d 157.

No. 96-900. VISWANATHAN *v.* BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 95 F. 3d 43.

No. 96-904. ZIMMERMAN ET AL. *v.* VOLKSWAGEN OF AMERICA, INC., ET AL. Sup. Ct. Idaho. Certiorari denied. Reported below: 128 Idaho 851, 920 P. 2d 67.

No. 96-908. FORT STEWART ASSOCIATION OF EDUCATORS *v.* WESTON ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 87 F. 3d 1330.

No. 96-915. ASSOCIATED INDUSTRIES OF FLORIDA, INC., ET AL. *v.* AGENCY FOR HEALTH CARE ADMINISTRATION ET

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AL. Sup. Ct. Fla. Certiorari denied. Reported below: 678 So. 2d 1239.

No. 96-924. *PREFERRED RISK MUTUAL INSURANCE CO. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 86 F. 3d 789.

No. 96-928. *WELLS FARGO BANK, N. A. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 88 F. 3d 1012.

No. 96-942. *FIRST SECURITY BANK ET AL. v. FEDERAL DEPOSIT INSURANCE CORPORATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 91 F. 3d 130.

No. 96-945. *CROSBY v. HOSPITAL AUTHORITY OF VALDOSTA AND LOWNDES COUNTY, DBA SOUTH GEORGIA MEDICAL CENTER, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 93 F. 3d 1515.

No. 96-959. *TEXAS v. CLARK*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 929 S. W. 2d 5.

No. 96-962. *PRICE ET AL. v. CITY OF CHARLOTTE*; and
No. 96-1141. *CITY OF CHARLOTTE v. PRICE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 93 F. 3d 1241.

No. 96-1007. *OLIVER, ADMINISTRATRIX OF THE ESTATE OF OLIVER, DECEASED, ET AL. v. OSHKOSH TRUCK CORP.* C. A. 7th Cir. Certiorari denied. Reported below: 96 F. 3d 992.

No. 96-1013. *BUSTER ET AL. v. THOMAS, HEAD & GREISEN EMPLOYEES TRUST ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1449.

No. 96-1017. *WEAVER v. DEPARTMENT OF JUSTICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 92 F. 3d 1207.

No. 96-1038. *FISCHER ET AL. v. PHILADELPHIA ELECTRIC CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 96 F. 3d 1533.

No. 96-1040. *BURNS v. AAF-McQUAY, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 96 F. 3d 728.

No. 96-1054. *SANDERS v. ARNESON PRODUCTS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 1351.

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No. 96-1055. *PARAGON PROPERTIES CO. v. CITY OF NOVI*. Sup. Ct. Mich. Certiorari denied. Reported below: 452 Mich. 568, 550 N. W. 2d 772.

No. 96-1056. *WORD OF FAITH WORLD OUTREACH CENTER CHURCH ET AL. v. SAWYER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 90 F. 3d 118.

No. 96-1061. *MADRIL v. GALLEGO*. Ct. App. Ariz. Certiorari denied.

No. 96-1063. *PETTCO ENTERPRISES, INC., ET AL. v. WHITE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 98 F. 3d 1353.

No. 96-1066. *BEGIER v. BEGIER*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-1069. *HEALOW v. ANESTHESIA PARTNERS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 92 F. 3d 1192.

No. 96-1070. *FELTNER v. MCA TELEVISION, LTD.* C. A. 11th Cir. Certiorari denied. Reported below: 89 F. 3d 766.

No. 96-1072. *ROBB v. MISSISSIPPI BAR*. Sup. Ct. Miss. Certiorari denied. Reported below: 684 So. 2d 615.

No. 96-1079. *TREVINO v. GATES ET AL.*; and

No. 96-1229. *GATES ET AL. v. TREVINO*. C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 911.

No. 96-1084. *MOREHEAD v. ATKINSON-KIEWIT, J. V., ET AL.*; and *DIGIOVANNI v. TRAYLOR BROTHERS, INC.* C. A. 1st Cir. Certiorari denied. Reported below: 97 F. 3d 603 (first judgment) and 624 (second judgment).

No. 96-1085. *MCLEMORE ET AL. v. BRANCH BANKING & TRUST Co. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 96 F. 3d 1439.

No. 96-1092. *CRAWFORD ET AL. v. LUNGREN, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 96 F. 3d 380.

No. 96-1096. *BAHETH ET AL. v. GUARANTY BANK & TRUST Co., NKA REGIONS BANK, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 953.

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No. 96-1097. CONSTRUCTION LABORERS PENSION TRUST FOR SOUTHERN CALIFORNIA ET AL. *v.* CANSECO ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 93 F. 3d 600.

No. 96-1103. MISSOURI PACIFIC RAILROAD CO., DBA UNION PACIFIC RAILROAD CO. *v.* JOHNSON ET UX., AS REPRESENTATIVES OF THE ESTATE OF JOHNSON, DECEASED. Ct. App. Okla. Certiorari denied.

No. 96-1105. GUICE ET AL. *v.* CHARLES SCHWAB & Co., INC., ET AL. Ct. App. N. Y. Certiorari denied. Reported below: 89 N. Y. 2d 31, 674 N. E. 2d 282.

No. 96-1106. KUHN *v.* PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, BUREAU OF DRIVER LICENSING. Commw. Ct. Pa. Certiorari denied.

No. 96-1110. SCHROERING *v.* COURIER-JOURNAL & LOUISVILLE TIMES Co. Ct. App. Ky. Certiorari denied.

No. 96-1111. CITY AND COUNTY OF SAN FRANCISCO ET AL. *v.* CARPENTER ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 93 F. 3d 627.

No. 96-1115. VERGARA *v.* KENTUCKY. Ct. App. Ky. Certiorari denied.

No. 96-1117. UNITED MINE WORKERS OF AMERICA 1992 BENEFIT PLAN ET AL. *v.* LECKIE SMOKELESS COAL Co. ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 573.

No. 96-1121. BRYAN *v.* EAST STROUDSBURG UNIVERSITY. C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 689.

No. 96-1122. HARTMAN ET AL. *v.* NORTHERN SERVICES, INC., NKA HEALTH SERVICES MANAGEMENT, INC., ET AL. Ct. App. Minn. Certiorari denied.

No. 96-1123. MCCLAIN *v.* RHO ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-1124. SMITH ET UX. *v.* ROMAN ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-1125. IN RE BROADBELT, JUDGE, MUNICIPAL COURT OF NEW JERSEY. Sup. Ct. N. J. Certiorari denied. Reported below: 146 N. J. 501, 683 A. 2d 543.

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No. 96-1127. *UNITED STATES v. EXXON CORP. AND SUBSIDIARIES*. C. A. Fed. Cir. Certiorari denied. Reported below: 88 F. 3d 968.

No. 96-1129. *MOSCHETTI v. MARYLAND*. Cir. Ct. Howard County, Md. Certiorari denied.

No. 96-1130. *VINCI v. WASTE MANAGEMENT, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 80 F. 3d 1372.

No. 96-1131. *VOLBERG v. PATAKI, GOVERNOR OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 507.

No. 96-1135. *CITY OF DETROIT PENSION FUND ET AL. v. PRUDENTIAL SECURITIES, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 91 F. 3d 26.

No. 96-1136. *HELTON v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 624 N. E. 2d 499.

No. 96-1137. *TANCA v. NORDBERG, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF EMPLOYMENT AND TRAINING*. C. A. 1st Cir. Certiorari denied. Reported below: 98 F. 3d 680.

No. 96-1138. *UNITED STATES EX REL. SYLVESTER v. NORTHROP GRUMMAN CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 155.

No. 96-1144. *DAVIS v. SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, CLC, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 98 F. 3d 1333.

No. 96-1145. *UGWU v. ARKANSAS*. Ct. App. Ark. Certiorari denied. Reported below: 55 Ark. App. xxiii.

No. 96-1155. *OVERFIELD v. BONSIGNORE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 99 F. 3d 1144.

No. 96-1158. *SUAN SEE CHONG ET AL. v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 11th Cir. Certiorari denied. Reported below: 105 F. 3d 671.

No. 96-1170. *MOTHERSHED v. DURBIN ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 96-1185. *McGILLIVRAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 86 F. 3d 1159.

No. 96-1194. *JONES v. FOREST INDUSTRIES INSURANCE EXCHANGE*. Ct. App. Ore. Certiorari denied. Reported below: 142 Ore. App. 311, 920 P. 2d 182.

No. 96-1200. *SPINDEN v. GS ROOFING PRODUCTS CO., INC.* C. A. 8th Cir. Certiorari denied. Reported below: 94 F. 3d 421.

No. 96-1209. *CAMPBELL v. TOWSE, MAYOR, CITY OF ALTON, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 99 F. 3d 820.

No. 96-1217. *FLORES v. FMC CORP. ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 96-1220. *MOREWITZ v. ASHMORE*. Sup. Ct. Va. Certiorari denied. Reported below: 252 Va. 141, 475 S. E. 2d 271.

No. 96-1225. *MARKSON ET UX. v. A & W INVESTORS GROUP, INC.* Ct. App. Ariz. Certiorari denied.

No. 96-1226. *SHAFFETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 1148.

No. 96-1232. *CALIFORNIAA v. CLINTON, PRESIDENT OF THE UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 96-1235. *ILIC v. LIQUID AIR CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 555.

No. 96-1237. *PATRICK v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1139.

No. 96-1244. *BEYONG CHUL CHOI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 F. 3d 92.

No. 96-1250. *FORT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 92 F. 3d 540.

No. 96-1255. *RHEINSTROM v. ROBINSON, ADMINISTRATOR, ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION*. Sup. Ct. Ill. Certiorari denied.

No. 96-1262. *VOLPE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 115.

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No. 96-1266. *ANTONIO PEREZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 96-1285. *DENMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 399.

No. 96-1292. *THANH HAI VOMINH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 19.

No. 96-1298. *SMALLWOOD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 1136.

No. 96-1302. *MAIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96-1306. *EMERY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1140.

No. 96-1311. *SEVERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 953.

No. 96-6318. *RUCCI v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 543 Pa. 261, 670 A. 2d 1129.

No. 96-6561. *HARVEY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 224 App. Div. 2d 713, 638 N. Y. S. 2d 963.

No. 96-6616. *BEASLEY v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 544 Pa. 554, 678 A. 2d 773.

No. 96-6653. *OBOH v. UNITED STATES*; and

No. 96-6658. *BOWEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 92 F. 3d 1082.

No. 96-6714. *BERMUDEZ-REYES ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 1149.

No. 96-6758. *MORDAN v. UNITED STATES*; and

No. 96-6921. *TAUIL-HERNANDEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 88 F. 3d 576.

No. 96-6759. *FLETCHER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 91 F. 3d 48.

No. 96-6780. *GOINS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

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No. 96-6898. *AKAMIOKHOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 1468.

No. 96-6967. *SADOWSKI v. NATIONAL CREDIT UNION ADMINISTRATION ET AL.* (two judgments). C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 948.

No. 96-6990. *NELSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 90 F. 3d 636.

No. 96-7011. *FOSTER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 679 So. 2d 747.

No. 96-7022. *WASHINGTON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 90 F. 3d 945.

No. 96-7063. *VALDEZ-MEJIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 98 F. 3d 1352.

No. 96-7089. *HEATWOLE v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 344 N. C. 1, 473 S. E. 2d 310.

No. 96-7186. *FULLWOOD v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 343 N. C. 725, 472 S. E. 2d 883.

No. 96-7254. *EMERSON v. GILMORE, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 91 F. 3d 898.

No. 96-7273. *SMITH v. PICK 'N SAVE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 133.

No. 96-7301. *WILLIAMS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 173 Ill. 2d 48, 670 N. E. 2d 638.

No. 96-7334. *SCOTT v. DIME SAVINGS BANK OF NEW YORK*. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 107.

No. 96-7340. *ROSENBALM v. DEMORALES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 96-7344. *SHEETS v. MOORE*. C. A. 6th Cir. Certiorari denied. Reported below: 97 F. 3d 164.

No. 96-7346. *SAIYED v. WASHINGTON*. Super. Ct. Wash., King County. Certiorari denied.

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No. 96-7347. *RUTHERS v. GULCH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 85 F. 3d 617.

No. 96-7349. *SOUTHERN v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 96-7350. *SMITH v. WHITE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 92 F. 3d 1186.

No. 96-7355. *FINBERG v. WORKMEN'S COMPENSATION APPEAL BOARD OF PENNSYLVANIA ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 96-7356. *GEORGE v. SOUTH CAROLINA.* Sup. Ct. S. C. Certiorari denied. Reported below: 323 S. C. 496, 476 S. E. 2d 903.

No. 96-7367. *MITCHELL v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 708.

No. 96-7385. *LUX ET UX. v. COUNTY OF SPOTSYLVANIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 91 F. 3d 131.

No. 96-7386. *WALL v. CHATER, COMMISSIONER OF SOCIAL SECURITY, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 132.

No. 96-7388. *PIGRAM v. THYMES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-7389. *HAYS v. ALABAMA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 85 F. 3d 1492.

No. 96-7391. *BISHOP v. BISHOP.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 278 Ill. App. 3d 1121, 699 N. E. 2d 600.

No. 96-7401. *FERRELL v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 680 So. 2d 390.

No. 96-7405. *HERMAN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 98 F. 3d 171.

No. 96-7408. *BRAYALL ET VIR v. DART INDUSTRIES ET AL.* App. Ct. Mass. Certiorari denied.

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No. 96-7409. *SISCO v. AULT, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 96-7418. *MARCHMAN v. COLE*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 277 Ill. App. 3d 1099, 698 N. E. 2d 717.

No. 96-7419. *TODD v. NEWBERRY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 96-7420. *JOHNSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 98 F. 3d 1339.

No. 96-7434. *WIGGINS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 278 Ill. App. 3d 1142, 699 N. E. 2d 610.

No. 96-7440. *TURNER v. KUYKENDALL*. C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 648.

No. 96-7442. *JOHNSON v. MILLER, SUPERINTENDENT, CORRECTIONAL INDUSTRIAL COMPLEX, PENDLETON, INDIANA*. C. A. 7th Cir. Certiorari denied. Reported below: 82 F. 3d 420.

No. 96-7445. *JAE v. COYNE*. C. A. 3d Cir. Certiorari denied. Reported below: 96 F. 3d 1433.

No. 96-7447. *ARTIS v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 687 A. 2d 194.

No. 96-7450. *LIDMAN v. DEPARTMENT OF STATE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 947.

No. 96-7451. *JACKSON v. CHAMPION, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 96 F. 3d 1453.

No. 96-7453. *TOBIE v. DEPARTMENT OF THE INTERIOR ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1158.

No. 96-7456. *LEDET v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA*. C. A. 5th Cir. Certiorari denied.

No. 96-7465. *FINKS v. AMES DEPARTMENT STORES, INC.* C. A. 1st Cir. Certiorari denied.

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No. 96-7468. *GREEN v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 221 Ga. App. 436, 472 S. E. 2d 1.

No. 96-7470. *DODD v. OLIVER ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 96-7472. *DOUGLAS v. SYLVESTER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 97 F. 3d 1446.

No. 96-7476. *VANN v. DARDEN*. C. A. 2d Cir. Certiorari denied.

No. 96-7478. *THOMPSON v. TRUSTY, JUDGE, DISTRICT COURT OF KENTUCKY, KENTON COUNTY*. Cir. Ct. Kenton County, Ky. Certiorari denied.

No. 96-7480. *BUNNELL v. SHELL OIL STATION ET AL.* Ct. App. Ohio, Warren County. Certiorari denied.

No. 96-7481. *HAWKINS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 96-7482. *HENDERSON v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1721.

No. 96-7483. *DYER v. STEVENS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1138.

No. 96-7485. *HOWARD v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 1134.

No. 96-7486. *FITZPATRICK v. BOYER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-7487. *MORGAN, AKA HOLLIDAY v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 92 F. 3d 1200.

No. 96-7488. *MMUBANGO v. MINNESOTA POLLUTION CONTROL AGENCY*. Ct. App. Minn. Certiorari denied.

No. 96-7492. *GRACE ET AL. v. BURRILL ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 503.

No. 96-7497. *BURKS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

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No. 96-7500. *WAFER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 96-7501. *WAFER v. GAY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 48.

No. 96-7502. *SPIEGELMAN v. REPRIZE RECORDS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 685.

No. 96-7507. *ZARAGOZA v. CIANCHETTI, JUDGE, SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 966.

No. 96-7508. *ATKINS v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1122, 923 P. 2d 1119.

No. 96-7510. *GRANT v. MCCOY, SUPERINTENDENT, CAYUGA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 353.

No. 96-7514. *CRAWFORD v. HAWAII*. C. A. 9th Cir. Certiorari denied. Reported below: 87 F. 3d 1318.

No. 96-7523. *EDWARDS v. ANDREWS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 85 F. 3d 640.

No. 96-7524. *FRENCH v. PEPE, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION, NORFOLK*. C. A. 1st Cir. Certiorari denied.

No. 96-7534. *WESLEY v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 503, 916 P. 2d 793.

No. 96-7536. *ABERNATHY v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 96-7538. *BURNETT v. WILLETTE*. Ct. App. Mich. Certiorari denied.

No. 96-7543. *BREWER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 96-7604. *LAUREANO v. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 353.

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No. 96-7609. *TADROS v. BROOKLYN DEVELOPMENTAL CENTER ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 505.

No. 96-7614. *SPRUILL v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP.* C. A. 3d Cir. Certiorari denied.

No. 96-7638. *STANDIFIRD v. RICHARDSON, COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. Reported below: 87 F. 3d 1322.

No. 96-7645. *CUONG DUY NGUYEN v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 550.

No. 96-7649. *NICOLAU v. NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES.* C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 504.

No. 96-7650. *JONES v. TOOMBS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 96-7657. *WATTS v. RAILROAD RETIREMENT BOARD.* C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 1152.

No. 96-7658. *WOOTEN v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 344 N. C. 316, 474 S. E. 2d 360.

No. 96-7659. *AZUBUKO v. FIRST NATIONAL BANK OF BOSTON ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 92 F. 3d 1169.

No. 96-7663. *BOUIE v. PETERSON, ARCHIVIST OF THE UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 103 F. 3d 135.

No. 96-7674. *HARRIS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 96-7695. *PROPEs v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 673 N. E. 2d 534.

No. 96-7697. *BROWN v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 682 So. 2d 340.

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No. 96-7702. *BOYKINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 133.

No. 96-7708. *ROWE v. BOARD OF EDUCATION OF THE CITY OF CHATTANOOGA, TENNESSEE, ET AL.* Sup. Ct. Tenn. Certiorari denied. Reported below: 938 S. W. 2d 351.

No. 96-7718. *EDELBACHER v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 96-7719. *DIES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1461.

No. 96-7721. *SMART v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 98 F. 3d 1379.

No. 96-7722. *RYION v. UNITED STATES*;
No. 96-7736. *BRUCE v. UNITED STATES*;
No. 96-7745. *BRUCE v. UNITED STATES*; and
No. 96-7767. *RIALES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 957.

No. 96-7723. *MARTINEAU v. CITY OF CYPRESS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1158.

No. 96-7724. *KHANNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 550.

No. 96-7728. *MONACO ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 707.

No. 96-7733. *ALEXANDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 24.

No. 96-7735. *CRAIG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 141.

No. 96-7738. *CARRASCO RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 655.

No. 96-7739. *BOWMAN v. GAMMON, SUPERINTENDENT, MOBERLY CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 85 F. 3d 1339.

No. 96-7741. *BERARD v. GORCZYK, COMMISSIONER, VERMONT DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 96-7743. *TORRES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 99 F. 3d 360.

No. 96-7744. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 710.

No. 96-7750. *FARMER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 131.

No. 96-7752. *GALLAGHER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 329.

No. 96-7755. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 98 F. 3d 141.

No. 96-7756. *FERNANDEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 96-7757. *PORTER v. WEST, SECRETARY OF THE ARMY*. C. A. 7th Cir. Certiorari denied. Reported below: 99 F. 3d 1142.

No. 96-7759. *GRANT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 695.

No. 96-7762. *HENDRICKSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 349.

No. 96-7763. *GRAY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 96 F. 3d 769.

No. 96-7764. *DEGEROLAMO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 95 F. 3d 182 and 100 F. 3d 14.

No. 96-7766. *PROU v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 101 F. 3d 106.

No. 96-7770. *WEBBER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 709.

No. 96-7771. *TREVINO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 96-7776. *JARRETT v. UNITED STATES*; and

No. 96-7786. *GLOVER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 234.

No. 96-7781. *BUSTAMANTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 100 F. 3d 969.

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No. 96-7784. *CARPENTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 409.

No. 96-7785. *ATLAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 94 F. 3d 447.

No. 96-7788. *LEAL v. CHATER, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied. Reported below: 98 F. 3d 1339.

No. 96-7789. *MALKIEWICZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 655.

No. 96-7794. *ROBINSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 125.

No. 96-7795. *OGBUEHI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 692.

No. 96-7797. *ANIMASHAUM v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 387.

No. 96-7800. *TILLMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 115.

No. 96-7801. *MILLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 553.

No. 96-7803. *KEYS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 1135.

No. 96-7805. *COTTRELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 654.

No. 96-7806. *ADKINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96-7808. *WOODALL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 684 A. 2d 1258.

No. 96-7809. *RENFROE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 92 F. 3d 1186.

No. 96-7810. *RAMIREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 553.

No. 96-7811. *OCHOA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 142.

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No. 96-7812. *RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 654.

No. 96-7813. *PHILIPS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 100 F. 3d 968.

No. 96-7814. *SINDRAM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 96-7816. *PACHECO-MALDONADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 551.

No. 96-7817. *PETERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1139.

No. 96-7819. *ALSTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 98 F. 3d 1335.

No. 96-7821. *TIMBER ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 709.

No. 96-7825. *IVY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 103 F. 3d 135.

No. 96-7828. *MORRISON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 98 F. 3d 619.

No. 96-7834. *CRITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 96-7835. *PIELECH ET AL. v. MASSASOIT GREYHOUND, INC.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 423 Mass. 534, 668 N. E. 2d 1298.

No. 96-7836. *MOORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 105 F. 3d 672.

No. 96-7837. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 95 F. 3d 58.

No. 96-7838. *MARKS, AKA BUSH, AKA YOUNG, AKA HANSEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1462.

No. 96-7846. *DOUGLAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 82 F. 3d 1315.

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No. 96-7847. *ECKERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 333.

No. 96-7855. *MOLLENHOUR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 506.

No. 96-7857. *BREKKE ET VIR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 1043.

No. 96-7859. *POWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 555.

No. 96-7860. *RIDDICK v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 96-7861. *WOOTEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 555.

No. 96-7863. *McKoy v. MORRIS, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 947.

No. 96-7867. *MASON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 95 F. 3d 1520.

No. 96-7868. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 105 F. 3d 671.

No. 96-7870. *HAYES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 83 F. 3d 429.

No. 96-7876. *BARAMDYKA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 840.

No. 96-7880. *JOHNSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 354.

No. 96-7881. *MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 551.

No. 96-7884. *WITHERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 100 F. 3d 1142.

No. 96-7886. *HILL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 F. 3d 706.

No. 96-7887. *GONZALEZ v. KUHLMANN, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 1392.

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No. 96-7889. *DEWITTE ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 155.

No. 96-7894. *CLARK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 99 F. 3d 1144.

No. 96-7897. *BURDEX v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 100 F. 3d 882.

No. 96-7903. *VELAZQUEZ-OVERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 418.

No. 96-7908. *HOOPER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 696.

No. 96-7910. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 121.

No. 96-7912. *OSIAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 360.

No. 96-7913. *ALVARADO OROZCO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 141.

No. 96-7915. *JOHNSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 114.

No. 96-7939. *HOUSTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 1562.

No. 96-7948. *GALVAN v. HURLEY, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 101 F. 3d 704.

No. 96-7949. *HUNTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 F. 3d 82.

No. 95-576. *WILLIAMS ET AL. v. PLANNED PARENTHOOD SHASTA-DIABLO, INC.* Sup. Ct. Cal. Certiorari denied. Reported below: 10 Cal. 4th 1009, 898 P. 2d 402.

JUSTICE SCALIA, with whom JUSTICE KENNEDY and JUSTICE THOMAS join, dissenting.

The issue in this case is the constitutionality of an injunction against abortion protesters. The injunction limits their First Amendment activities to a sidewalk separated from the clinic that is the object of their protest by a busy four-lane avenue. The case has made its way back here after we set aside the Supreme

Court of California's earlier judgment approving the injunction, 7 Cal. 4th 860, 873 P. 2d 1224 (1994), and remanded the case so that the court could reconsider its holding in light of our decision in *Madsen v. Women's Health Center, Inc.*, 512 U. S. 753 (1994). 513 U. S. 956 (1994). On remand, the Supreme Court of California concluded that the provision in question "is equally valid under the new standard set forth in *Madsen*," and therefore "reaffirm[ed] the judgment in favor of Planned Parenthood." 10 Cal. 4th 1009, 1012, 898 P. 2d 402, 404 (1995). That was in my view patent error, and has been confirmed as such by *Schenck v. Pro-Choice Network of Western N. Y.*, 519 U. S. 357 (1997). I think it important to the dignity of this Court and the integrity of its processes to set aside what can only be regarded as an intentional evasion of its decrees. I would grant the petition for certiorari, summarily reverse the judgment of the Supreme Court of California, and remand for further proceedings.

This case—unlike *Schenck*—is not one in which the record reveals instances of serious unlawful conduct by clinic protesters. The following was the testimony of Janice Schoenfeld, the "escort coordinator" of the clinic, at the hearing on the application for a permanent injunction:

"Q. Did you ever see any of this group of defendants prevent somebody from getting in the front door of the clinic?

"A. No.

"Q. Did you ever see them manhandle any of your clients?

"A. No.

"Q. Was anybody, to the best of your knowledge, that wanted to get an abortion, prevented from getting an abortion?

"A. No.

"Q. Did you ever attempt to make a citizen's arrest of any of the defendants?

"A. No, I did not.

"Q. Do you know if any of them were ever arrested?

"A. Not at the Vallejo clinic, that I know of. Some have been in other Operation Rescue activity.

"Q. Did you ever see any of the defendants prevent any cars from parking in the parking lot?

"A. Not prevent them from parking, no." Tr. 54–55.

This is a record so devoid of threatening physical confrontation it would make an old-fashioned union organizer blush. Yet the trial court entered—and the Supreme Court of California approved—an injunction severely curtailing the speech rights of clinic protesters in a public forum.

The basis for that injunction—and for the Supreme Court of California’s initial approval of it—was the perceived government interest in preventing “increased stress and anxiety” among abortion patients. 7 Cal. 4th, at 872–876, 873 P. 2d, at 1230–1233 (internal quotation marks and citation omitted). As the Supreme Court of California explained, “emotionally jarring confrontations with anti-abortion pickets or sidewalk ‘counselors’ may pose serious health risks.” *Id.*, at 874, 873 P. 2d, at 1232. The “substantial governmental interest in protecting the patients’ physical and emotional health and safety” justified restricting the abortion opponents to areas far removed from the clinic. *Id.*, at 876, 873 P. 2d, at 1233.

This holding was no longer supportable after we vacated the Supreme Court of California’s judgment in light of *Madsen*, and remanded the case for further proceedings. *Madsen*, in disallowing an injunction which prevented abortion opponents from approaching persons seeking services at an abortion clinic, said:

“Absent evidence that the protesters’ speech is independently proscribable (*i. e.*, ‘fighting words’ or threats), or is so infused with violence as to be indistinguishable from a threat of physical harm, this provision cannot stand.” 512 U.S., at 774 (citation omitted).

Despite this holding, the Supreme Court of California, on remand, did not abandon but reaffirmed its assertion that avoiding upset to the clinic’s clients justified keeping the protesters at a distance. 10 Cal. 4th, at 1021, 898 P. 2d, at 410. When the defendants again petitioned us for certiorari, we held the case pending our decision in *Schenck*.

Whatever glimmer of hope *Madsen* might have left regarding the legitimacy of the Supreme Court of California’s “emotional upset” justification was entirely snuffed by *Schenck*, in which we reiterated, in the most unmistakable terms, that there is no legitimate government interest in protecting the “right of the people approaching and entering [clinics] to be left alone” on the public streets, 519 U.S., at 383. *Schenck* would require, without further

analysis, a reversal of the judgment here, but for one additional factor: In its second opinion in this case—after our remand in light of *Madsen*—the California Supreme Court for the first time discerned a second state interest in support of the injunction: an interest in “ensuring unfettered access” to the clinic, 10 Cal. 4th, at 1022, 898 P. 2d, at 410. This, it should be noted with suspicion, is an interest which the court had expressly disclaimed in its first opinion, saying that “the critical issue [is] not access, but health and safety.” 7 Cal. 4th, at 879, n. 10, 873 P. 2d 1235, n. 10.

It is not normally our practice to scrutinize the record support for the grounds asserted by state courts or lower federal courts as a basis for rejecting constitutional claims. We have, however, sometimes been disposed to do so when the abridgment of First Amendment rights was at issue. See, e. g., *NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 915, and n. 50 (1982); *Edwards v. South Carolina*, 372 U.S. 229, 235 (1963). And we should in my view *always* be disposed to do so when the grounds are newly minted after a remand, contradict what was said before the remand, and bear indication of an attempt to evade the consequences of our holding prompting the remand. That is the case here; and an examination of the record for support of the newly minted ground discloses that it does not exist.

The trial court made many findings regarding activities tending to cause, not blocking of the entrances to the clinic parking lot, but “increased stress and anxiety” to clinic patrons and staff: protesters “confront and intimidate women seeking [respondent’s] services,” “force . . . ‘counseling’ upon [respondent’s] staff and clients,” “have called staff ‘murderers’ or asked them not to ‘kill babies’ in the presence of small children,” “have pursued [respondent’s] clients to their cars or public transportation in an effort to distribute literature and the plastic fetuses,” and “bring small children to the area who run up and down the public sidewalk in front of plaintiff’s premises.” App. to Pet. for Cert. 42a–43a. The trial court also made findings regarding the impact of these activities on respondent, its patrons, and its staff: “[Respondent] must escort its clients through picket lines and [petitioners’] ‘picketers/counselors’ in its parking lot,” and “[t]he conduct of [petitioners] and their picketers/counselors have [*sic*] caused some of the women seeking counselling or services from plaintiff to become emotionally distraught.” *Ibid.* But the only finding remotely related to access to the clinic is the following: Protesters “stand directly in front of [respondent’s] office door and interfere

[sic] with or obstruct entrance to and from [respondent's] clinic." *Id.*, at 42a. This finding (which, by the way, has no support in the record if it is interpreted to mean *physical* obstruction¹) pertains to behavior *at the entrance to the clinic*—which is some 100 feet inside the parking lot, from which the injunction (without objection) excludes the protesters entirely. It obviously cannot support excluding protesters from the public sidewalk adjoining the entrances to the parking lot, where it has never been so much as suggested that any blocking of access occurred. The Supreme Court of California's opinion misrepresents this, saying that "the trial court found here, that petitioners had significantly blocked driveways" 10 Cal. 4th, at 1023, 898 P. 2d, at 411. The only authority cited for this proposition is that portion of the court's own pre-*Madsen* opinion which recites (*inter alia*) the trial court's finding that protesters "pursued patients to their cars . . . to distribute literature." 7 Cal. 4th, at 867, 873 P. 2d, at 1227. This obviously does not establish (or even suggest) that petitioners "blocked driveways."²

¹There was no testimony that petitioners had *blocked* the entrance, but only statements that they had stood very close to the entrance, trying to pass literature or other material to those going in. See Tr. 17–18 (testimony of Janice Schoenfeld at hearing on preliminary injunction) ("I did not say they blocked the door. I said they stand very close to the door") ("Q. Has any one of your clients ever been prevented from entering the clinic? A. No"); *id.*, at 54 (testimony of Schoenfeld at hearing on permanent injunction) ("Q. Did you ever see any of this group of defendants prevent somebody from getting in the front door of the clinic? A. No"); *id.*, at 65 (testimony of Marsha Anderson at hearing on permanent injunction) ("Q. Did you observe any of your patrons being denied entrance into the clinic by any of the defendants? A. I know they progressed to the front door, interrupted them, but not prohibited them"). Of course if, as the trial court believed, subjecting abortion clients to "emotional upset" was unlawful, forcing clients to expose themselves to such unlawful activity in order to enter or exit the clinic *would* constitute "interfer[ing] with" their access—and that is evidently what the trial court had in mind.

²In a separate portion of its opinion, the Supreme Court of California stated (without any citation of record support) that "[o]ne of the tactics of the sidewalk picketers was to walk slowly across the driveway entrance, thereby delaying cars attempting to turn into the parking lot from the street." 10 Cal. 4th, at 1012, 898 P. 2d, at 404. Apart from the fact that the *trial court* made no such finding in connection with its entry of the injunction, see App. to Pet. for Cert. 42a–43a, "delaying" the entry of cars into the lot as an incidental result of lawful picket activity is by no means equivalent to "blocking driveways."

Of course, even if there had been a finding of interference with free access to the parking lot, the challenged injunction would require further findings to establish that no restraint short of total exclusion of free speech from the public sidewalk—such as limiting the number of protesters—could have eliminated the interference. Cf. *Mine Workers v. Bagwell*, 512 U.S. 821, 823 (1994) (injunction imposing numerical limit on picketers). A conclusion that complete exclusion of protesters was necessary in this case would be difficult to square with the history of what happened: The trial court initially issued a temporary restraining order *drafted by respondent*, which *permitted two picketers* on the sidewalk in front of the clinic. App. to Pet. for Cert. 64a–66a. Shortly thereafter, it issued a preliminary injunction *increasing to four* the number of picketers allowed on that sidewalk. *Id.*, at 67a–68a. Despite this apparent sign of success—and without any request by respondent for more restrictive relief—11 months later the trial court imposed the permanent injunction at issue here, banning all picketing in front of the clinic. The reason, of course, was that (as the Supreme Court of California concluded the first time around) the trial court was not concerned about “impeding access”; it was concerned about preventing “stress and anxiety.”

Since the trial court did not find that the challenged injunction provision was necessary to secure access, the Supreme Court of California took it upon itself to provide the requisite finding. “[T]he evidence at trial,” the court proclaimed, “indicated that picketers had not followed the preliminary injunction” 10 Cal. 4th, at 1024, 898 P. 2d, at 411–412. For this the court offers no support other than citation of its earlier opinion in this case, 7 Cal. 4th, at 866–867, n. 2, 873 P. 2d, at 1227, n. 2, which in turn relies upon nothing more probative than the following testimony of Janice Schoenfeld:

“Q. Have you observed picket activity since the injunction?

“A. Yes, but they followed the injunction usually, except for picketers.

“MS. RYER: Thank you. I have nothing further. Thank you.

“THE COURT: You say that they followed the injunction?

“THE WITNESS: They followed the injunction, yes, since the injunction.” Tr. 52–53.

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Even if the record did establish *some* violation of the preliminary injunction, it would still not establish a violation *related to access*, supporting the proposition that banishment to the other side of the avenue was “the only practicable means of ensuring unfettered access,” 10 Cal. 4th, at 1022, 898 P. 2d, at 410. As far as appears, any failure to “follo[w] the injunction” might have related to one of the many prohibitions that had nothing to do with obstructing access. Indeed, the odds are in favor of that, since almost all of the prohibitions in the preliminary injunction were of that character. The record simply does not contain the facts necessary to support the challenged provision in the name of protection of access.

* * *

This case having been held pending the issuance of our opinion in *Schenck*; and *Schenck* having come out four-square against the principal theory relied upon by the Supreme Court of California; it is quite impossible to understand why any disposition short of a reversal and remand would be appropriate. If we were prepared to take at face value the court’s post-*Madsen*-invented “obstruction of entrances” justification, then there was no reason to hold the case in the first place. The hold was correct, and today’s denial of certiorari smiles upon injustice to these petitioners and disregard of the processes of this Court. I dissent.

No. 96–853. *MUSTANG FUEL CORP. ET AL. v. HATCH ET AL.* C. A. 10th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 94 F. 3d 1382.

No. 96–1041. *MCVICAR, WARDEN v. GRIFFIN.* C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 84 F. 3d 880.

No. 96–1043. *GILMORE, WARDEN v. EMERSON.* C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 91 F. 3d 898.

No. 96–1051. *ILLINOIS v. NITZ.* Sup. Ct. Ill. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 173 Ill. 2d 151, 670 N. E. 2d 672.

No. 96–1090. *CSX TRANSPORTATION, INC. v. SIRBAUGH.* Cir. Ct. Berkeley County, W. Va. Motion of Association of American

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Railroads for leave to file a brief as *amicus curiae* granted. Certiorari denied.

No. 96-1109. DAVIS *v.* AT&T COMMUNICATIONS, INC. C. A. 11th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 98 F. 3d 1353.

No. 96-1112. MARTECH USA, INC. *v.* HOEFLICH. Ct. App. Cal., 1st App. Dist. Motion of Insurance Company of North America for leave to file a brief as *amicus curiae* granted. Certiorari denied.

No. 96-1173. BEEMAN ET AL. *v.* COHEN. C. A. 9th Cir. Motion of Community College League of California et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 92 F. 3d 968.

Rehearing Denied

No. 96-796. KOREAN AIR LINES CO., LTD. *v.* BICKEL ET AL., 519 U. S. 1093;

No. 96-5996. MOORE *v.* ROBERTS, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL., 519 U. S. 1093;

No. 96-6205. WESTLEY *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 519 U. S. 1094;

No. 96-6287. BELCHER *v.* LESLEY ET AL., 519 U. S. 1031;

No. 96-6589. TUMLIN *v.* GOODYEAR TIRE & RUBBER CO. ET AL., 519 U. S. 1080;

No. 96-6678. STEPHEN *v.* PRUNTY, WARDEN, 519 U. S. 1095;

No. 96-6787. STRUVE *v.* PARK PLACE APARTMENTS, 519 U. S. 1097;

No. 96-6864. BROWN *v.* TURPIN, WARDEN, 519 U. S. 1098; and

No. 96-6904. PENLAND *v.* NORTH CAROLINA, 519 U. S. 1098. Petitions for rehearing denied.

No. 94-9848. GRESHAM *v.* TRANSPORTATION COMMUNICATIONS INTERNATIONAL UNION ET AL., 516 U. S. 860;

No. 96-594. MUDIE *v.* MILTLAND RALEIGH-DURHAM, 519 U. S. 1041; and

No. 96-6581. LURIE *v.* CAESAR'S TAHOE, INC., ET AL., 519 U. S. 1045. Motions for leave to file petitions for rehearing denied.

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No. 96-675. GUILBEAU ET UX. *v.* W. W. HENRY CO. ET AL., 519 U.S. 1091. Motion of petitioners for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

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Affirmed on Appeal

No. 96-1034. PLAYBOY ENTERTAINMENT GROUP, INC. *v.* UNITED STATES ET AL.; and

No. 96-1108. SPICE ENTERTAINMENT COS., INC. *v.* RENO, ATTORNEY GENERAL, ET AL. Affirmed on appeals from D. C. Del. Reported below: 945 F. Supp. 772.

Certiorari Granted—Vacated and Remanded

No. 96-7621. CALAMIA *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Lynce v. Mathis*, 519 U.S. 433 (1997). Reported below: 686 So. 2d 1337.

Miscellaneous Orders

No. D-1790. IN RE DISBARMENT OF FRIEDMAN. Bruce Michael Friedman, 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. M-65. HARTNETT *v.* STEIN, DBA WESTERN CONTRUCTION Co.; and

No. M-66. TIDIK *v.* KAUFMAN ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 95-974. ARIZONANS FOR OFFICIAL ENGLISH ET AL. *v.* ARIZONA ET AL., *ante*, p. 43. In this case, the parties shall bear their own costs.

No. 96-454. ASSOCIATES COMMERCIAL CORP. *v.* RASH ET UX. C. A. 5th Cir. [Certiorari granted, 519 U.S. 1086.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-552. AGOSTINI ET AL. *v.* FELTON ET AL.; and

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No. 96-553. CHANCELLOR, BOARD OF EDUCATION OF THE CITY OF NEW YORK, ET AL. *v.* FELTON ET AL. C. A. 2d Cir. [Certiorari granted, 519 U.S. 1086.] Motion of Sarah Peter et al. for leave to file a brief as *amici curiae* granted.

No. 96-663. KLEHR ET UX. *v.* A. O. SMITH CORP. ET AL. C. A. 8th Cir. [Certiorari granted, 519 U.S. 1073.] Motion of Plaintiffs' Executive Committee MDL No. 1069 et al. for leave to file a brief as *amici curiae* granted.

No. 96-7879. JAHANNES *v.* REID. Ct. App. Ga. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until April 14, 1997, 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. 96-7595. IN RE SERRA. Petition for writ of mandamus denied.

No. 96-8357 (A-674). IN RE MEDINA. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

No. 96-8358 (A-675). IN RE MEDINA. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 96-653. BAKER ET AL. *v.* GENERAL MOTORS CORP. C. A. 8th Cir. Certiorari granted. Reported below: 86 F. 3d 811.

Certiorari Denied

No. 96-690. NORTH BELLE VERNON BOROUGH ET AL. *v.* LIVINGSTONE ET VIR. C. A. 3d Cir. Certiorari denied. Reported below: 91 F. 3d 515.

No. 96-978. WILSON *v.* DRAKE ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 87 F. 3d 1073.

No. 96-998. RELIABLE BUSINESS COMPUTERS *v.* HEURTEBISE. Sup. Ct. Mich. Certiorari denied. Reported below: 452 Mich. 405, 550 N. W. 2d 243.

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No. 96-1116. *AIRCRAFT BRAKING SYSTEMS CORP. v. LOCAL 856, INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 97 F. 3d 155.

No. 96-1139. *MORROW v. WINSLOW, JUDGE, DISTRICT COURT OF TULSA COUNTY, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 94 F. 3d 1386.

No. 96-1140. *TARAPACKI v. NEW JERSEY REINSURANCE CO.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 96-1142. *COLE ET UX. v. HUNTSVILLE MEMORIAL HOSPITAL ET AL.* Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 920 S. W. 2d 364.

No. 96-1146. *VEMCO, INC. v. FEDERAL INSURANCE CO.* C. A. 6th Cir. Certiorari denied. Reported below: 96 F. 3d 1449.

No. 96-1161. *BARAKAT v. LIFE INSURANCE COMPANY OF VIRGINIA.* C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 1520.

No. 96-1198. *FOLTICE v. GUARDSMAN PRODUCTS, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 933.

No. 96-1202. *VON GRABE v. ZIFF DAVIS PUBLISHING CO. ET AL.* C. A. 2d Cir. Certiorari denied.

No. 96-1221. *JORDAN v. GOVERNING BOARD OF THE MARIN COMMUNITY COLLEGE DISTRICT.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-1222. *CAUDLE ET AL. v. SEARS, ROEBUCK & CO. ET AL.* App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 281 Ill. App. 3d 1151, 701 N. E. 2d 844.

No. 96-1247. *RICHARDSON v. BAKERY, CONFECTIONARY & TOBACCO WORKERS, LOCAL No. 26.* C. A. 10th Cir. Certiorari denied. Reported below: 92 F. 3d 1197.

No. 96-1256. *KRAYTSBERG v. KRAYTSBERG.* App. Ct. Mass. Certiorari denied. Reported below: 40 Mass. App. 1118, 664 N. E. 2d 486.

No. 96-1259. *MISSOURI v. FUTO.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 932 S. W. 2d 808.

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No. 96-1264. *HOUGH v. RUNYON, POSTMASTER GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 89 F. 3d 856.

No. 96-1269. *GAITHER v. RENO, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 124.

No. 96-1315. *MILLUS v. NEWSDAY, INC., ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 89 N. Y. 2d 840, 675 N. E. 2d 461.

No. 96-1317. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 100 F. 3d 969.

No. 96-1331. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 97 F. 3d 1453.

No. 96-1336. *MCMULLIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 130.

No. 96-1373. *SANGUANDIKUL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 114.

No. 96-6752. *ARANDA-HERNANDEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 95 F. 3d 977.

No. 96-6912. *VELASCO v. HORGAN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 85 F. 3d 520.

No. 96-6993. *SPIKE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1743.

No. 96-7004. *ZAMORA v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1752.

No. 96-7007. *WASHINGTON v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1749.

No. 96-7023. *IKO v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1723.

No. 96-7027. *MATHEWSON v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1730.

No. 96-7028. *LANE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1726.

No. 96-7041. *CARDWELL v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1708.

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No. 96-7049. *FLORIO v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1716.

No. 96-7050. *GARCIA v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1717.

No. 96-7051. *GISEBURT v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1718.

No. 96-7052. *HILTUNEN v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1722.

No. 96-7060. *DESPAIN v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1712.

No. 96-7067. *KELLY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 96-7074. *SPARKS v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1743.

No. 96-7103. *MONROE, AKA GRAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96-7106. *FITZGERALD v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1716.

No. 96-7195. *WILLIAMS v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 684 So. 2d 1179.

No. 96-7281. *SMITH v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1743.

No. 96-7330. *DAWS v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1712.

No. 96-7369. *MAY v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1730.

No. 96-7423. *REEVES v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1738.

No. 96-7504. *LAFAVER v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1726.

No. 96-7506. *MADANAT v. ALPHA THERAPEUTIC CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 947.

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No. 96-7511. *WHEELER v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1750.

No. 96-7525. *ECKLES v. CONSOLIDATED RAIL CORPORATION ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 94 F. 3d 1041.

No. 96-7535. *BENTSEN v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1706.

No. 96-7542. *BARRETT v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1705.

No. 96-7549. *TIERNEY v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 96-7550. *WILLIAMS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 96-7553. *PERRY v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 344 Md. 204, 686 A. 2d 274.

No. 96-7555. *SIDLES v. LEWIS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 964.

No. 96-7556. *RUSSELL v. ROBERTSON COUNTY, TENNESSEE, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1139.

No. 96-7562. *PAYNE v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 683 So. 2d 458.

No. 96-7566. *HAMPTON v. KILLINGER, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 91 F. 3d 138.

No. 96-7568. *GRANT v. RIVERS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 96-7571. *WILSON v. ANDERSON, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 550.

No. 96-7572. *WARREN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 96-7576. *LOVETT v. MINNESOTA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 96-7582. *JOHNSON v. IOWA*. C. A. 8th Cir. Certiorari denied.

No. 96-7585. *NELSON v. DETELLA, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 96-7592. *THOMAS v. TUSAN, JUDGE, SUPERIOR COURT OF GEORGIA, FULTON COUNTY, ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 96-7593. *SOMERS v. NORTHWEST IOWA MENTAL HEALTH CENTER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 94 F. 3d 649.

No. 96-7597. *BLAIR v. CALDERON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-7599. *MCCAIN v. GRAMLEY, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 96 F. 3d 288.

No. 96-7602. *ALI v. GOMEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-7606. *REMETA v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 85 F. 3d 513.

No. 96-7607. *TROWERY v. GALE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-7608. *TOLLIVER v. MYERS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-7617. *TROBAUGH v. IOWA.* Sup. Ct. Iowa. Certiorari denied.

No. 96-7652. *PATTERSON v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS.* C. A. 7th Cir. Certiorari denied.

No. 96-7720. *HARDEN v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 344 N. C. 542, 476 S. E. 2d 658.

No. 96-7737. *ALLEN v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 281 Ill. App. 3d 1147, 701 N. E. 2d 843.

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No. 96-7742. *BIANCHI v. WOOD*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. C. A. 9th Cir. Certiorari denied.

No. 96-7778. *MCNAMARA v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 111 Md. App. 745.

No. 96-7791. *BUMPASS v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 551.

No. 96-7832. *SINGLETON v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1742.

No. 96-7841. *THOMAS v. WEST*, SECRETARY OF THE ARMY. C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 670.

No. 96-7843. *WHARTON v. JOHNSON ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-7854. *EASTER v. NORRIS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied. Reported below: 100 F. 3d 523.

No. 96-7864. *KELLY v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 101 F. 3d 715.

No. 96-7904. *TAYLOR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 96-7907. *GARIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 103 F. 3d 687.

No. 96-7916. *JOHNSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 683 A. 2d 1087.

No. 96-7917. *LICCIARDI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1462.

No. 96-7919. *MARSHALL v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 278 Ill. App. 3d 1136, 699 N. E. 2d 608.

No. 96-7923. *KOCH v. STEWART*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 1146.

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No. 96-7925. *BADLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 131.

No. 96-7927. *SCROGER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 98 F. 3d 1256.

No. 96-7931. *AGUILAR-HIGUERRA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 964.

No. 96-7935. *BLACK v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 686 A. 2d 1061.

No. 96-7938. *HOLMAN v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 111 Md. App. 741.

No. 96-7947. *SCHWEIHS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 83 F. 3d 424.

No. 96-7954. *SOTELO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 97 F. 3d 782.

No. 96-7957. *VEATCH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 91 F. 3d 160.

No. 96-7958. *WYATT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 102 F. 3d 241.

No. 96-7964. *BENTLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 964.

No. 96-7965. *GOLDEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 142.

No. 96-7969. *MCTEER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 121.

No. 96-7970. *JONES ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 96-7972. *ISOM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 88 F. 3d 920.

No. 96-7973. *VIA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 122.

No. 96-7979. *RIVAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 170.

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No. 96-7985. *LUCHKOWEC v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 956.

No. 96-7990. *SCOTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 122.

No. 96-7991. *SUTTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 696.

No. 96-7992. *RODRIGUEZ SALINAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 F. 3d 706.

No. 96-7993. *PACHECO-CHONG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 F. 3d 706.

No. 96-7994. *SILVER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 122.

No. 96-8001. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 98 F. 3d 1052.

No. 96-8003. *BALLISTREA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 827.

No. 96-8008. *MANS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1139.

No. 96-8009. *NOWACZYK v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 98 F. 3d 1333.

No. 96-8013. *BEMIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 1456.

No. 96-8016. *HALPIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 139 F. 3d 310.

No. 96-8019. *FASHINA v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 97 F. 3d 1471.

No. 96-8021. *GARZA-NEVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 1134.

No. 96-8027. *CARRINGTON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 96 F. 3d 1.

No. 96-8029. *VISINTINE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 96-8033. *PHILLIPS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 125.

No. 96-8036. *HOWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 87 F. 3d 1214.

No. 96-8053. *TOKARS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 95 F. 3d 1520.

No. 96-1149. *TRUSTEES OF TEAMSTERS PENSION TRUST FUND OF PHILADELPHIA AND VICINITY ET AL. v. FEDERAL EXPRESS CORP. ET AL.* C. A. 3d Cir. Motion of National Coordinating Committee for Multiemployer Plans for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 96 F. 3d 1432.

No. 96-1307. *DUNCAN, WARDEN v. BAYLOR*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 94 F. 3d 1321.

No. 96-1330. *BLACK v. UNITED STATES*. C. A. 7th Cir. Certiorari before judgment denied.

No. 96-8320 (A-670). *MEDINA v. FLORIDA*. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 690 So. 2d 1241.

No. 96-8321 (A-671). *MEDINA v. FLORIDA*. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 690 So. 2d 1255.

No. 96-8359 (A-676). *MEDINA v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 109 F. 3d 1556.

Rehearing Denied

No. 96-6659. *SCOTT v. RECESSION HEARING OFFICIAL ET AL.*, 519 U. S. 1095;

No. 96-6684. *BAST v. GLASBERG ET AL.*, 519 U. S. 1095;

No. 96-6973. *FLEMING v. UNITED STATES*, 519 U. S. 1083;

No. 96-7290. *FOSTER v. GIANT FOOD, INC.*, 519 U. S. 1153;

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No. 96-7343. SCHWARZ *v.* CLINTON ET AL., 519 U. S. 1135;
No. 96-7539. IN RE VISINTINE, 519 U. S. 1107; and
No. 96-7570. FOSTER *v.* UNITED STATES MARSHALS SERVICE,
519 U. S. 1154. Petitions for rehearing denied.

No. 96-6786. BURTON *v.* BURTON, 519 U. S. 1082. Motion for
leave to file petition for rehearing denied.

MARCH 28, 1997

Dismissal Under Rule 46

No. 96-1216. JANE PHILLIPS EPISCOPAL MEMORIAL MEDICAL
CENTER ET AL. *v.* RISHELL, CURATOR OF THE PERSON AND ES-
TATE OF LACEY, AN INCAPACITATED PERSON. C. A. 10th Cir.
Certiorari dismissed only as to Jane Phillips Episcopal Memorial
Medical Center under this Court's Rule 46. Reported below: 94
F. 3d 1407.

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Dismissal Under Rule 46

No. 96-1327. BASKIN *v.* BATH TOWNSHIP BOARD OF ZONING
APPEALS ET AL. C. A. 6th Cir. Certiorari dismissed under this
Court's Rule 46.1. Reported below: 101 F. 3d 702.

Certiorari Granted—Reversed. (See No. 96-858, *ante*, p. 292.)

Miscellaneous Orders

No. D-1769. IN RE DISBARMENT OF DAVISON. Disbarment
entered. [For earlier order herein, see 519 U. S. 1104.]

No. D-1771. IN RE DISBARMENT OF LYNN. Disbarment en-
tered. [For earlier order herein, see 519 U. S. 1104.]

No. D-1774. IN RE DISBARMENT OF McDONALD. Disbarment
entered. [For earlier order herein, see 519 U. S. 1105.]

No. D-1791. IN RE DISBARMENT OF GROWNEY. William Ed-
ward Grownney, of Pacifica, 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. D-1792. *IN RE DISBARMENT OF SANDS*. Henry William Sands, 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-1793. *IN RE DISBARMENT OF BOEHME*. Harry Boehme, Jr., of Miami, Fla., 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-1794. *IN RE DISBARMENT OF ECHOLS*. Hugh T. Echols, of Houston, 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-1796. *IN RE DISBARMENT OF HAMILTON*. Jim D. Hamilton, of Houston, 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. M-67. *WILLIAMS v. BORG & WARNER AUTOMOTIVE ELECTRONICS & MECHANICAL SYSTEMS CORP.*;

No. M-68. *BABIGIAN v. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES, ET AL.*; and

No. M-69. *ROWLS v. RUNYON, POSTMASTER GENERAL*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 95-728. *WARNER-JENKINSON CO., INC. v. HILTON DAVIS CHEMICAL CO.*, *ante*, p. 17. In this case, the parties shall bear their own costs.

No. 95-1081. *INGALLS SHIPBUILDING, INC., ET AL. v. DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL.*, 519 U. S. 248. Motion of respondent Maggie Yates for attorney's fees and expenses denied without

*[REPORTER'S NOTE: This order was vacated on April 14, 1997, see *post*, p. 1164.]

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prejudice to refile in the United States Court of Appeals for the Fifth Circuit.

No. 95-1918. ARKANSAS *v.* FARM CREDIT SERVICES OF CENTRAL ARKANSAS ET AL. C. A. 8th Cir. [Certiorari granted, 519 U.S. 1085.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-552. AGOSTINI ET AL. *v.* FELTON ET AL.; and

No. 96-553. CHANCELLOR, BOARD OF EDUCATION OF THE CITY OF NEW YORK, ET AL. *v.* FELTON ET AL. C. A. 2d Cir. [Certiorari granted, 519 U.S. 1086.] Motion of the Acting Solicitor General for divided argument granted.

No. 96-663. KLEHR ET UX. *v.* A. O. SMITH CORP. ET AL. C. A. 8th Cir. [Certiorari granted, 519 U.S. 1073.] Motion of American Council of Life Insurance et al. for leave to participate in oral argument as *amici curiae* denied.

No. 96-5955. RICHARDS *v.* WISCONSIN. Sup. Ct. Wis. [Certiorari granted, 519 U.S. 1052.] Motion of Wayne County, Michigan, for leave to file a brief as *amicus curiae* denied.

No. 96-1177. IN RE CONSTANT; and

No. 96-1178. IN RE CONSTANT. Petitions for writs of mandamus denied.

Certiorari Granted

No. 96-957. JEFFERSON, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF JEFFERSON, DECEASED, ET AL. *v.* CITY OF TARRANT, ALABAMA. Sup. Ct. Ala. Certiorari granted limited to the following question: "Whether, when a decedent's death is alleged to have resulted from a deprivation of federal rights occurring in Alabama, the Alabama Wrongful Death Act, Ala. Code §6-5-410 (1993), governs the recovery by the representative of the decedent's estate under 42 U.S.C. § 1983?" Reported below: 682 So. 2d 29.

No. 96-6839. ALMENDAREZ-TORRES *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 113 F. 3d 515.

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Certiorari Denied

No. 96-859. STEVEDORING SERVICES OF AMERICA ET AL. *v.* DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 86 F. 3d 895.

No. 96-1052. TAK HOW INVESTMENT LTD. *v.* NOWAK, ADMINISTRATOR OF THE ESTATE OF NOWAK, DECEASED, ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 94 F. 3d 708.

No. 96-1093. CRYO-TRANS, INC. *v.* GENERAL AMERICAN TRANSPORTATION CORP. C. A. Fed. Cir. Certiorari denied. Reported below: 93 F. 3d 766.

No. 96-1098. TOPP *v.* IDAHO STATE BAR. Sup. Ct. Idaho. Certiorari denied. Reported below: 129 Idaho 414, 925 P. 2d 1113.

No. 96-1156. PRESBYTERY OF NEW JERSEY OF THE ORTHODOX PRESBYTERIAN CHURCH ET AL. *v.* WHITMAN, GOVERNOR OF NEW JERSEY, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 99 F. 3d 101.

No. 96-1165. UNITED ARTISTS THEATRE CIRCUIT, INC., ET AL. *v.* KAHN, DIRECTOR, NEW ORLEANS DEPARTMENT OF FINANCE. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 698.

No. 96-1180. ROYAL KING FISHERIES ET AL. *v.* FUSZEK. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 514.

No. 96-1181. PENNSYLVANIA PUBLIC UTILITY COMMISSION *v.* CITY OF PHILADELPHIA ET AL. Commw. Ct. Pa. Certiorari denied. Reported below: 676 A. 2d 1298.

No. 96-1182. ANDERSON *v.* HOLIFIELD ET UX. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 96-1190. KERN *v.* CITY OF ROCHESTER ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 93 F. 3d 38.

No. 96-1193. BEARDS ET VIR *v.* BIBLE WAY CHURCH OF OUR LORD JESUS CHRIST OF THE APOSTOLIC FAITH OF WASHINGTON, D. C., ET AL. Ct. App. D. C. Certiorari denied. Reported below: 680 A. 2d 419.

No. 96-1195. H&D ENTERTAINMENT, INC., ET AL. *v.* FLEET NATIONAL BANK ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 96 F. 3d 532.

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No. 96-1197. *GOEHRING ET AL. v. DEL JUNCO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 94 F. 3d 1294.

No. 96-1199. *MULLER, A MINOR CHILD, BY HIS PARENTS AND NEXT FRIENDS, MULLER ET AL. v. JEFFERSON LIGHTHOUSE SCHOOL ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 98 F. 3d 1530.

No. 96-1208. *MEEHAN v. TOWN OF EAST LYME ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 352.

No. 96-1214. *CRANE v. OLSTEN STAFFING SERVICES ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 686 So. 2d 757.

No. 96-1218. *LAFAYETTE MOREHOUSE, INC., ET AL. v. COUNTY OF CONTRA COSTA.* Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 45 Cal. 4th 1335, 53 Cal. Rptr. 2d 647.

No. 96-1219. *MICHIGAN DOCUMENT SERVICES, INC., ET AL. v. PRINCETON UNIVERSITY PRESS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1381.

No. 96-1239. *NUNES v. FLORIDA BAR.* Sup. Ct. Fla. Certiorari denied. Reported below: 679 So. 2d 744.

No. 96-1282. *DANIELS v. UNITED STATES POSTAL SERVICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 92 F. 3d 1207.

No. 96-1305. *HAMPTON v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 281 Ill. App. 3d 1140, 701 N. E. 2d 840.

No. 96-1308. *LOVELL v. HURFORD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 656.

No. 96-1313. *DODSON v. RUNYON, POSTMASTER GENERAL.* C. A. 2d Cir. Certiorari denied. Reported below: 86 F. 3d 37.

No. 96-1333. *YOUNG v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-1350. *FARLEY v. CESSNA AIRCRAFT Co.* C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 690.

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No. 96-1353. *GLOVER ET AL. v. DURHAM*. C. A. 6th Cir. Certiorari denied. Reported below: 97 F. 3d 862.

No. 96-6869. *ABDUL-SALAAM v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 544 Pa. 514, 678 A. 2d 342.

No. 96-6887. *SAMUEL v. DUNCAN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 92 F. 3d 1194.

No. 96-6914. *ULLOA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 94 F. 3d 949.

No. 96-6927. *HILL v. MCKEE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 89 F. 3d 834.

No. 96-7217. *LOSADA v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 1149.

No. 96-7276. *MILLER v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 173 Ill. 2d 167, 670 N. E. 2d 721.

No. 96-7422. *MARSHALL v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 13 Cal. 4th 799, 919 P. 2d 1280.

No. 96-7454. *UWAGBALE v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 5th Cir. Certiorari denied.

No. 96-7628. *RICOTTA v. RICOTTA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-7636. *ROSE v. WOODS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 53.

No. 96-7643. *JAMES v. MCCLAIN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 96-7647. *MUSE v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 125.

No. 96-7651. *STONE v. BYRD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 652.

No. 96-7655. *JUDY v. HINCKLEY ET AL.* C. A. 10th Cir. Certiorari denied.

No. 96-7656. *AZUBUKO v. REGISTRAR OF MOTOR VEHICLES*. C. A. 1st Cir. Certiorari denied. Reported below: 95 F. 3d 1146.

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No. 96-7660. *COLE v. DICKMAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 101 F. 3d 702.

No. 96-7665. *LOWELL v. PRUNTY, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 1358.

No. 96-7671. *WILLIAMS v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* (two judgments). C. A. 11th Cir. Certiorari denied.

No. 96-7675. *FREDERICK v. COLUMBIA CORRECTIONAL INSTITUTION ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 204 Wis. 2d 109, 552 N. W. 2d 897.

No. 96-7676. *EDMOND v. MARTIN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 952.

No. 96-7682. *FOX v. LOVE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, PENNSYLVANIA.* C. A. 3d Cir. Certiorari denied.

No. 96-7689. *CLIFF v. NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 230 App. Div. 2d 865, 646 N. Y. S. 2d 834.

No. 96-7694. *PORTER v. SENKOWSKI, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 96-7696. *PARSONS v. BASF CORP. ET AL.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 676 So. 2d 1199.

No. 96-7699. *MADRID v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-7707. *PICKENS v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 708.

No. 96-7712. *GOONEWARDENA v. UNIVERSITY OF MINNESOTA ET AL.* Ct. App. Minn. Certiorari denied.

No. 96-7713. *NORWOOD v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 344 N. C. 511, 476 S. E. 2d 349.

No. 96-7714. *JOHNSON v. EN VOGUE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 1342.

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No. 96-7715. *LIGONS v. MOORE ET AL.* Ct. App. Minn. Certiorari denied.

No. 96-7716. *DOBOS v. CIVIL SERVICE COMMISSION OF THE COUNTY OF LOS ANGELES.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-7717. *DURHAM v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied. Reported below: 682 So. 2d 1099.

No. 96-7780. *LORENZ v. MARTIN MARIETTA CORP., INC.* Ct. App. Colo. Certiorari denied.

No. 96-7827. *MORRIS v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 96-7839. *TOTORO v. H. A. DEHART & SON, INC., ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 96-7845. *GONZALES v. THOMAS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 99 F. 3d 978.

No. 96-7877. *LUTALO v. WALKER, SUPERINTENDENT, MARION CORRECTIONAL INSTITUTION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 98 F. 3d 1335.

No. 96-7891. *HUIE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 698.

No. 96-7893. *FOSTER v. WOLF, JUDGE, DISTRICT OF COLUMBIA SUPERIOR COURT.* C. A. D. C. Cir. Certiorari denied.

No. 96-7911. *SCOTT v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 120.

No. 96-7920. *JAE v. KESSLER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 690.

No. 96-7928. *POLLARD v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 370.

No. 96-7956. *AGCAOILI v. BROWN, SECRETARY OF VETERANS AFFAIRS.* C. A. 2d Cir. Certiorari denied.

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No. 96-7966. *GOMES v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1473, 930 P. 2d 701.

No. 96-7974. *BRANDENBURG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 1456.

No. 96-7980. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 127.

No. 96-8000. *SULLIVAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 98 F. 3d 686.

No. 96-8002. *TAVARES v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 100 F. 3d 995.

No. 96-8017. *GLANT v. FLORIDA BAR*. Sup. Ct. Fla. Certiorari denied. Reported below: 684 So. 2d 723.

No. 96-8020. *FARRUGIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 156.

No. 96-8037. *DEVIN v. BARNETT, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 101 F. 3d 1206.

No. 96-8039. *ORTIZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 370.

No. 96-8041. *BEATY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1347.

No. 96-8043. *SMITH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 101 F. 3d 202.

No. 96-8044. *LEIPHARDT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 93 F. 3d 1390.

No. 96-8049. *GOMEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 96-8057. *CURRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 121.

No. 96-8059. *BARNES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 101 F. 3d 1263.

No. 96-8060. *ALEXANDER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 1131.

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No. 96-8062. *SAFFORD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 103 F. 3d 136.

No. 96-8063. *PETERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 375.

No. 96-8065. *ROGERS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 355.

No. 96-8066. *DOMINGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 126.

No. 96-8067. *GOGGINS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 99 F. 3d 116.

No. 96-8069. *TAYLOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 96 F. 3d 1455.

No. 96-8071. *LAWUARY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 103 F. 3d 135.

No. 96-8074. *REED v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 F. 3d 82.

No. 96-8079. *BUENO-SIERRA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 375.

No. 96-8082. *BRUMFIELD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 103 F. 3d 145.

No. 96-8083. *RODRIGUEZ-MERAZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 414.

No. 96-8091. *ESCOBAR-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 652.

No. 96-8092. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 105 F. 3d 671.

No. 96-8097. *LUCK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 1457.

No. 96-8098. *MCCLAIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 957.

No. 96-8115. *CLEMONS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 282 Ill. App. 3d 1100, 707 N. E. 2d 294.

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No. 96-8116. *YOUNG v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 104 F. 3d 1407.

No. 96-8122. *MAYS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 142.

No. 96-8132. *JUVENILE MALE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 126.

No. 96-723. *LUCKY STORES, INC. v. HOLIHAN*. C. A. 9th Cir. Motion of Equal Employment Advisory Council for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 87 F. 3d 362.

No. 96-1004. *SHEPPARD v. DIAZ*. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 85 F. 3d 1502.

No. 96-8058. *PALMER v. UNITED STATES*. Ct. App. D. C. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 683 A. 2d 61.

Rehearing Denied

No. 96-791. *DAVIS v. WONDERLAND GREYHOUND PARK, INC., ET AL.*, 519 U. S. 1109;

No. 96-5594. *CALDER v. ARMSTRONG ET AL.*, 519 U. S. 1078;

No. 96-6604. *CRAWFORD v. BEXAR COUNTY TAX OFFICE ET AL.*, 519 U. S. 1080;

No. 96-6712. *PERRYMAN v. PRADO, JUDGE, UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS*, 519 U. S. 1066;

No. 96-6821. *PIOTEREK v. LABOR AND INDUSTRY REVIEW COMMISSION ET AL.*, 519 U. S. 1097;

No. 96-6832. *COLLIGAN v. TRANS WORLD AIRLINES*, 519 U. S. 1097; and

No. 96-7261. *OLSEN v. FLORIDA*, 519 U. S. 1133. Petitions for rehearing denied.

APRIL 2, 1997

Certiorari Denied

No. 96-8463 (A-704). *HERMAN v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented

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to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

APRIL 3, 1997

Certiorari Denied

No. 96–8486 (A–710). SPENCE *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

No. 96–8487 (A–711). SPENCE *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

APRIL 8, 1997

Miscellaneous Order

No. 96–8400 (A–695). BUCHANAN *v.* ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted pending the disposition by this Court of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay terminates automatically. In the event the petition for writ of certiorari is granted, this stay shall continue pending the sending down of the judgment of this Court.

APRIL 11, 1997

*Miscellaneous Orders**

No. 96–454. ASSOCIATES COMMERCIAL CORP. *v.* RASH ET UX. C. A. 5th Cir. [Certiorari granted, 519 U. S. 1086.] Motion of National Association of Consumer Bankruptcy Attorneys, Inc., for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

*For the Court's orders prescribing amendments to the Federal Rules of Bankruptcy Procedure, see *post*, p. 1287; amendments to the Federal Rules of Civil Procedure, see *post*, p. 1307; amendments to the Federal Rules of Criminal Procedure, see *post*, p. 1315; and amendments to the Federal Rules of Evidence, see *post*, p. 1325.

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Miscellaneous Orders. (See also No. 96-8005, *ante*, p. 303.)

No. D-1796. *IN RE DISBARMENT OF HAMILTON.* Due to mistaken identity, the order entered March 31, 1997 [*ante*, p. 1153], is vacated, and the rule to show cause is discharged.

No. A-687. *BANKS v. RANDOLPH.* Super. Ct. D. C. Application for stay, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

No. M-70. *ADAMS ET UX. v. MOORE ET AL.*;

No. M-71. *HARRINGTON v. ATTORNEY GENERAL OF NORTH CAROLINA*;

No. M-72. *AL-HAKIM v. FLORIDA ET AL.*; and

No. M-73. *BARTLETT v. UNITED STATES.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

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.* D. C. D. C. [Probable jurisdiction noted, 517 U.S. 1232.] Motion of Harris County, Texas, et al. for leave to file a brief as *amici curiae* denied.

No. 96-7826. *MCCREA v. ANDREWS FEDERAL CREDIT UNION.* Super. Ct. N. J., App. Div.;

No. 96-7872. *GRAHAM-WEBER v. COUNTY OF ESSEX ET AL.* C. A. 3d Cir.; and

No. 96-7960. *MARMOLEJO v. UNITED STATES.* C. A. 5th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until May 5, 1997, within which to pay the docketing fee required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 96-8233. *IN RE STONE.* Petition for writ of habeas corpus denied.

No. 96-8119. *IN RE EIDSON.* Petition for writ of prohibition denied.

Certiorari Granted

No. 96-910. *CITY OF CHICAGO ET AL. v. INTERNATIONAL COLLEGE OF SURGEONS ET AL.* C. A. 7th Cir. Certiorari granted. Reported below: 91 F. 3d 981.

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No. 96-976. HUDSON ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari granted. Reported below: 92 F. 3d 1026.

No. 96-7171. SPENCER *v.* KEMNA, SUPERINTENDENT, WESTERN MISSOURI CORRECTIONAL CENTER, ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 91 F. 3d 1114.

Certiorari Denied

No. 96-388. SKINNER *v.* CITY OF MIAMI. C. A. 11th Cir. Certiorari denied. Reported below: 62 F. 3d 344.

No. 96-889. PRINCE GEORGE'S COUNTY ET AL. *v.* ALEXANDER ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 95 F. 3d 312.

No. 96-930. MIDWEST INVESTMENTS ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 6th Cir. Certiorari denied. Reported below: 85 F. 3d 630.

No. 96-986. BELLER *v.* UNITED STATES; and

No. 96-7338. COFFMAN *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 94 F. 3d 330.

No. 96-1044. CEDC FEDERAL CREDIT UNION *v.* NATIONAL CREDIT UNION ADMINISTRATION. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 351.

No. 96-1080. CLEMENT *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 96-1101. SILMON *v.* FIRST BANCORP OF LOUISIANA, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 96 F. 3d 1444.

No. 96-1143. COKER *v.* DOUGLAS ET AL. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 96-1171. SMITH *v.* ALABAMA AVIATION AND TECHNICAL COLLEGE ET AL. Sup. Ct. Ala. Certiorari denied. Reported below: 683 So. 2d 431.

No. 96-1174. NIELSEN *v.* INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS, LOCAL LODGE 2569, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 94 F. 3d 1107.

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No. 96–1201. *STATEWIDE REAPPORTIONMENT ADVISORY COMMITTEE v. BEASLEY, GOVERNOR OF SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 134.

No. 96–1207. *MILLER ET AL. v. SCHOEMEHL ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 93 F. 3d 449.

No. 96–1216. *WELLSHEAR v. RISHELL, CURATOR OF THE PERSON AND ESTATE OF LACEY, AN INCAPACITATED PERSON.* C. A. 10th Cir. Certiorari denied. Reported below: 94 F. 3d 1407.

No. 96–1224. *MEYERS v. NORFOLK & WESTERN RAILWAY CO.* C. A. 6th Cir. Certiorari denied. Reported below: 97 F. 3d 1452.

No. 96–1227. *RED ROCK COMMODITIES, LTD., ET AL. v. ABN-AMRO BANK, N. A.* C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 1394.

No. 96–1233. *THORN AMERICAS, INC., FKA RENT-A-CENTER, INC., ET AL. v. FOGIE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 95 F. 3d 645.

No. 96–1234. *RAYNOR, A MINOR, BY HER FATHER, RAYNOR, ET AL. v. MARYLAND DEPARTMENT OF HEALTH AND MENTAL HYGIENE.* Ct. Sp. App. Md. Certiorari denied. Reported below: 110 Md. App. 165, 676 A. 2d 978.

No. 96–1243. *CARLEN v. DEPARTMENT OF HEALTH SERVICES OF SUFFOLK COUNTY, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 351.

No. 96–1246. *EASTERDAY v. GILBERT, SHERIFF, OKALOOSA COUNTY, FLORIDA.* C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 709.

No. 96–1251. *BROCK v. CATERPILLAR, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 94 F. 3d 220.

No. 96–1253. *WEAVER v. WEAVER.* Ct. App. Kan. Certiorari denied. Reported below: 22 Kan. App. 2d —, 923 P. 2d 523.

No. 96–1257. *BONNELL v. AMTEX, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 1154.

No. 96–1258. *ATLAS TURNER, INC. v. STRAUB ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 407.

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No. 96-1261. ATLANTIC COAST LIFE INSURANCE CO. ET AL. *v.* SHAW ET UX. Ct. App. S. C. Certiorari denied. Reported below: 322 S. C. 139, 470 S. E. 2d 382.

No. 96-1263. OI-NEG TV PRODUCTS, INC. *v.* DURKO; and
No. 96-1273. GLASS, MOLDERS, POTTERY, PLASTICS & ALLIED WORKERS INTERNATIONAL AFL-CIO, CLC, No. 243 *v.* DURKO. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 112.

No. 96-1265. ARIZONA *v.* MENDOZA DUARTE. Ct. App. Ariz. Certiorari denied.

No. 96-1270. TEI FU CHEN ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 1495.

No. 96-1272. KAHN *v.* EMERSON ELECTRIC CO. ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 95 F. 3d 1166.

No. 96-1277. BRANCH *v.* TOWER AIR, INC., ET AL. C. A. 2d Cir. Certiorari denied.

No. 96-1278. CLARK ET UX. *v.* CITY OF HERMOSA BEACH ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 48 Cal. App. 4th 1152, 56 Cal. Rptr. 2d 223.

No. 96-1281. GULF BEACH HOTEL, INC. *v.* HILTON INNS, INC. C. A. 9th Cir. Certiorari denied. Reported below: 94 F. 3d 651.

No. 96-1284. CARMAN *v.* TEXAS (two judgments). Ct. App. Tex., 7th Dist. Certiorari denied.

No. 96-1288. MACCAFERRI GABIONS, INC. *v.* WILKINSON & JENKINS CONSTRUCTION Co., INC., ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 91 F. 3d 1431.

No. 96-1296. HORTON *v.* UNION RECOVERY LIMITED PARTNERSHIP. Sup. Ct. Va. Certiorari denied. Reported below: 252 Va. 418, 477 S. E. 2d 521.

No. 96-1301. JENSEN *v.* GOULD. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 96-1309. ZAFIRATOS *v.* MONROE TOWNSHIP ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 694.

No. 96-1319. MERIT CONTRACTING, INC. *v.* ROBERTS & SCHAEFER Co. C. A. 7th Cir. Certiorari denied. Reported below: 99 F. 3d 248.

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No. 96-1320. *EMERICK v. UNITED TECHNOLOGIES CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 353.

No. 96-1325. *MOUNT JUNEAU ENTERPRISES, INC., ET AL. v. CITY AND BOROUGH OF JUNEAU ET AL.* Sup. Ct. Alaska. Certiorari denied. Reported below: 923 P. 2d 768.

No. 96-1334. *MATTOX ET VIR v. DALLAS BOARD OF ADJUSTMENTS.* C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 953.

No. 96-1338. *PRESTONWOOD GOLF CLUB CORP., DBA PRESTONWOOD COUNTRY CLUB v. NIEDERLITZ ET UX.* C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 954.

No. 96-1340. *GREEN ET VIR v. DOLSKY ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 546 Pa. 400, 685 A. 2d 110.

No. 96-1344. *CONFEDERATED TRIBES OF THE CHEHALIS INDIAN RESERVATION ET AL. v. WASHINGTON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 96 F. 3d 334.

No. 96-1348. *STEAMSHIP MUTUAL UNDERWRITING ASSN. (BERMUDA) LTD. v. BARIS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 367.

No. 96-1349. *SIMMONS v. BURNS, COMMISSIONER, CONNECTICUT DEPARTMENT OF TRANSPORTATION.* C. A. 2d Cir. Certiorari denied.

No. 96-1351. *LAWS, TRUSTEE v. UNITED MISSOURI BANK OF KANSAS CITY, N. A.* C. A. 8th Cir. Certiorari denied. Reported below: 98 F. 3d 1047.

No. 96-1354. *CATZ v. McDONALD, TRIAL COMMISSIONER, DOMESTIC RELATIONS DIVISION OF THE SUPERIOR COURT IN AND FOR THE COUNTY OF PIMA, ARIZONA (CHALKER, REAL PARTY IN INTEREST), ET AL.* Ct. App. Ariz. Certiorari denied.

No. 96-1360. *CLEMENTS v. BABCOCK & WILCOX CO. ET AL.* C. A. 4th Cir. Certiorari denied.

No. 96-1362. *CLOROX CO. v. HAILE.* C. A. D. C. Cir. Certiorari denied.

No. 96-1368. *VAN SCOY ET AL. v. SHELL OIL CO.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1348.

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No. 96-1369. *VAN SCOY v. SHELL OIL Co.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1348.

No. 96-1372. *STAHL v. DIRECTOR, CENTRAL INTELLIGENCE AGENCY.* C. A. 11th Cir. Certiorari denied. Reported below: 98 F. 3d 1354.

No. 96-1376. *LORENZ ET AL. v. COLORADO.* Sup. Ct. Colo. Certiorari denied. Reported below: 928 P. 2d 1274.

No. 96-1385. *HOUSE THE HOMELESS, INC., ET AL. v. WIDNALL, SECRETARY OF THE AIR FORCE, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 94 F. 3d 176.

No. 96-1387. *CRAWFORD, INDIVIDUALLY AND ON BEHALF OF HER DECEASED HUSBAND, CRAWFORD, ET AL. v. MARTIN-MARIETTA TECHNOLOGIES, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 550.

No. 96-1401. *DIMENSIONS MEDICAL CENTER, LTD. v. ILLINOIS HEALTH FACILITIES PLANNING BOARD ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 282 Ill. App. 3d 1094, 707 N. E. 2d 291.

No. 96-1402. *CLAY v. COUNCIL OF THE DISTRICT OF COLUMBIA.* Ct. App. D. C. Certiorari denied. Reported below: 683 A. 2d 1385.

No. 96-1410. *ANDERSON ET AL. v. LAS VEGAS TRIBE OF PAI-UTE INDIANS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 137.

No. 96-1413. *LEIDNER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 99 F. 3d 1423.

No. 96-1414. *PALADIN v. FINNERTY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 356.

No. 96-1416. *WRIGHT v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 96-1419. *FELDMAN, AKA FLEMING, AKA GIVNER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 103 F. 3d 149.

No. 96-1420. *CVIJANOVIC v. LORAL CORP. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 96 F. 3d 1438.

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No. 96-1431. *DAY v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 682 A. 2d 1125.

No. 96-1435. *PICKETT v. AMERICAN BREEDERS SERVICE*. Cir. Ct. Frederick County, Md. Certiorari denied.

No. 96-1436. *DE WIEST v. DEHAENE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 370.

No. 96-1438. *JENKINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 92 F. 3d 430.

No. 96-1439. *LYNCH ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 357.

No. 96-1445. *DOLAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1140.

No. 96-1446. *AHERN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 92 F. 3d 1187.

No. 96-1449. *PATRICK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1140.

No. 96-1453. *SCANLIN v. COOPER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 96 F. 3d 1434.

No. 96-1492. *EDWARDS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 98 F. 3d 1364.

No. 96-6978. *SANTOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 93 F. 3d 761.

No. 96-7196. *DAVIS v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 684 So. 2d 643.

No. 96-7233. *BOWERS ET AL. v. SATURN GENERAL MOTORS CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 95 F. 3d 1152.

No. 96-7257. *HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 92 F. 3d 309.

No. 96-7269. *FORSMAN v. CHATER, COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 151.

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No. 96-7353. *JEWITT v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 96-7411. *SMITH v. CHATER, COMMISSIONER OF SOCIAL SECURITY* (two judgments). C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 948.

No. 96-7439. *STOWE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 100 F. 3d 494.

No. 96-7491. *GOFF v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 931 S. W. 2d 537.

No. 96-7532. *WINDSOR v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 683 So. 2d 1042.

No. 96-7575. *JACKSON v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 684 A. 2d 745.

No. 96-7701. *CLARK v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 668 N. E. 2d 1206.

No. 96-7709. *DUDLEY v. JOHNSON*. C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 1134.

No. 96-7727. *LEDING v. OKLAHOMA ET AL.* Sup. Ct. Okla. Certiorari denied.

No. 96-7729. *PARKER v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 94 F. 3d 458.

No. 96-7747. *HICKS v. PRINCE GRAVES HOMES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 118.

No. 96-7748. *FIDIS v. LAKESIDE MEDICAL CENTER*. C. A. 7th Cir. Certiorari denied. Reported below: 95 F. 3d 1154.

No. 96-7749. *FORMICA v. TOWN OF HUNTINGTON, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 350.

No. 96-7751. *HOGAN v. HANKS, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL INSTITUTE, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 97 F. 3d 189.

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No. 96-7753. *DAVIS v. HUDGINS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 87 F. 3d 1308.

No. 96-7754. *HAWKINS v. UZZELL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 278 Ill. App. 3d 1124, 699 N. E. 2d 602.

No. 96-7760. *FLOWERS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 96-7761. *HOUSE v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 96-7765. *AINSWORTH v. STATE BAR OF CALIFORNIA ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 96-7769. *WILKINSON v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 683 So. 2d 496.

No. 96-7772. *BRIDGEWATER v. HARDISON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 961.

No. 96-7774. *BURNETT v. EASTERN UPPER PENINSULA MENTAL HEALTH CENTER ET AL.* Ct. App. Mich. Certiorari denied.

No. 96-7775. *JASPER v. HEDGEPEETH.* C. A. 8th Cir. Certiorari denied.

No. 96-7777. *JOSEPH v. HARDISON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 961.

No. 96-7779. *MOORE v. PERRIN ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 683 So. 2d 484.

No. 96-7782. *GREEN v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-7783. *EDDMONDS v. WASHINGTON, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS.* C. A. 7th Cir. Certiorari denied. Reported below: 93 F. 3d 1307.

No. 96-7787. *HICKMON v. BARNETT.* Sup. Ct. S. C. Certiorari denied.

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No. 96-7790. *McREYNOLDS v. GANGEL-JACOB*, JUSTICE, APPELLATE DIVISION, SUPREME COURT OF NEW YORK, FIRST JUDICIAL DEPARTMENT. C. A. 2d Cir. Certiorari denied.

No. 96-7792. *TYLER v. SCHRIRO*, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL. Cir. Ct. Washington County, Mo. Certiorari denied.

No. 96-7793. *PONDER v. DYE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-7798. *COCKRELL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 933 S. W. 2d 73.

No. 96-7799. *ADAMS v. DUNCAN*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 961.

No. 96-7802. *POWELL v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 96-7804. *CARRAWAY v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 96-7807. *BELDOTTI v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 41 Mass. App. 185, 669 N. E. 2d 222.

No. 96-7818. *ROSE v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 53.

No. 96-7823. *WORATZECK v. STEWART*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 329.

No. 96-7829. *MARQUEZ v. DORSEY*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 100 F. 3d 967.

No. 96-7830. *JONES v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 96-7831. *SMART v. BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 96-7844. *FERRELL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 686 So. 2d 1324.

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No. 96-7848. *HEARN v. VEASY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 83 F. 3d 422.

No. 96-7849. *HARRIS v. CUYAHOGA COUNTY, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 983 F. 2d 1066.

No. 96-7850. *DAVIS v. PRICE, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 96 F. 3d 1441.

No. 96-7851. *COLE v. IRVIN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 96 F. 3d 1450.

No. 96-7852. *CRAIG v. LEE ROSENBAUM & ASSOCIATES, P. C., ET AL.* C. A. 10th Cir. Certiorari denied.

No. 96-7853. *CLARK v. SIKES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 96-7856. *GLENDORA v. CABLEVISION SYSTEMS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 503.

No. 96-7858. *RISLEY v. FAUNCE, ADMINISTRATOR, BAYSIDE STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 113.

No. 96-7862. *REYES v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 545 Pa. 374, 681 A. 2d 724.

No. 96-7865. *MAXWELL v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 173 Ill. 2d 102, 670 N. E. 2d 679.

No. 96-7866. *MARSHALL v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 554.

No. 96-7869. *COVELLI v. CRYSTAL, CONNECTICUT COMMISSIONER OF REVENUE SERVICES.* Sup. Ct. Conn. Certiorari denied. Reported below: 239 Conn. 257, 683 A. 2d 737.

No. 96-7871. *FLETCHER v. SCHINDLER ELEVATOR CORP. ET AL.* C. A. 5th Cir. Certiorari denied.

No. 96-7874. *CARTER v. OHIO.* Ct. App. Ohio, Paulding County. Certiorari denied.

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No. 96-7878. *MAXWELL v. TEXAS*. Ct. App. Tex., 7th Dist. Certiorari denied.

No. 96-7882. *CARNER v. TOWNSEND ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 128.

No. 96-7883. *BARRETT v. ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 96-7885. *TURNER v. TERRITORY OF GUAM*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 408.

No. 96-7888. *GARRETT v. MOORE MCCORMACK RESOURCES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 104 F. 3d 361.

No. 96-7900. *WASHINGTON v. CITY OF JACKSONVILLE, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 1468.

No. 96-7902. *WALKER v. CHATER, COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied. Reported below: 92 F. 3d 1195.

No. 96-7926. *SEILER v. THALACKER, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 101 F. 3d 536.

No. 96-7929. *PEREZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 1132.

No. 96-7932. *SCHWARZ v. OFFICE OF GOVERNMENT ETHICS*. C. A. D. C. Cir. Certiorari denied.

No. 96-7940. *HAMILTON v. KOONS STERLING FORD*. Sup. Ct. Va. Certiorari denied.

No. 96-7943. *SCHWARZ v. COMMISSION ON CIVIL RIGHTS*. C. A. D. C. Cir. Certiorari denied. Reported below: 102 F. 3d 1272.

No. 96-7945. *SCHWARZ v. WOODRUFF, INC.* Ct. App. Utah. Certiorari denied.

No. 96-7946. *SCHWARZ v. WOODRUFF, INC., ET AL.* Ct. App. Utah. Certiorari denied.

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No. 96-7952. *RUNNELS v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 96-7953. *RHODEN v. MORGAN, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 97 F. 3d 1452.

No. 96-7955. *BUTLER v. MERCHANTS BANK & TRUST CO.* C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 1148.

No. 96-7961. *MCCOLM v. JORDAN ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-7975. *ALEXANDER v. PREWITT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 79 F. 3d 1152.

No. 96-7996. *MOORE v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 250 Neb. 805 and 251 Neb. 162, 553 N. W. 2d 120.

No. 96-8006. *FIERRO RUIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 697.

No. 96-8015. *GOLDEN v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 96-8018. *ESPINOZA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 85 F. 3d 640.

No. 96-8022. *GREGORY v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 41 Mass. App. 1109, 671 N. E. 2d 223.

No. 96-8034. *GOODROAD v. DELANO ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 363.

No. 96-8054. *YOUNT v. FRANK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-8056. *SEAMON v. ROKOSIK ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 106 F. 3d 403.

No. 96-8070. *RAYMOND T. ET AL. v. LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 96–8073. *CROSBY v. MAZURKIEWICZ ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96–8075. *KIERSTEAD v. SUTER ET AL.* (two judgments). C. A. 3d Cir. Certiorari denied.

No. 96–8084. *REAGANS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 96–8089. *HAWKINS v. OHIO.* Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 96–8100. *SAULSGIVER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 115.

No. 96–8102. *WEEKLY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 274 Ill. App. 3d 1111, 691 N. E. 2d 1200.

No. 96–8106. *JACOBSON v. STEVENS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 100 F. 3d 969.

No. 96–8108. *CLARK v. LECUREUX, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 1341.

No. 96–8109. *ALTSCHUL v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 96–8110. *CRUTCHER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 96 F. 3d 1457.

No. 96–8117. *WHITE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 96–8123. *LEWIS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 104 F. 3d 690.

No. 96–8128. *CRAVEN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 695.

No. 96–8139. *NESBITT v. MEYER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 1130.

No. 96–8152. *PORTER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 105 F. 3d 660.

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No. 96-8153. *SPEARS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 122.

No. 96-8154. *CLARK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 96-8156. *JACKSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 96-8158. *ROGERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96-8159. *TUCKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 369.

No. 96-8162. *CHAVEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 370.

No. 96-8163. *BISHOP v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 141.

No. 96-8165. *BRADSHAW v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 102 F. 3d 204.

No. 96-8168. *MORALES v. FEDERAL BUREAU OF INVESTIGATION ET AL.* C. A. 2d Cir. Certiorari denied.

No. 96-8169. *MCCAULEY-BEY v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 1104.

No. 96-8171. *DURANT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 141.

No. 96-8173. *GANT v. DRUG ENFORCEMENT AGENCY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 117.

No. 96-8178. *DOCKETT v. HOFBAUER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 96-8179. *GODWIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 1155.

No. 96-8181. *DITTRICH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 100 F. 3d 84.

No. 96-8183. *FISHER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 127.

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No. 96-8185. *FRANKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 654.

No. 96-8186. *CUNNINGHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 370.

No. 96-8187. *PENNY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 96-8191. *STAPLEY v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 96-8193. *KING v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 651.

No. 96-8194. *LAWAL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 239.

No. 96-8197. *BROWN ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 1390.

No. 96-8199. *HARVEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1347.

No. 96-8200. *EDMONDS v. UNITED STATES POSTAL SERVICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 101 F. 3d 715.

No. 96-8201. *CAMPBELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 392.

No. 96-8202. *HAMMOND v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 387.

No. 96-8203. *WARE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 340.

No. 96-8205. *HAWKINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 102 F. 3d 973.

No. 96-8206. *BERGER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 67.

No. 96-8209. *JONES v. GROOSE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 96-8214. *BAKER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 98 F. 3d 330.

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No. 96-8215. *BALL v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 344 N. C. 290, 474 S. E. 2d 345.

No. 96-8216. *PENA-CASTREJON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 667.

No. 96-8218. *MULLANIX v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 323.

No. 96-8219. *LYONS v. HOFBAUER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 96-8221. *MITCHELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 1342.

No. 96-8222. *MCCROY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 102 F. 3d 239.

No. 96-8224. *ESPINOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 653.

No. 96-8225. *GETHERS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 684 A. 2d 1266.

No. 96-8227. *COLONEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 656.

No. 96-8228. *ADAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 120.

No. 96-8231. *BREEDLOVE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 F. 3d 366.

No. 96-8236. *KNIGHT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 96 F. 3d 307.

No. 96-8238. *LYNCH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 369.

No. 96-8243. *BARLOW v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 654.

No. 96-8245. *GRIFFIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 1341.

No. 96-8248. *GREEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 1131.

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No. 96-8253. WEST *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 96 F. 3d 1449.

No. 96-8254. YOUNG *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 470.

No. 96-8256. TAYLOR *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 869.

No. 96-8259. ARROYO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 654.

No. 96-8261. PORTILLO ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 394.

No. 96-8263. WHITE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 507.

No. 96-8266. CHORNEY *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 99 F. 3d 1128.

No. 96-8297. INGRAM *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 100 F. 3d 971.

No. 96-828. DRY CREEK RANCHERIA *v.* BRIDGET AND LUCY R., MINORS, ET AL. Ct. App. Cal., 2d App. Dist. Motion of respondents Bridget and Lucy R. for leave to proceed *in forma pauperis* granted. Motion of respondents Richard A. and Cindy R. for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 41 Cal. App. 4th 1483, 49 Cal. Rptr. 2d 507.

No. 96-1075. ERNST & YOUNG LLP *v.* MCGANN ET AL. C. A. 9th Cir. Motion of American Institute of Certified Public Accountants for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 102 F. 3d 390.

No. 96-1339. CALTEX PETROLEUM CORP. ET AL. *v.* BARIS ET AL. C. A. 5th Cir. Motion of American Petroleum Institute for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 101 F. 3d 367.

No. 96-1365. MILLER ET AL. *v.* BROWN ET AL. C. A. 10th Cir. Motion of American Hospital Association for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 101 F. 3d 1324.

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No. 96-1249. LOUISIANA *v.* DIVERS. Sup. Ct. La. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 681 So. 2d 320.

Rehearing Denied

No. 96-652. KUCHINSKAS ET AL. *v.* BROWARD COUNTY, 519 U. S. 1148;

No. 96-884. TAKAHASHI *v.* LIVINGSTON UNION SCHOOL DISTRICT ET AL., 519 U. S. 1112;

No. 96-891. JORDAN *v.* KENTON COUNTY BOARD OF EDUCATION ET AL., 519 U. S. 1142;

No. 96-905. CITY OF TULSA *v.* SPRADLING ET AL., 519 U. S. 1149;

No. 96-909. CHERRY *v.* ROCKING HORSE RIDGE ESTATES ASSN. ET AL., 519 U. S. 1113;

No. 96-933. SEEGER *v.* CHATER, COMMISSIONER OF SOCIAL SECURITY, 519 U. S. 1114;

No. 96-1045. GILL *v.* DALKON SHIELD CLAIMANTS TRUST, 519 U. S. 1150;

No. 96-1068. CASTRO *v.* UNITED STATES, 519 U. S. 1118;

No. 96-1074. DAVIS *v.* HANOVER INSURANCE CO. ET AL., *ante*, p. 1104;

No. 96-1086. RANDALL *v.* UNITED STATES, 519 U. S. 1150;

No. 96-6108. TUCKER *v.* DEPARTMENT OF EDUCATION ET AL., 519 U. S. 1013;

No. 96-6514. IVY *v.* MILLER, SUPERINTENDENT, BOONVILLE CORRECTIONAL CENTER, 519 U. S. 1064;

No. 96-6862. FREEMAN *v.* YOUNG, EXECUTIVE DIRECTOR, ALABAMA BOARD OF PARDONS AND PAROLES, ET AL., 519 U. S. 1121;

No. 96-6918. VEALE *v.* NEW HAMPSHIRE, 519 U. S. 1122;

No. 96-6969. SHOOPS *v.* ZAVELETTA ET AL., 519 U. S. 1123;

No. 96-7044. TUCKER *v.* COGGINS/CONTINENTAL GRANITE CO., INC., 519 U. S. 1125;

No. 96-7053. GRAVELY *v.* UNITED STATES, 519 U. S. 1099;

No. 96-7114. GARNER *v.* PENNINGTON ET AL., 519 U. S. 1128;

No. 96-7152. COOPER *v.* MISSOURI PAROLE BOARD ET AL., 519 U. S. 1129;

No. 96-7191. KARIM-PANAHI *v.* COMMISSIONER OF INTERNAL REVENUE, 519 U. S. 1131;

No. 96-7202. WELLS *v.* GOMEZ, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL., 519 U. S. 1152;

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No. 96-7207. *BOULINEAU v. WEST, SECRETARY OF THE ARMY, ET AL.*, 519 U. S. 1152;

No. 96-7208. *BATICADOS v. WHITE, WARDEN, ET AL.*, 519 U. S. 1152;

No. 96-7228. *SMITH v. PENNSYLVANIA*, 519 U. S. 1153;

No. 96-7247. *WILLIAMS v. UNITED STATES*, 519 U. S. 1133;

No. 96-7433. *IN RE STEARMAN*, 519 U. S. 1107; and

No. 96-7493. *LUONGO v. UNITED STATES*, 519 U. S. 1118. Petitions for rehearing denied.

No. 94-8262. *LACKEY v. TEXAS*, 514 U. S. 1045; and

No. 96-696. *CULP v. HOOD ET AL.*, 519 U. S. 1042. Motions for leave to file petitions for rehearing denied.

APRIL 18, 1997

Miscellaneous Order

No. A-741. *HORN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. v. WHITE, AS NEXT FRIEND TO HEIDNIK*. Application to stay enforcement of order directing stay of execution, presented to JUSTICE SOUTER, and by him referred to the Court, granted, and it is ordered that the order staying the execution entered by the United States District Court on April 18, 1997, is vacated. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would deny the application to stay.

APRIL 19, 1997

Miscellaneous Order

No. A-743. *HORN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. v. WHITE, AS NEXT FRIEND TO HEIDNIK*. Application to vacate the stay of execution of sentence of death, presented to JUSTICE SOUTER, and by him referred to the Court, dismissed.

APRIL 21, 1997

Certiorari Granted—Vacated and Remanded

No. 96-1297. *UNITED STATES v. HUGHES AIRCRAFT Co.* C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, ante, p. 17. Reported below: 86 F. 3d 1566.

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Miscellaneous Orders

No. D-1759. IN RE DISBARMENT OF PLUST. Disbarment entered. [For earlier order herein, see 519 U. S. 1037.]

No. D-1762. IN RE DISBARMENT OF PAYNE. Disbarment entered. [For earlier order herein, see 519 U. S. 1053.]

No. D-1763. IN RE DISBARMENT OF ELLIS. Disbarment entered. [For earlier order herein, see 519 U. S. 1075.]

No. D-1767. IN RE DISBARMENT OF DONNELLON. Disbarment entered. [For earlier order herein, see 519 U. S. 1088.]

No. D-1797. IN RE DISBARMENT OF REED. Norman Joseph Reed, of Las Vegas, Nev., 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-1798. IN RE DISBARMENT OF SLOBODA. Joseph Dominic Sloboda, of Miami Beach, Fla., 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-1799. IN RE DISBARMENT OF BENDET. Mark Bendet, of Paterson, 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-1800. IN RE DISBARMENT OF FRYE. John Rich Frye, Jr., of Corpus Christi, 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-1801. IN RE DISBARMENT OF SCHWARTZ. Martin Louis Schwartz, 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-1802. IN RE DISBARMENT OF BOYLE. Charles W. Boyle, of Atlanta, Ga., is suspended from the practice of law in this Court,

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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-74. STEVENSON-BEY *v.* LUNGREN, ATTORNEY GENERAL OF CALIFORNIA, ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 96-1126. IOLAB CORP. *v.* HUNTER. Sup. Ct. Mo. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 96-8408. IN RE FARMER. Petition for writ of habeas corpus denied.

No. 96-8352. IN RE KIRBY. Petition for writ of mandamus denied.

Certiorari Granted

No. 96-1291. OUBRE *v.* ENTERGY OPERATIONS, INC. C. A. 5th Cir. Certiorari granted limited to Question 3 presented by the petition. Reported below: 102 F. 3d 551.

Certiorari Denied

No. 96-989. CASTILLO *v.* UNITED STATES;
No. 96-1028. WHITECLIFF *v.* UNITED STATES;
No. 96-7227. BRANCH ET AL. *v.* UNITED STATES; and
No. 96-7265. FATTA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 91 F. 3d 699.

No. 96-1107. COMMISSIONER OF INTERNAL REVENUE *v.* TEXACO INC. ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 98 F. 3d 825.

No. 96-1114. WOOTTON, TRUSTEE *v.* LEMONS. C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 953.

No. 96-1128. ALLIANCE AGAINST IFQS ET AL. *v.* SECRETARY OF COMMERCE ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 84 F. 3d 343.

No. 96-1152. SHELTON ET AL. *v.* BARNES, RECEIVER FOR AMERICAN CAPITAL INVESTMENTS, INC., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1133.

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No. 96-1157. *LUCAS ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 1401.

No. 96-1172. *MILTON S. KRONHEIM & Co., INC. v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 91 F. 3d 193.

No. 96-1241. *SAFFLE, DIRECTOR, OKLAHOMA STATE PENITENTIARY, ET AL. v. BATTLE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 100 F. 3d 967.

No. 96-1293. *McKENZIE v. RENBERG'S, INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 94 F. 3d 1478.

No. 96-1295. *SUNBURST PRODUCTS, INC., DBA FREESTYLE U. S. A. v. CYRK INC. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 98 F. 3d 1358.

No. 96-1303. *CITY OF DANVILLE, KENTUCKY v. KENTUCKY RIVER AUTHORITY ET AL.* Ct. App. Ky. Certiorari denied. Reported below: 932 S. W. 2d 374.

No. 96-1312. *KEARNS v. GENERAL MOTORS CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 94 F. 3d 1553.

No. 96-1314. *ENGLANDER ET UX. v. MILLS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 95 F. 3d 1028.

No. 96-1316. *W. W. W. ENTERPRISES, INC., DBA WILLIAMSON OF HOMESTEAD v. PIDAL.* C. A. 11th Cir. Certiorari denied. Reported below: 98 F. 3d 1351 and 1353.

No. 96-1321. *BROWN UNIVERSITY ET AL. v. COHEN ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 101 F. 3d 155.

No. 96-1322. *FUTTERMAN v. NASSET ET AL.* Ct. App. Minn. Certiorari denied.

No. 96-1335. *SMITH v. METRO-NORTH COMMUTER RAILROAD.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 226 App. Div. 2d 168, 641 N. Y. S. 2d 8.

No. 96-1342. *AMERICAN BROADCASTING COS., INC. v. LUNDELL MANUFACTURING Co., INC.* C. A. 8th Cir. Certiorari denied. Reported below: 98 F. 3d 351.

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No. 96-1345. *CARPENTERS 46 NORTHERN CALIFORNIA COUNTIES JOINT APPRENTICESHIP AND TRAINING COMMITTEE v. EL-DREDGE*. C. A. 9th Cir. Certiorari denied. Reported below: 94 F. 3d 1366.

No. 96-1356. *PLATT ET AL. v. INDIANA ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 664 N. E. 2d 357.

No. 96-1374. *SHALLER ET UX. v. WALKER ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 110 Md. App. 753.

No. 96-1380. *MURRAY v. BABBITT, SECRETARY OF THE INTERIOR*. C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 386.

No. 96-1406. *HENDERSON v. DETELLA, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 97 F. 3d 942.

No. 96-1418. *GARNER v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 80 Wash. App. 1084.

No. 96-1427. *DI CICCIO v. BONSEY ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 94 F. 3d 640.

No. 96-1468. *BELL ET AL. v. DiMARIO, PUBLIC PRINTER OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 96-1488. *WORTHINGTON v. GLICKMAN, SECRETARY OF AGRICULTURE*. C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 158.

No. 96-1500. *WRIGHT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 87 F. 3d 1325.

No. 96-1510. *MCQUEEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 700.

No. 96-1529. *FURUKAWA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 1147.

No. 96-7238. *MILES v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 545 Pa. 500, 681 A. 2d 1295.

No. 96-7518. *KINDER v. POTTS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 92 F. 3d 1179.

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No. 96-7526. *HOLT v. CHATER, COMMISSIONER OF SOCIAL SECURITY*. C. A. 8th Cir. Certiorari denied. Reported below: 94 F. 3d 648.

No. 96-7554. *PALOMO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 699.

No. 96-7565. *WILLIAMS ET UX. v. UNITED STATES ET AL.* C. A. 8th Cir. Certiorari denied.

No. 96-7625. *RODGERS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 247.

No. 96-7842. *WOOLLEY v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-7890. *AZUBUKO v. LIBERTY MUTUAL INSURANCE GROUP ET AL.* C. A. 1st Cir. Certiorari denied.

No. 96-7892. *AZUBUKO v. BOARD OF DIRECTORS, BRITISH AIRWAYS*. C. A. 1st Cir. Certiorari denied. Reported below: 101 F. 3d 106.

No. 96-7896. *CARLSON v. KRISTI MICANDER, P. C., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 126.

No. 96-7898. *BINGMAN v. WARD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 653.

No. 96-7905. *TYLER v. ULRICH, CHIEF JUDGE, COURT OF APPEALS OF MISSOURI, WESTERN DISTRICT, ET AL.* Sup. Ct. Mo. Certiorari denied.

No. 96-7906. *HUSSEIN v. PIERRE HOTEL*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 350.

No. 96-7909. *FARMER v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1548.

No. 96-7914. *ROY v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 681 So. 2d 1230.

No. 96-7918. *NEWMAN v. ASSOCIATED PRESS, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 504.

No. 96-7922. *MARTIN v. IDAHO*. Ct. App. Idaho. Certiorari denied.

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No. 96-7933. *MASON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 96-7936. *WATKINS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 96-7937. *WILKINS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 96-7941. *HOWARD v. WALT DISNEY CO. ET AL.* C. A. 7th Cir. Certiorari denied.

No. 96-7942. *COHEA v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 96-7944. *SCHWARZ ET AL. v. BROWN ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 99 F. 3d 1149.

No. 96-7950. *HEARN v. ROBERTSON ET AL.* Sup. Ct. Mich. Certiorari denied. Reported below: 453 Mich. 877, 554 N. W. 2d 2.

No. 96-7951. *HAYWARD v. MURRAY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 96 F. 3d 1438.

No. 96-7971. *LINZA v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 96-7978. *SPRAGUE v. KOBAYASHI AMERICA, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 964.

No. 96-7987. *LOVE v. ROUSE COMPANY OF MISSOURI INC. ET AL.* C. A. 8th Cir. Certiorari denied.

No. 96-7988. *MACKEY v. STALDER, SECRETARY, LOUISIANA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 396.

No. 96-8010. *LOWE v. GIBSON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 103 F. 3d 144.

No. 96-8040. *BUFORD v. JAMES T. STRICKLAND YOUTH CENTER ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 1154.

No. 96-8042. *ALFORD v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 96-8077. *MEDINA v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 147 N. J. 43, 685 A. 2d 1242.

No. 96-8095. *MINES v. PENNSYLVANIA*. Commw. Ct. Pa. Certiorari denied. Reported below: 680 A. 2d 1227.

No. 96-8111. *CARTER v. ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 1393.

No. 96-8129. *VARTINELLI v. HUTCHINSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 131.

No. 96-8130. *ZANKICH v. MARICOPA COUNTY, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1160.

No. 96-8155. *KRIER v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 96-8172. *HALE v. RUNYON, POSTMASTER GENERAL*. C. A. 7th Cir. Certiorari denied. Reported below: 97 F. 3d 1454.

No. 96-8177. *HARGROVE v. COLONY OF STONE MOUNTAIN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 556.

No. 96-8182. *FETT v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 117.

No. 96-8192. *STAUP v. FIRST UNION NATIONAL BANK OF FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 687 So. 2d 1306.

No. 96-8208. *KISER v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 43 Conn. App. 339, 683 A. 2d 1021.

No. 96-8212. *SLABY v. DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION*. Ct. App. D. C. Certiorari denied. Reported below: 685 A. 2d 1166.

No. 96-8217. *PIZZO v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 96-8235. *MUNDY v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 686 So. 2d 586.

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No. 96-8237. *JEFFERSON v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 98 F. 3d 1360.

No. 96-8251. *PONCE-BRAN v. TRUSTEES OF CALIFORNIA STATE UNIVERSITY AND COLLEGES*. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 48 Cal. App. 4th 1656, 56 Cal. Rptr. 2d 358.

No. 96-8267. *PINO-LARA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 357.

No. 96-8268. *So v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 667.

No. 96-8274. *COX v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 111 Md. App. 737.

No. 96-8275. *RICARDO RUIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 698.

No. 96-8276. *SHORT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 96 F. 3d 1449.

No. 96-8291. *WALKER v. UNITED STATES*; and
No. 96-8332. *COOK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 104 F. 3d 368.

No. 96-8293. *LINVILLE v. LINVILLE*. Ct. Sp. App. Md. Certiorari denied. Reported below: 110 Md. App. 749.

No. 96-8294. *KEIRSEY v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 106 Md. App. 551, 665 A. 2d 700.

No. 96-8300. *PARTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 104 F. 3d 361.

No. 96-8303. *PULLOCK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 699.

No. 96-8304. *BAIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 104 F. 3d 368.

No. 96-8309. *KAISSERMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 667.

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No. 96–8313. *DICKERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 108 F. 3d 1373.

No. 96–8314. *HENTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 333.

No. 96–8317. *O’CONNELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 360.

No. 96–8333. *CUNNINGHAM v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 553.

No. 96–8336. *JIMENEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 F. 3d 366.

No. 96–8337. *MCDUGALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 360.

No. 96–8339. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 87 F. 3d 133.

No. 96–8342. *TUCKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 369.

No. 96–8346. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 12.

No. 96–8350. *LEPPERT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1347.

No. 96–8355. *BALLARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96–8364. *BARCELLA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 964.

No. 96–8367. *STEELE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 388.

No. 96–8369. *VEGA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 102 F. 3d 1301.

No. 96–8371. *PILLETTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 652.

No. 96–8376. *HORTON v. UNITED STATES*; and
No. 96–8393. *GILLESPIE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 96 F. 3d 1450.

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No. 96-8377. GORHAM *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Reported below: 107 F. 3d 923.

No. 96-8383. HICKS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 837.

No. 96-8388. SMITH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 143.

No. 96-8389. CARTER ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 1131.

No. 96-8398. CLOVIS *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 387.

No. 96-8399. CHANDLER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 107 F. 3d 874.

No. 96-8406. BRACEY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 359.

No. 96-1289. GENENTECH, INC. *v.* REGENTS OF THE UNIVERSITY OF CALIFORNIA. C. A. Fed. Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 101 F. 3d 1386.

No. 96-1290. ARTHUR A. COLLINS, INC. *v.* AMERICAN TELEPHONE & TELEGRAPH Co. C. A. 5th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 78 F. 3d 581 and 103 F. 3d 125.

Rehearing Denied

No. 95-746. LINSOMB *v.* UNITED STATES, *ante*, p. 1103;

No. 96-1169. DU VALL *v.* UNITED STATES ET AL., *ante*, p. 1104;

No. 96-6844. TUCKER BEY *v.* UNITED STATES, 519 U. S. 1098;

No. 96-6924. BROOKS *v.* SHEPPARD AIR FORCE BASE, 519 U. S. 1082;

No. 96-7204. WHITE *v.* ADAMS COUNTY DETENTION FACILITY ET AL., 519 U. S. 1152;

No. 96-7235. JONES *v.* SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, 519 U. S. 1153;

No. 96-7291. SING CHO NG *v.* QUIET FOREST II HOMEOWNERS ASSN. ET AL., *ante*, p. 1106;

No. 96-7292. AZUBUKO *v.* BOARD OF TRUSTEES, FRAMINGHAM STATE COLLEGE, 519 U. S. 1134;

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No. 96-7306. *MULLIGAN v. BARNETT BANK OF CENTRAL FLORIDA, N. A.*, *ante*, p. 1106;

No. 96-7323. *DAY v. PAINTER, SHERIFF, MIDLAND COUNTY, TEXAS*, *ante*, p. 1107;

No. 96-7440. *TURNER v. KUYKENDALL*, *ante*, p. 1124;

No. 96-7567. *IN RE GALLARDO*, 519 U. S. 1107;

No. 96-7590. *CAFFREY v. WASHINGTON*, *ante*, p. 1109;

No. 96-7650. *JONES v. TOOMBS, WARDEN*, *ante*, p. 1127;

No. 96-7673. *ANDERSON v. UNITED STATES*, *ante*, p. 1109;

No. 96-7773. *IN RE BONNER*, *ante*, p. 1102; and

No. 96-7828. *MORRISON v. UNITED STATES*, *ante*, p. 1131.
Petitions for rehearing denied.

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Miscellaneous Orders

No. A-751. *BROWN v. CAIN, WARDEN*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

No. 96-1683. *IN RE CALDERON, WARDEN*. Motion of petitioner to expedite consideration of petition for writ of mandamus denied.

Probable Jurisdiction Noted

No. 96-1671. *RAINES, DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET, ET AL. v. BYRD ET AL.* Appeal from D. C. D. C. Motion of the parties to expedite consideration of the appeal granted. Probable jurisdiction noted. The parties' briefs are to be filed with the Clerk of this Court and served upon opposing counsel on or before 3 p.m., Friday, May 9, 1997. Reply briefs, if any, may be filed with the Clerk of this Court and served upon opposing counsel on or before 3 p.m., Wednesday, May 21, 1997. 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 Tuesday, May 27, 1997, at 10 a.m. Reported below: 956 F. Supp. 25.

Certiorari Denied

No. 96-8028. *BALDREE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 659.

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No. 96–8624 (A–728). *BROWN v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 104 F. 3d 744.

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Certiorari Granted—Vacated and Remanded

No. 96–8081. *ALLEN v. OKLAHOMA.* Ct. Crim. App. Okla. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Cooper v. Oklahoma*, 517 U. S. 348 (1996). Reported below: 923 P. 2d 613.

Miscellaneous Orders

No. D–1768. *IN RE DISBARMENT OF KAUFMAN.* Disbarment entered. [For earlier order herein, see 519 U. S. 1104.]

No. D–1770. *IN RE DISBARMENT OF HENRY.* Disbarment entered. [For earlier order herein, see 519 U. S. 1104.]

No. D–1773. *IN RE DISBARMENT OF TAKACS.* Disbarment entered. [For earlier order herein, see 519 U. S. 1105.]

No. D–1775. *IN RE DISBARMENT OF WEISMAN.* Disbarment entered. [For earlier order herein, see 519 U. S. 1105.]

No. D–1780. *IN RE DISBARMENT OF MAZZEI.* Disbarment entered. [For earlier order herein, see 519 U. S. 1146.]

No. D–1781. *IN RE DISBARMENT OF HAMILTON.* Disbarment entered. [For earlier order herein, see 519 U. S. 1146.]

No. D–1785. *IN RE DISBARMENT OF MUHAMMAD.* Disbarment entered. [For earlier order herein, see 519 U. S. 1147.]

No. 96–1366. *IN RE JOHNSON ET AL.* Petition for writ of mandamus denied.

Certiorari Granted

No. 96–1060. *MILLER v. ALBRIGHT, SECRETARY OF STATE.* C. A. D. C. Cir. Certiorari granted.* Reported below: 96 F. 3d 1467.

*[REPORTER'S NOTE: For amendment of this order, see *post*, p. 1208.]

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No. 96–8400. *BUCHANAN v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 103 F. 3d 344.

Certiorari Denied

No. 96–1082. *ALGERNON BLAIR, INC., ET AL. v. WALTERS.* Sup. Ct. N. C. Certiorari denied. Reported below: 344 N. C. 628, 476 S. E. 2d 105.

No. 96–1148. *OUTLAWS CLUB ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 94 F. 3d 643.

No. 96–1160. *RICHARDSON v. ALBERTSON’S, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 92 F. 3d 1197.

No. 96–1168. *DANGERFIELD v. STAR EDITORIAL, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1458.

No. 96–1211. *CITY OF FLINT v. MIDDLETON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 92 F. 3d 396.

No. 96–1212. *PEITZMEIER ET UX. v. HENNESSY INDUSTRIES, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 293.

No. 96–1213. *IN RE JAKUES.* C. A. 5th Cir. Certiorari denied.

No. 96–1254. *PAUL v. CRIBB ET UX.* Ct. App. S. C. Certiorari denied.

No. 96–1280. *WOMEN PRISONERS OF THE DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS ET AL. v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 93 F. 3d 910.

No. 96–1283. *PAOLO GUCCI DESIGN STUDIO, LTD. v. SINATRA, TRUSTEE OF THE SUBSTANTIVELY CONSOLIDATED ESTATES OF GUCCI, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 102 F. 3d 73 and 105 F. 3d 837.

No. 96–1343. *SECTION 28 PARTNERSHIP, LTD. v. MARTIN COUNTY.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 676 So. 2d 532.

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No. 96-1347. *VICKERY v. JONES ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 100 F. 3d 1334.

No. 96-1352. *WILLOUGHBY v. POTOMAC ELECTRIC POWER CO.* C. A. D. C. Cir. Certiorari denied. Reported below: 100 F. 3d 999.

No. 96-1364. *SHEA & GOULD ET AL. v. DURKIN, TRUSTEE OF THE BENCHMARK IRREVOCABLE TRUST.* C. A. 9th Cir. Certiorari denied. Reported below: 92 F. 3d 1510.

No. 96-1367. *TAYLOR EQUIPMENT, INC., DBA MIDCON EQUIPMENT CO. v. JOHN DEERE CO. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 98 F. 3d 1028.

No. 96-1371. *LEWIS ET AL. v. IOWA DISTRICT COURT FOR DES MOINES COUNTY.* Sup. Ct. Iowa. Certiorari denied. Reported below: 555 N. W. 2d 216.

No. 96-1382. *CONNELL ET AL. v. DOUGLASS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 94 F. 3d 650.

No. 96-1384. *MURPHY, COOK COUNTY PUBLIC GUARDIAN, AS GUARDIAN OF THE ESTATE AND PERSON OF WELLMAN, DECEASED v. YOUNG, INTERESTED PERSON AND EXECUTOR OF THE ESTATE OF WELLMAN, DECEASED.* Sup. Ct. Ill. Certiorari denied. Reported below: 174 Ill. 2d 335, 673 N. E. 2d 272.

No. 96-1386. *LICHTMAN v. LICHTMAN ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 96-1391. *BLOUIN v. KAISER ALUMINUM & CHEMICAL CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 127.

No. 96-1396. *NESSON v. NESSON.* App. Ct. Ill., 2d Dist. Certiorari denied.

No. 96-1408. *BURICK v. BROWARD COUNTY, FLORIDA, ET AL.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 683 So. 2d 566.

No. 96-1411. *UNITED COMPANIES LENDING CORP. v. MCGEHEE ET UX.* Sup. Ct. Ala. Certiorari denied. Reported below: 686 So. 2d 1171.

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No. 96-1421. *TRIEM v. ALASKA BAR ASSN.* Sup. Ct. Alaska. Certiorari denied. Reported below: 929 P. 2d 634.

No. 96-1464. *CAT CONTRACTING, INC., ET AL. v. INSITUFORM TECHNOLOGIES, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 99 F. 3d 1098.

No. 96-1490. *SUNDWALL v. CONNECTICUT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 356.

No. 96-1495. *DENOUDEN v. UNIVERSITY OF WASHINGTON ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-1541. *ALLEN ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 961.

No. 96-1543. *PAPPAS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 96-1547. *MALIK v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 105 F. 3d 659.

No. 96-6673. *STEVEN L. ET AL. v. BOARD OF EDUCATION OF DOWNERS GROVE GRADE SCHOOL DISTRICT No. 58.* C. A. 7th Cir. Certiorari denied. Reported below: 89 F. 3d 464.

No. 96-7119. *MORENO RAMOS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 934 S. W. 2d 358.

No. 96-7321. *DAVIS v. BURKS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 98 F. 3d 1338.

No. 96-7348. *VEALE ET UX. v. CITIBANK, F. S. B.* C. A. 11th Cir. Certiorari denied. Reported below: 85 F. 3d 577.

No. 96-7397. *GUERRIERO v. LUFTHANSA GERMAN AIRLINES, INC.* App. Ct. Mass. Certiorari denied. Reported below: 41 Mass. App. 1105, 669 N. E. 2d 233.

No. 96-7598. *JONES v. NEVADA;*

No. 96-7683. *EVERHART v. NEVADA;*

No. 96-7684. *GAUTHIER v. NEVADA;*

No. 96-7685. *DORTCH v. NEVADA;*

No. 96-7997. *MACALINO v. NEVADA;*

No. 96-8031. *WOOD v. NEVADA;* and

No. 96-8196. *BONTA v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1724 (Jones), 1715 (Everhart), 1718 (Gauthier), 1713 (Dortch), 1729 (Macalino), 1751 (Wood), and 1707 (Bonta).

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No. 96-7631. *SIMS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 681 So. 2d 1112.

No. 96-7962. *COHEA v. BARRIOS ET AL.*; and *COHEA v. WHITE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-7963. *BAILEY ET AL. v. TURNER, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 128.

No. 96-7968. *SEALS v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 684 So. 2d 368.

No. 96-7977. *BROWN v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 686 So. 2d 409.

No. 96-7981. *PHILLIPS v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 554.

No. 96-7982. *OGDEN v. NEW MEXICO*. Sup. Ct. N. M. Certiorari denied.

No. 96-7986. *MCCOLM v. NELSON*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-7995. *KNOTTS v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 686 So. 2d 486.

No. 96-7998. *STARTUP v. MINARD ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-8004. *WALLIS v. HERNANDO COUNTY, FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 680 So. 2d 426.

No. 96-8007. *ALLAH v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1345.

No. 96-8024. *PAGAN v. WARNER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 99 F. 3d 1142.

No. 96-8025. *PASTORIUS v. ROMER, GOVERNOR OF COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 97 F. 3d 1465.

No. 96-8026. *STOKER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 701.

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No. 96-8030. *VRETTOS v. UNITED MACHINE SPECIALTIES CORP. ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-8032. *CARTER v. SIEGLER ET AL.* Ct. App. Mich. Certiorari denied.

No. 96-8035. *FAUST v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 101 F. 3d 675.

No. 96-8038. *CHARM v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 924 P. 2d 754.

No. 96-8045. *NADAL v. CITY OF YONKERS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 356.

No. 96-8046. *MCREYNOLDS v. VENKATARAGHAVEN ET AL.* C. A. 2d Cir. Certiorari denied.

No. 96-8047. *JENKINS v. OAKLEY ET AL.* Sup. Ct. N. M. Certiorari denied. Reported below: 122 N. M. 279, 923 P. 2d 1164.

No. 96-8048. *ENGLISH v. LOUISIANA DEPARTMENT OF CORRECTIONS.* Sup. Ct. La. Certiorari denied. Reported below: 683 So. 2d 290.

No. 96-8050. *GREEN v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 934 S. W. 2d 92.

No. 96-8051. *EBENHART v. HOWARD COMMUNITY SERVICES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 96-8052. *TUCKER v. SOUTH CAROLINA.* Sup. Ct. S. C. Certiorari denied. Reported below: 324 S. C. 155, 478 S. E. 2d 260.

No. 96-8055. *BROUSSARD v. EVANS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 127.

No. 96-8064. *WILLIAMSON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 681 So. 2d 688.

No. 96-8068. *WOLFE v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 96-8078. *ROBERTSON v. THORNELL ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 99 F. 3d 1144.

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No. 96-8087. *WRIGHT v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 96-8090. *HARTMAN v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 344 N. C. 445, 476 S. E. 2d 328.

No. 96-8103. *WILSON v. SABA, SHERIFF, DOUGHERTY COUNTY, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 92 F. 3d 1201.

No. 96-8107. *MANGRUM v. TAYLOR*. C. A. 11th Cir. Certiorari denied.

No. 96-8180. *FALCONER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 282 Ill. App. 3d 785, 668 N. E. 2d 1095.

No. 96-8204. *O'NEILL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 684 So. 2d 720.

No. 96-8220. *MELIUS v. WOOD, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS*. C. A. 8th Cir. Certiorari denied. Reported below: 105 F. 3d 662.

No. 96-8223. *MANUSSIER v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 129 Wash. 2d 652, 921 P. 2d 473.

No. 96-8246. *HENRY v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 95 F. 3d 41.

No. 96-8247. *DOWNEY ET UX. v. KREMPIN ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 687 So. 2d 1303.

No. 96-8265. *TAYLOR v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 96-8270. *SULLIVAN v. COLORADO*. Dist. Ct. Colo., Elbert County. Certiorari denied.

No. 96-8271. *FRANKLIN v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1717.

No. 96-8272. *REED v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 957.

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No. 96–8277. *ROSS v. GROOSE*, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 96–8296. *MARAVILLA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 95 F. 3d 1146.

No. 96–8344. *WILLIS v. DETELLA*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 96–8360. *COOPER v. GAMMON*, SUPERINTENDENT, MOBERLY CORRECTIONAL CENTER. Sup. Ct. Mo. Certiorari denied.

No. 96–8362. *ARNOLD v. BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 96–8382. *HOLMAN v. UNITED STATES PAROLE COMMISSION*; and *TODD v. UNITED STATES PAROLE COMMISSION*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 656 (first judgment); 106 F. 3d 397 (second judgment).

No. 96–8391. *BETANCOURT-ARESTUCHE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 96–8407. *EZEOKÉ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 953.

No. 96–8416. *EL MUHAMMAD, AKA CRAWFORD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 155.

No. 96–8417. *MASON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 957.

No. 96–8421. *ALLEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 88 F. 3d 765.

No. 96–8424. *BAILEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 96–8425. *PIERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 101 F. 3d 545.

No. 96–8427. *PERALES-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 141.

No. 96–8430. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 101 F. 3d 1263.

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No. 96-8431. *JONES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 F. 3d 1180.

No. 96-8433. *MUNDY v. WRIGHT, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 359.

No. 96-8435. *MORMON v. UNITED STATES*; and
No. 96-8494. *GREEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 656.

No. 96-8437. *SCHROEDER v. UNITED STATES*; and
No. 96-8441. *MUSSARI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 787.

No. 96-8439. *WILSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 1184.

No. 96-8445. *MCCOY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 649.

No. 96-8447. *NELSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 102 F. 3d 1344.

No. 96-8456. *HUMPHRIES v. UNITED STATES*; and
No. 96-8459. *GRAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 359.

No. 96-8458. *FITZGERALD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 392.

No. 96-8472. *BEARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 555.

No. 96-8479. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 96-8493. *HILL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 112.

No. 96-8506. *DIAZ v. MITCHELL, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 355.

No. 96-8708. *HILL v. HOPPER, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 112 F. 3d 1088.

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No. 96-1179. INDICATED EXPANSION SHIPPERS *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 92 F. 3d 1239.

No. 96-1184. KAMILEWICZ ET AL. *v.* BANK OF BOSTON CORP. ET AL. C. A. 7th Cir. Motion of law teachers for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 92 F. 3d 506.

No. 96-1332. NORFOLK SOUTHERN RAILWAY CO. ET AL. *v.* LANG ET AL. Sup. Ct. Ala. Motion of Association of American Railroads for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 686 So. 2d 1115.

No. 96-1355. CALDERON, WARDEN *v.* BEAN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 96 F. 3d 1126.

No. 96-1357. SMITH, PERSONAL REPRESENTATIVE OF SMITH, DECEASED *v.* SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA ET AL. C. A. 2d Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 101 F. 3d 239.

No. 96-1428. ANHEUSER-BUSCH, INC., ET AL. *v.* SCHMOKE, MAYOR OF BALTIMORE, ET AL. C. A. 4th Cir. Motions of Washington Legal Foundation, Ronald Rotunda and John Nowak, and Association of National Advertisers, Inc., for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 101 F. 3d 325.

No. 96-1429. PENN ADVERTISING OF BALTIMORE, INC. *v.* SCHMOKE, MAYOR OF BALTIMORE, ET AL. C. A. 4th Cir. Motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 101 F. 3d 332.

Rehearing Denied

No. 96-6863. BANKS *v.* THOMAS, WARDEN, ET AL., 519 U. S. 1121;

No. 96-6981. PETERSON *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 519 U. S. 1123;

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No. 96-7659. *AZUBUKO v. FIRST NATIONAL BANK OF BOSTON ET AL.*, *ante*, p. 1127;

No. 96-7704. *WELKY v. MAKOWSKI, WARDEN, ET AL.*, 519 U. S. 1156; and

No. 96-8029. *VISINTINE v. UNITED STATES*, *ante*, p. 1150. Petitions for rehearing denied.

MAY 1, 1997

Dismissal Under Rule 46

No. 96-1552. *UPJOHN CO. v. AMBROSINI ET AL.* C. A. D. C. Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 101 F. 3d 129.

*Miscellaneous Order**

No. 96-8858 (A-777). *IN RE HILL*. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 96-8857 (A-776). *HILL v. ALABAMA*. Ct. Crim. App. Ala. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 695 So. 2d 1223.

MAY 6, 1997

Miscellaneous Order

No. 96-8891 (A-788). *IN RE WASHINGTON*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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Certiorari Granted—Vacated and Remanded

No. 96-7167. *LARSON v. WISCONSIN*. Ct. App. Wis. Motion of petitioner for leave to proceed *in forma pauperis* granted. Cer-

*For revisions to the Rules of this Court effective this date, see 519 U. S. 1160.

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tiorari granted, judgment vacated, and case remanded for further consideration in light of *Richards v. Wisconsin*, *ante*, p. 385. Reported below: 203 Wis. 2d 270, 551 N. W. 2d 870.

Miscellaneous Orders

No. A-702. LUI KIN-HONG *v.* UNITED STATES. C. A. 1st Cir. Application for stay of mandate, addressed to JUSTICE BREYER and referred to the Court, denied.

JUSTICE BREYER, with whom JUSTICE STEVENS joins, dissenting.

The United Kingdom seeks to extradite petitioner to Hong Kong, where he will be charged with bribery. The District Court granted petitioner's request for a writ of habeas corpus, holding that the extradition treaty between the United States and the United Kingdom does not now permit his extradition to Hong Kong because his trial and any subsequent punishment would likely take place under the authority of the People's Republic of China, a nation with whom the United States does not have an applicable extradition treaty. The Court of Appeals for the First Circuit reversed. Lui now asks this Court for a stay pending a petition for certiorari.

The petition for certiorari that Lui intends to file would likely raise three questions. First, the treaty with the United Kingdom of Great Britain and Northern Ireland, 28 U.S.T. 227, as amended, June 25, 1985, T. I. A. S. No. 12050 (Treaty), grants the United Kingdom the power to seek the extradition of a fugitive offender. See Treaty, Art. I. This Court has defined "extradition" to mean "the surrender by one nation to another . . . which, *being competent to try and to punish him*, demands the surrender." *Terlinden v. Ames*, 184 U. S. 270, 289 (1902). Since Hong Kong will revert to the People's Republic of China on July 1, 1997, and, as the Government admits, no trial could be held before that date, does the United Kingdom have the "competen[ce] to try and to punish" Lui? And, if not, can it now seek his extradition?

Second, the Treaty provides that no person extradited shall "be extradited by [the requesting party] to a third State." Treaty, Art. XII. Does this provision prohibit Lui's extradition?

Third, under the terms of 18 U. S. C. §§3184 and 3186, does the Executive Branch have the exclusive power to interpret these provisions of the Treaty?

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In essence, petitioner says that the United States intends to extradite him, not to the United Kingdom or to a crown colony of the United Kingdom, for trial, but rather to the People's Republic of China. In my view, the papers accompanying his motion for stay raise questions about the lawfulness of doing so, at least to the point where I would issue the stay, pending a response from the Solicitor General. For that reason I dissent from the Court's denial of petitioner's application.

No. D-1772. IN RE DISBARMENT OF STURGIS. Disbarment entered. [For earlier order herein, see 519 U. S. 1105.]

No. D-1776. IN RE DISBARMENT OF HANSEN. Disbarment entered. [For earlier order herein, see 519 U. S. 1105.]

No. D-1777. IN RE DISBARMENT OF WITCHELL. Disbarment entered. [For earlier order herein, see 519 U. S. 1105.]

No. D-1779. IN RE DISBARMENT OF GREGORY. Disbarment entered. [For earlier order herein, see 519 U. S. 1146.]

No. D-1782. IN RE DISBARMENT OF OLSON. Disbarment entered. [For earlier order herein, see 519 U. S. 1146.]

No. D-1783. IN RE DISBARMENT OF PASSMAN. Disbarment entered. [For earlier order herein, see 519 U. S. 1146.]

No. D-1784. IN RE DISBARMENT OF LEVINSON. Disbarment entered. [For earlier order herein, see 519 U. S. 1147.]

No. D-1786. IN RE DISBARMENT OF MARONEY. Disbarment entered. [For earlier order herein, see *ante*, p. 1101.]

No. D-1787. IN RE DISBARMENT OF LEVY. Disbarment entered. [For earlier order herein, see *ante*, p. 1112.]

No. D-1789. IN RE DISBARMENT OF DENKER. Disbarment entered. [For earlier order herein, see *ante*, p. 1113.]

No. D-1790. IN RE DISBARMENT OF FRIEDMAN. Bruce Michael Friedman, of Los Angeles, Cal., 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 24, 1997 [*ante*, p. 1141], is discharged.

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No. D-1803. *IN RE DISBARMENT OF SCHWARTZ*. Fred A. Schwartz, of Miami, Fla., 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-1804. *IN RE DISBARMENT OF COOLEY*. Donald R. Cooley, of Springfield, Mo., 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-1805. *IN RE DISBARMENT OF SCHLOTTMAN*. Brent Alan Schlottman, of Chandler, Ariz., 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-75. *MILTON v. WORLD SAVINGS AND LOAN ASSN.*;

No. M-76. *MAUDAL v. TEXAS INSTRUMENTS CORP. ET AL.*; and

No. M-77. *SPEARS v. DSM COPOLYMER, INC.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 96-1060. *MILLER v. ALBRIGHT, SECRETARY OF STATE*. C. A. D. C. Cir. [Certiorari granted, *ante*, p. 1195.] The order granting the petition for writ of certiorari is amended to read: Certiorari granted limited to the following question: "Is the distinction in 8 U.S.C. § 1409 between 'illegitimate' children of United States citizen mothers and 'illegitimate' children of United States citizen fathers a violation of the Fifth Amendment to the United States Constitution?"

No. 96-1405. *SMITHS INDUSTRIES MEDICAL SYSTEMS, INC. v. KERNATS, A MINOR, BY KERNATS, HER MOTHER AND NEXT FRIEND, ET AL.* App. Ct. Ill., 1st Dist. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 96-8443. *IN RE SHORT*;

No. 96-8601. *IN RE WILLIAMS*; and

No. 96-8639. *IN RE RODRIGUEZ*. Petitions for writs of habeas corpus denied.

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No. 96-8012. IN RE KOGER. Petition for writ of mandamus denied.

No. 96-8105. IN RE JOHNSON; and

No. 96-8361. IN RE ALEXANDER. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 96-370. BAY AREA LAUNDRY AND DRY CLEANING PENSION TRUST FUND *v.* FERBAR CORPORATION OF CALIFORNIA, INC., ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 73 F. 3d 971.

No. 96-1370. FIDELITY FINANCIAL SERVICES, INC. *v.* FINK, TRUSTEE. C. A. 8th Cir. Certiorari granted. Reported below: 102 F. 3d 334.

No. 96-7151. LEWIS *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted.* Reported below: 92 F. 3d 1371.

Certiorari Denied

No. 95-1962. REPUBLICAN PARTY OF ALASKA *v.* O'CALLAGHAN ET AL. Sup. Ct. Alaska. Certiorari denied. Reported below: 914 P. 2d 1250.

No. 96-1067. WHITE WING DEVELOPMENT, INC., DBA WHITE WING ASSOCIATES *v.* COUNTY OF SOLANO ET AL. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-1183. FINALCO, INC. *v.* ROOSEVELT. C. A. 9th Cir. Certiorari denied. Reported below: 87 F. 3d 311 and 98 F. 3d 1169.

No. 96-1204. PEASE *v.* YELLOWSTONE COUNTY. C. A. 9th Cir. Certiorari denied. Reported below: 96 F. 3d 1169.

No. 96-1205. BARNES, ADMINISTRATOR OF THE ESTATE OF PIERPOINT, DECEASED *v.* PIERPOINT ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 94 F. 3d 813.

No. 96-1223. JOY TECHNOLOGIES, INC. *v.* SECRETARY OF LABOR ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 99 F. 3d 991.

*[REPORTER'S NOTE: For amendment of this order, see *post*, p. 1226.]

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No. 96-1236. *KRYGOSKI CONSTRUCTION CO., INC. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 94 F. 3d 1537.

No. 96-1238. *SELLAND v. COHEN, SECRETARY OF DEFENSE, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 100 F. 3d 950.

No. 96-1245. *BRANDT, AS TRUSTEE OF THE CHAPTER 7 ESTATE OF SOUTHEAST BANKING CORP. v. FIRST UNION CORP. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 93 F. 3d 750.

No. 96-1248. *MARYLAND v. STANBERRY*. Ct. App. Md. Certiorari denied. Reported below: 343 Md. 720, 684 A. 2d 823.

No. 96-1271. *GUINN ET AL. v. KOPF*. C. A. Fed. Cir. Certiorari denied. Reported below: 96 F. 3d 1419.

No. 96-1286. *HAGELIN ET AL. v. FEDERAL ELECTION COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 97 F. 3d 553.

No. 96-1300. *SOUTHWEST AIRLINES CO. v. FENNESSY*. C. A. 9th Cir. Certiorari denied. Reported below: 91 F. 3d 1359.

No. 96-1304. *KARCHER v. EMERSON ELECTRIC CO.*; and
No. 96-1506. *EMERSON ELECTRIC CO. v. KARCHER*. C. A. 8th Cir. Certiorari denied. Reported below: 94 F. 3d 502.

No. 96-1363. *JONES v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 96-1381. *CONSTRUCTION INDUSTRY TRAINING COUNCIL OF WASHINGTON v. SEATTLE BUILDING AND CONSTRUCTION TRADES COUNCIL ET AL.* Sup. Ct. Wash. Certiorari denied. Reported below: 129 Wash. 2d 787, 920 P. 2d 581.

No. 96-1388. *HUFF v. FIRST NATIONAL BANK OF CENTRE HALL, NKA NORTHWEST SAVINGS BANK*. Super. Ct. Pa. Certiorari denied. Reported below: 450 Pa. Super. 722, 676 A. 2d 289.

No. 96-1390. *EVANS, BY HER MOTHER AND NEXT FRIEND, EVANS v. AVERY ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 100 F. 3d 1033.

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No. 96-1398. BARKLEY SEED, INC., DBA PACIFIC SOUTHWEST SEED & GRAIN, INC. *v.* BOTELHO SHIPPING CORP. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 961.

No. 96-1399. UNITED STATES EX REL. HAYCOCK *v.* HUGHES AIRCRAFT CO. C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 1148.

No. 96-1403. NATIONAL RAILROAD PASSENGER CORPORATION ET AL. *v.* VAN HOLT ET VIR. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 283 Ill. App. 3d 62, 669 N. E. 2d 1288.

No. 96-1407. COLEMAN *v.* JOSEPH E. SEAGRAM & SONS, INC. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 956.

No. 96-1409. AREA G HOME & LANDOWNERS ORGANIZATION, INC., ET AL. *v.* MUNICIPALITY OF ANCHORAGE, ALASKA. Sup. Ct. Alaska. Certiorari denied. Reported below: 927 P. 2d 728.

No. 96-1422. J. W., FOR HERSELF AND AS NEXT FRIEND OF DOE, HER MINOR DAUGHTER *v.* BRYAN INDEPENDENT SCHOOL DISTRICT. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 651.

No. 96-1423. DEVINE *v.* STONE, LEYTON & GERSHMAN, P. C. C. A. 8th Cir. Certiorari denied. Reported below: 100 F. 3d 78.

No. 96-1424. MARISOL A., BY HER NEXT FRIEND, FORBES, ET AL. *v.* GIULIANI, MAYOR OF NEW YORK CITY, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 524.

No. 96-1434. SZMALEC *v.* TEXAS. Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 927 S. W. 2d 213.

No. 96-1437. CITY OF NEW YORK ET AL. *v.* IVANI CONTRACTING CORP. C. A. 2d Cir. Certiorari denied. Reported below: 103 F. 3d 257.

No. 96-1441. WEST AMERICAN INSURANCE CO. *v.* FREEMAN. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-1443. NAGLE *v.* BAILEY. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 1565.

No. 96-1450. SHINN ET AL., ON BEHALF OF SHINN *v.* COLLEGE STATION INDEPENDENT SCHOOL DISTRICT ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 96 F. 3d 783.

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No. 96-1451. *COLLAGEN CORP. v. GREEN ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 546 Pa. 400, 685 A. 2d 110.

No. 96-1455. *SACULLA v. WISCONSIN MEDICAL EXAMINING BOARD ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 205 Wis. 2d 111, 555 N. W. 2d 409.

No. 96-1457. *HACKLANDER-READY v. WISCONSIN EX REL. SPRAGUE ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 205 Wis. 2d 110, 555 N. W. 2d 409.

No. 96-1458. *VERDIN ET AL. v. LOUISIANA LAND & EXPLORATION Co.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 681 So. 2d 63.

No. 96-1460. *WJM REALTY, INC. v. STATE ROADS COMMISSION OF THE MARYLAND HIGHWAY ADMINISTRATION.* Ct. Sp. App. Md. Certiorari denied. Reported below: 111 Md. App. 752.

No. 96-1467. *ADMINISTRACION NACIONAL DE TELECOMUNICACIONES (ANTEL) v. NEW VALLEY CORP.* C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 947.

No. 96-1474. *MASTAW v. NORFOLK & WESTERN RAILWAY Co.* Cir. Ct. Roanoke County, Va. Certiorari denied.

No. 96-1484. *FJETLAND ET AL. v. LONE STAR NORTHWEST ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 962.

No. 96-1502. *STANESCU ET UX. v. AETNA LIFE & CASUALTY INSURANCE Co.* C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 1393.

No. 96-1509. *D'AMBROSIO v. SHOPPERS FOOD WAREHOUSE.* Sup. Ct. Va. Certiorari denied.

No. 96-1536. *SALTARIS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1462.

No. 96-1540. *KENNEDY v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 387.

No. 96-1549. *SAUNDERS v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

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No. 96-1554. *PERSYN ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 106 F. 3d 424.

No. 96-1555. *ARBEITER ET AL. v. NEW YORK*. App. Term, Sup. Ct. N. Y., 1st Dept. Certiorari denied. Reported below: 169 Misc. 2d 771, 650 N. Y. S. 2d 915.

No. 96-1560. *FULFREE v. MANCHESTER ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 503.

No. 96-1561. *DELCOURT v. SILVERMAN ET AL.* Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 919 S. W. 2d 777.

No. 96-1564. *DICKEY v. CITY OF HARTSVILLE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 97 F. 3d 1446.

No. 96-1599. *SHOWERS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 452 Pa. Super. 135, 681 A. 2d 746.

No. 96-1600. *COTTRILL v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 45 M. J. 485.

No. 96-1601. *CURTIS v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 45 M. J. 480.

No. 96-1604. *COOKE ET UX. v. DINAPOLI, TRUSTEE, ET AL.* App. Ct. Conn. Certiorari denied. Reported below: 43 Conn. App. 419, 682 A. 2d 603.

No. 96-6841. *MCCULLAH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 76 F. 3d 1087.

No. 96-7329. *DURHAM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96-7430. *MATHIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 96 F. 3d 1577.

No. 96-7589. *COHEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 69.

No. 96-7703. *CARTER v. AMTRAK NATIONAL RAILROAD PASSENGER CORPORATION*. C. A. 9th Cir. Certiorari denied.

No. 96-7732. *BADRU v. UNITED STATES*; and
No. 96-7734. *BADRU v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 97 F. 3d 1471.

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No. 96-7815. *POSEY v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 222 Ga. App. 405, 474 S. E. 2d 206.

No. 96-7820. *TRILLO v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1748.

No. 96-7822. *WILDER ET AL. v. MASSACHUSETTS DEPARTMENT OF CORRECTION ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 89 F. 3d 824.

No. 96-7840. *JENSON v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1724.

No. 96-7879. *JAHANNES v. REID*. Ct. App. Ga. Certiorari denied. Reported below: 222 Ga. App. XXIX.

No. 96-8023. *FITZGERALD v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1716.

No. 96-8076. *MITCHELL v. PARKER, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 699.

No. 96-8085. *RADCLIFFE v. HAWAII*. Sup. Ct. Haw. Certiorari denied. Reported below: 83 Haw. 545, 928 P. 2d 39.

No. 96-8086. *TUERK v. OTIS ELEVATOR Co., INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 692.

No. 96-8093. *OLIVER v. ROSSEN ET AL.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 96-8094. *MILLER v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1732.

No. 96-8096. *MULTANI v. UNITED STATES ET AL.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 233 App. Div. 2d 965, 649 N. Y. S. 2d 311.

No. 96-8099. *FARMER v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 147 N. J. 43, 685 A. 2d 1242.

No. 96-8104. *VRETTOS v. STAGE HOUSE INN ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-8112. *BOOKER v. WORSHAM ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 652.

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No. 96–8113. *BROWN v. TEXAS*. Ct. App. Tex., 11th Dist. Certiorari denied.

No. 96–8118. *WHITE v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA*. C. A. 10th Cir. Certiorari denied.

No. 96–8120. *CROSS v. CROSS*. App. Ct. Mass. Certiorari denied. Reported below: 40 Mass. App. 1133, 667 N. E. 2d 920.

No. 96–8121. *JONES v. SENKOWSKI, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 96–8126. *KENT v. HARVARD ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 109 F. 3d 772.

No. 96–8127. *MALLARD v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 96–8131. *TOLBERT v. DALLAS AREA RAPID TRANSIT*. C. A. 5th Cir. Certiorari denied. Reported below: 96 F. 3d 1445.

No. 96–8133. *JACKSON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 684 So. 2d 1213.

No. 96–8134. *DAVIS v. ZAVARAS, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 100 F. 3d 750.

No. 96–8135. *WILLIAMS v. MOBLEY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 364.

No. 96–8136. *WALSH v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 96–8137. *THOMAS v. OWENS, JUDGE, DISTRICT COURT OF OKLAHOMA, OKLAHOMA COUNTY, ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 96–8138. *TURNER v. DENMARK ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 710.

No. 96–8141. *ARTEAGA v. HILL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 96–8142. *PATE v. LOCKHEED MISSILES & SPACE CO., INC., ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 96–8143. *RIEFLIN v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 558 N. W. 2d 149.

No. 96–8146. *ARTEAGA v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 96–8147. *FIELDS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 923 P. 2d 624.

No. 96–8150. *SCHWARZ v. DEPARTMENT OF JUSTICE*. C. A. D. C. Cir. Certiorari denied.

No. 96–8151. *LOWE v. BOONE*. Ct. Crim. App. Okla. Certiorari denied.

No. 96–8157. *LOWE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 96–8160. *WOODS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 275 Ill. App. 3d 1134, 692 N. E. 2d 876.

No. 96–8161. *THONGVANH v. AULT, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 96–8164. *PETRICK v. REYNOLDS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 414.

No. 96–8166. *ROSS v. GROOSE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 96–8167. *JACKSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 13 Cal. 4th 1164, 920 P. 2d 1254.

No. 96–8174. *HAMILTON v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 681 So. 2d 1217.

No. 96–8175. *HENRY v. WILLIAMSON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 363.

No. 96–8176. *HILL v. CSC CREDIT SERVICES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 96 F. 3d 1443.

No. 96–8188. *YOUNG v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 96–8189. *YARBOROUGH v. KEANE*, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 894.

No. 96–8190. *THORNTON v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 187 Ariz. 325, 929 P. 2d 676.

No. 96–8195. *ROBINSON v. CITY OF CLEVELAND HEIGHTS, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 96–8198. *BALDWIN v. GEORGE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 689.

No. 96–8207. *SANDERS v. EDWARDS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 96–8210. *JENKINS v. UNITED STATES POSTAL SERVICE*. C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 1342.

No. 96–8211. *REID v. OKLAHOMA*. C. A. 10th Cir. Certiorari denied. Reported below: 101 F. 3d 628.

No. 96–8213. *BURNETT v. CHIPPEWA COUNTY BAR ASSN.* Ct. App. Mich. Certiorari denied.

No. 96–8229. *BROUSSARD v. BURKETT*. C. A. 5th Cir. Certiorari denied.

No. 96–8249. *DAWSON v. RICHMOND HEIGHTS LOCAL SCHOOL DISTRICT*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 96–8257. *WITTER v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 908, 921 P. 2d 886.

No. 96–8279. *VADEN, AKA INGRAM v. POWELL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 96–8285. *ELDRIDGE v. QUICK ET AL.* Ct. App. D. C. Certiorari denied.

No. 96–8287. *GLENDORA v. HOSTETTER ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 353.

No. 96–8295. *LOHSE v. CHATER, COMMISSIONER OF SOCIAL SECURITY*. C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 669.

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No. 96-8330. *ELAM v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 96-8348. *BARDIN v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 96-8351. *LE GRAND v. GOORD*, COMMISSIONER, NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES, ET AL. C. A. 2d Cir. Certiorari denied.

No. 96-8353. *BRANCH v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 685 So. 2d 1250.

No. 96-8366. *SHEPHERD v. OLK LONG*, WARDEN. C. A. 8th Cir. Certiorari denied.

No. 96-8374. *GIEBEL v. MONTANA SYSTEM OF HIGHER EDUCATION ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 280 Mont. 500, 929 P. 2d 252.

No. 96-8396. *BROCK v. UNKNOWN*. Ct. App. Ohio, Franklin County. Certiorari denied.

No. 96-8403. *MYERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 104 F. 3d 76.

No. 96-8404. *NETTLES v. GOMEZ*, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 408.

No. 96-8409. *HARRIS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 96-8411. *MARTIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 79 F. 3d 1144.

No. 96-8423. *BLACKBURN v. UNITED STATES*; and
No. 96-8473. *HILTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 103 F. 3d 87.

No. 96-8438. *PIZZO v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 688 So. 2d 494.

No. 96-8448. *NEVIUS v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 281 Ill. App. 3d 1152, 701 N. E. 2d 845.

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No. 96-8451. *KROEMER v. IRVIN*, SUPERINTENDENT, WENDE CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 96-8453. *COURTNEY v. SHALALA*, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 129.

No. 96-8460. *MOORE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 935 S. W. 2d 124.

No. 96-8461. *BLANDINO v. LIPPOLD ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-8462. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 105 F. 3d 671.

No. 96-8466. *FETT v. MORRIS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 647.

No. 96-8475. *CARSON v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL. C. A. 5th Cir. Certiorari denied.

No. 96-8477. *CORNISH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 302.

No. 96-8481. *JUVENILE MALE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 18.

No. 96-8482. *MERRITT v. BUREAU OF PRISONS ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 104 F. 3d 1407.

No. 96-8485. *SIMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 125.

No. 96-8488. *BUTLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 1191.

No. 96-8490. *WALKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 108 F. 3d 343.

No. 96-8492. *DEBOWALE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 380.

No. 96-8495. *COHEN v. COUNTY OF SARPY, NEBRASKA, ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 96–8496. *TRIPATI v. ARIZONA*. Super. Ct. Ariz., Maricopa County. Certiorari denied.

No. 96–8497. *WILLIAMS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 103 F. 3d 1093.

No. 96–8507. *BERNARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 667.

No. 96–8508. *CROTTS ET UX. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 649.

No. 96–8509. *RIVERA CONTRERAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 667.

No. 96–8510. *RUSHING v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 935 S. W. 2d 30.

No. 96–8511. *OWENS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 101 F. 3d 559.

No. 96–8513. *WARNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 650.

No. 96–8514. *THOMPSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 649.

No. 96–8518. *BELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 99 F. 3d 870.

No. 96–8519. *BAKER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 105 F. 3d 660.

No. 96–8520. *COLEMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 92 F. 3d 1174.

No. 96–8522. *WRIGHT, AKA FARROW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 394.

No. 96–8525. *ALVAREZ RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 141.

No. 96–8526. *STEWART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 655.

No. 96–8527. *KEHM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 410.

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No. 96-8528. *KANAHELE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 142.

No. 96-8529. *JUVENILE MALE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 18.

No. 96-8533. *ROTHSCHILD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 653.

No. 96-8537. *LAPLANTE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 108 F. 3d 330.

No. 96-8540. *MYLES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96-8541. *CAJINA v. UNITED STATES*; and
No. 96-8542. *CAJINA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 364.

No. 96-8545. *THOMAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 9.

No. 96-8546. *THOMAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 115.

No. 96-8547. *WINDOM v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 523.

No. 96-8549. *CORREIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 96-8552. *RAFAEL MEDRANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 96-8554. *SCHROEDER ET UX. v. INTERNAL REVENUE SERVICE*. C. A. 8th Cir. Certiorari denied. Reported below: 105 F. 3d 662.

No. 96-8555. *PATTON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 688 A. 2d 408.

No. 96-8556. *SOUTHALL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 332.

No. 96-8558. *GARNER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 131.

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No. 96–8559. *GRADE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96–8560. *CLAYTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 648.

No. 96–8565. *ALLBRIGHT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 59 F. 3d 1241.

No. 96–8567. *WASHINGTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 96–8570. *HARRIS v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 106 F. 3d 426.

No. 96–8572. *HANSEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 96 F. 3d 1457.

No. 96–8574. *JOHNSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 96–8578. *JACKSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 105 F. 3d 659.

No. 96–8581. *ROWBAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 667.

No. 96–8583. *SOLAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 100 F. 3d 969.

No. 96–8585. *FORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 392.

No. 96–8586. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 418.

No. 96–8587. *HUTCHINSON v. UNITED STATES*; and

No. 96–8588. *GRIFFIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 89 F. 3d 1501.

No. 96–8600. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 394.

No. 96–8602. *BAKER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 78 F. 3d 1241.

No. 96–8603. *TUCKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 369.

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No. 96-8604. *PARKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 104 F. 3d 72.

No. 96-8608. *HAMPTON v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 207 Wis. 2d 369, 558 N. W. 2d 884.

No. 96-8609. *BAUTISTA DE LA CRUZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 667.

No. 96-8612. *MYERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 102 F. 3d 227.

No. 96-8613. *LAMB v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 957.

No. 96-8614. *MCNEIL v. AGUILOS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 107 F. 3d 3.

No. 96-8617. *CUARTAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 356.

No. 96-8620. *RHOADES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 410.

No. 96-8622. *PORTER v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 96-8631. *MARTINEZ-CANO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 18.

No. 96-8633. *KINCAID v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 410.

No. 96-8635. *IRVIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 96-8645. *TAYLOR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 864.

No. 96-8647. *TALAMASEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 670.

No. 96-8663. *JUVENILE MALE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 630.

No. 96-8670. *JOHNSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 F. 3d 1180.

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No. 96-954. AMOCO PRODUCTION CO. ET AL. *v.* PUBLIC SERVICE COMPANY OF COLORADO ET AL.; and

No. 96-1230. WILLIAMS NATURAL GAS CO. ET AL. *v.* AMOCO PRODUCTION CO. ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of these petitions. Reported below: 91 F. 3d 1478.

No. 96-1186. ASSOCIATED GAS DISTRIBUTORS ET AL. *v.* FEDERAL ENERGY REGULATORY COMMISSION;

No. 96-1187. AMERICAN PUBLIC GAS ASSN. ET AL. *v.* FEDERAL ENERGY REGULATORY COMMISSION;

No. 96-1188. NEW YORK PUBLIC SERVICE COMMISSION ET AL. *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL.; and

No. 96-1189. BURLINGTON RESOURCES OIL & GAS CO. *v.* FEDERAL ENERGY REGULATORY COMMISSION. C. A. D. C. Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of these petitions. Reported below: 88 F. 3d 1105.

No. 96-967. NEW YORK *v.* OWENS. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 227 App. Div. 2d 256, 642 N. Y. S. 2d 874.

No. 96-1461. OHIO ADULT PAROLE AUTHORITY ET AL. *v.* LYONS. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 105 F. 3d 1063.

No. 96-1378. BARNABEI *v.* VIRGINIA. Sup. Ct. Va. Motions of National Legal Aid and Defender Association et al. and Virginia College of Criminal Defense Attorneys for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 252 Va. 161, 477 S. E. 2d 270.

No. 96-1393. MISSOURI PACIFIC RAILROAD CO. ET AL. *v.* HARPER. App. Ct. Ill., 5th Dist. Motion of Association of American Railroads for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 282 Ill. App. 3d 19, 667 N. E. 2d 1382.

Rehearing Denied

No. 96-1096. BAHETH ET AL. *v.* GUARANTY BANK & TRUST CO., NKA REGIONS BANK, ET AL., *ante*, p. 1117;

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No. 96-1144. DAVIS *v.* SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, CLC, ET AL., *ante*, p. 1119;

No. 96-1161. BARAKAT *v.* LIFE INSURANCE COMPANY OF VIRGINIA, *ante*, p. 1143;

No. 96-1217. FLORES *v.* FMC CORP. ET AL., *ante*, p. 1120;

No. 96-1220. MOREWITZ *v.* ASHMORE, *ante*, p. 1120;

No. 96-1247. RICHARDSON *v.* BAKERY, CONFECTIONARY & TOBACCO WORKERS, LOCAL NO. 26, *ante*, p. 1143;

No. 96-1331. SMITH *v.* UNITED STATES, *ante*, p. 1144;

No. 96-6580. LEWIS LANG *v.* REYNOLDS ET AL., 519 U. S. 1120;

No. 96-6680. ASHTON *v.* UNITED STATES ET AL., 519 U. S. 1095;

No. 96-7040. MAXBERRY *v.* PARAMOUNT COMMUNICATIONS ET AL., 519 U. S. 1125;

No. 96-7195. WILLIAMS *v.* MISSISSIPPI, *ante*, p. 1145;

No. 96-7205. BURNETT *v.* BULSON; and BURNETT *v.* RIGGLE ET AL., 519 U. S. 1152;

No. 96-7293. AZUBUKO *v.* MONTGOMERY, CLERK-MAGISTRATE, DISTRICT COURT OF MASSACHUSETTS, SUFFOLK COUNTY, *ante*, p. 1106;

No. 96-7334. SCOTT *v.* DIME SAVINGS BANK OF NEW YORK, *ante*, p. 1122;

No. 96-7408. BRAYALL ET VIR *v.* DART INDUSTRIES ET AL., *ante*, p. 1123;

No. 96-7538. BURNETT *v.* WILLETTE, *ante*, p. 1126;

No. 96-7606. REMETA *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 1147;

No. 96-7656. AZUBUKO *v.* REGISTRAR OF MOTOR VEHICLES, *ante*, p. 1157;

No. 96-7781. BUSTAMANTE *v.* UNITED STATES, *ante*, p. 1129;

No. 96-7788. LEAL *v.* CHATER, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 1130; and

No. 96-7841. THOMAS *v.* WEST, SECRETARY OF THE ARMY, *ante*, p. 1148. Petitions for rehearing denied.

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Miscellaneous Orders

No. A-807. WESTLEY *v.* TEXAS. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

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No. 96-7151. *LEWIS v. UNITED STATES*. C. A. 5th Cir. [Certiorari granted, *ante*, p. 1209.] The order granting the petition for writ of certiorari is amended to read: Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to the following question: "Whether petitioner was properly charged and convicted for the murder of her four-year-old stepdaughter under the Assimilative Crimes Statute, 18 U. S. C. § 13, and the Louisiana child murder statute, La. Rev. Stat. Ann. § 14:30(A)(5) (West 1986), and if not, whether the sentence was proper?"

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Certiorari Granted—Vacated and Remanded

No. 96-538. *FROST ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Johnson v. United States*, *ante*, p. 461. Reported below: 61 F. 3d 1518 and 77 F. 3d 1319.

No. 96-1089. *UNITED STATES v. KEYS*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Johnson v. United States*, *ante*, p. 461. Reported below: 95 F. 3d 874.

No. 96-1323. *CITY OF SANTA ANA v. HERNANDEZ ET AL.*; and No. 96-1516. *HERNANDEZ ET AL. v. CITY OF SANTA ANA*. C. A. 9th Cir. Certiorari granted, judgment vacated, and cases remanded for further consideration in light of *Auer v. Robbins*, 519 U. S. 452 (1997). Reported below: 94 F. 3d 651.

No. 96-6348. *McKINNEY 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 *Johnson v. United States*, *ante*, p. 461. Reported below: 79 F. 3d 105.

Miscellaneous Orders

No. A-416. *WRIGHT v. UNITED STATES*. Application for bail, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. M-79. *RUSSELL v. CITY OF BRYAN*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

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No. 65, Orig. TEXAS *v.* NEW MEXICO. Motion of the River Master for fees and expenses granted, and the River Master is awarded \$2,758 for the period January 1 through March 31, 1997, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 519 U. S. 979.]

No. 96-7171. SPENCER *v.* KEMNA, SUPERINTENDENT, WESTERN MISSOURI CORRECTIONAL CENTER, ET AL. C. A. 8th Cir. [Certiorari granted, *ante*, p. 1165.] Motion for appointment of counsel granted, and it is ordered that John William Simon, Esq., of Jefferson City, Mo., be appointed to serve as counsel for petitioner in this case.

No. 96-8400. BUCHANAN *v.* ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. [Certiorari granted, *ante*, p. 1196.] Motion for appointment of counsel granted, and it is ordered that Gerald T. Zerkin, Esq., of Richmond, Va., be appointed to serve as counsel for petitioner in this case.

No. 96-8242. IN RE SPYCHALA;

No. 96-8252. IN RE WHITE; and

No. 96-8667. IN RE GRUBBS. Petitions for writs of mandamus denied.

No. 96-8996 (A-815). IN RE CALLINS. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

No. 96-9000 (A-816). IN RE LACKEY. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Granted

No. 96-1133. UNITED STATES *v.* SCHEFFER. C. A. Armed Forces. Certiorari granted. Reported below: 44 M. J. 442.

No. 96-1462. LUNDING ET UX. *v.* NEW YORK TAX APPEALS TRIBUNAL ET AL. Ct. App. N. Y. Certiorari granted. Reported below: 89 N. Y. 2d 283, 675 N. E. 2d 816.

No. 96-1482. LEXECON INC. ET AL. *v.* MILBERG WEISS BERSHAD HYNES & LERACH ET AL. C. A. 9th Cir. Certiorari

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granted limited to Question 1 presented by the petition. Reported below: 102 F. 3d 1524.

Certiorari Denied

No. 96-560. BARRICK *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 91 F. 3d 677.

No. 96-781. CARTER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 89 F. 3d 854.

No. 96-969. TEXAS INSTRUMENTS INC. *v.* CYPRESS SEMICONDUCTOR CORP. ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 90 F. 3d 1558.

No. 96-979. NIKOLITS, PROPERTY APPRAISER OF PALM BEACH COUNTY *v.* PARRISH ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 86 F. 3d 1088.

No. 96-1240. LEAHY ET AL. *v.* CITY OF CHICAGO. C. A. 7th Cir. Certiorari denied. Reported below: 96 F. 3d 228.

No. 96-1260. HOLT *v.* KMI-CONTINENTAL, INC. C. A. 2d Cir. Certiorari denied. Reported below: 95 F. 3d 123.

No. 96-1268. CITY AND COUNTY OF DENVER, COLORADO *v.* SONNENFELD ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 100 F. 3d 744.

No. 96-1275. CALIFORNIA *v.* OPUKU-BOATENG. C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1461.

No. 96-1276. BRADLEY ET AL. *v.* FIRST GIBRALTAR BANK, FSB, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 98 F. 3d 1338.

No. 96-1287. IMPARATO *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 95 F. 3d 1126.

No. 96-1318. OCALA STAR-BANNER CORP. ET AL. *v.* McNELY. C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 1068.

No. 96-1328. ROBINSON *v.* GLOBAL MARINE DRILLING CO. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 35.

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No. 96-1358. *OCHOA v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 98 F. 3d 646.

No. 96-1404. *LEWIS ET VIR v. ALAMANCE COUNTY.* C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 600.

No. 96-1452. *COLORADO ET AL. v. SANCHEZ ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 97 F. 3d 1303.

No. 96-1454. *ROSENSTIEL ET AL. v. RODRIGUEZ, CHAIR, MINNESOTA ETHICAL PRACTICES BOARD.* C. A. 8th Cir. Certiorari denied. Reported below: 101 F. 3d 1544.

No. 96-1456. *LUNDQUIST v. PREMIER FINANCIAL SERVICES-TEXAS, L. P.* C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 551.

No. 96-1459. *PEDEN ET AL. v. KANSAS ET AL.* Sup. Ct. Kan. Certiorari denied. Reported below: 261 Kan. 239, 930 P. 2d 1.

No. 96-1465. *UNION PACIFIC RAILROAD CO. ET AL. v. COM-SOURCE INDEPENDENT FOOD SERVICE COS., INC.* C. A. 9th Cir. Certiorari denied. Reported below: 102 F. 3d 438.

No. 96-1466. *COSENTINO ET AL. v. KELLY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 102 F. 3d 71.

No. 96-1471. *MORGAN v. TEXAS UTILITIES ELECTRIC CO.* C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 656.

No. 96-1472. *HOLT v. JTM INDUSTRIES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 89 F. 3d 1224.

No. 96-1475. *TAVORA v. NEW YORK MERCANTILE EXCHANGE.* C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 907.

No. 96-1477. *TATREAU v. MINNESOTA BOARD OF MEDICAL PRACTICE.* Ct. App. Minn. Certiorari denied.

No. 96-1478. *WOOD, ADMINISTRATOR OF THE ESTATE OF BOURGEOIS, DECEASED v. GARNER FOOD SERVICES, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 89 F. 3d 1523.

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No. 96-1483. *ADVANCED SEMICONDUCTOR MATERIALS AMERICA, INC., ET AL. v. APPLIED MATERIALS, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 98 F. 3d 1563.

No. 96-1485. *GROSSBAUM ET AL. v. INDIANAPOLIS-MARION COUNTY BUILDING AUTHORITY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 100 F. 3d 1287.

No. 96-1486. *COMMISSIONER OF INTERNAL REVENUE v. D'AMBROSIO, EXECUTRIX OF THE ESTATE OF D'AMBROSIO, DECEASED.* C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 309.

No. 96-1489. *VANCE v. PETERS, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 97 F. 3d 987.

No. 96-1501. *MORIEL v. PRUNTY, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 101 F. 3d 706.

No. 96-1503. *MCLEOD v. OREGON LITHOPRINT, INC., DBA NEWS-REGISTER PUBLISHING CO., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 102 F. 3d 376.

No. 96-1512. *SOUTH CAROLINA v. FOWLER.* Ct. App. S. C. Certiorari denied. Reported below: 322 S. C. 263, 471 S. E. 2d 706.

No. 96-1514. *CONTE v. JOE CONTE TOYOTA, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 654.

No. 96-1519. *WILSON, GOVERNOR OF CALIFORNIA, ET AL. v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 828.

No. 96-1525. *CZERKIES v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 99 F. 3d 1142.

No. 96-1530. *HASHEMI v. AMERICAN EXPRESS TRAVEL RELATED SERVICES CO., INC.* C. A. 9th Cir. Certiorari denied. Reported below: 104 F. 3d 1122.

No. 96-1544. *OVERSEAS BULKTANK CORP. ET AL. v. ROSE.* Ct. App. La., 5th Cir. Certiorari denied.

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No. 96-1638. *SCOTT v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 101 F. 3d 748.

No. 96-1664. *TIN YAT CHIN v. DEPARTMENT OF JUSTICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 95 F. 3d 1167.

No. 96-1686. *FUENTES v. UNITED STATES*; and
No. 96-8671. *LOPEZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 98.

No. 96-6929. *HART v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 92 F. 3d 1186.

No. 96-7082. *BOYD v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 86 F. 3d 719.

No. 96-7325. *EMBREY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 96-7740. *AKUJOROBI v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 709.

No. 96-7924. *RIOS v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 546 Pa. 271, 684 A. 2d 1025.

No. 96-8144. *SHATNER v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 174 Ill. 2d 133, 673 N. E. 2d 258.

No. 96-8148. *HAYNES v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 174 Ill. 2d 204, 673 N. E. 2d 318.

No. 96-8230. *BARLOW v. HERRON, SHERIFF, RANDOLPH COUNTY.* C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 389.

No. 96-8232. *SOTO-FONG v. ARIZONA.* Sup. Ct. Ariz. Certiorari denied. Reported below: 187 Ariz. 186, 928 P. 2d 610.

No. 96-8234. *LYNCH v. BOONE, SHERIFF, CASS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 653.

No. 96-8239. *MACKENZIE v. CREAGER.* Sup. Ct. Wash. Certiorari denied.

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No. 96-8241. *MITCHELL v. ALBUQUERQUE BOARD OF EDUCATION ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 103 F. 3d 145.

No. 96-8255. *YOUNG v. STINE, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 96-8258. *CARSON ET UX. v. COAST VILLAGE PROPERTY OWNERS CORP.* Ct. App. Ore. Certiorari denied. Reported below: 142 Ore. App. 597, 922 P. 2d 730.

No. 96-8260. *WRIGHT v. TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 96-8262. *TULLER v. NEAL, SUPERINTENDENT, COLORADO STATE PENITENTIARY, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 670.

No. 96-8264. *JOHNSON v. LAMONT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1346.

No. 96-8269. *SCHMIDT v. MARTIN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 96-8273. *SISK v. TEXAS.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 96-8278. *WHITE v. O'CONNOR, MAGISTRATE JUDGE, UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS.* C. A. 5th Cir. Certiorari denied. Reported below: 109 F. 3d 767.

No. 96-8281. *TOLBERT v. OHIO.* Ct. App. Ohio, Cuyahoga County. Certiorari denied. Reported below: 116 Ohio App. 3d 86, 686 N. E. 2d 1375.

No. 96-8282. *WILLIAMS v. INDIANA.* Sup. Ct. Ind. Certiorari denied. Reported below: 669 N. E. 2d 1372.

No. 96-8283. *GERALD v. MORTON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-8284. *DYE v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 96-8286. *DINGLE v. ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

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No. 96–8288. *ARTEAGA v. SUPERIOR COURT OF CALIFORNIA, SANTA CLARA COUNTY*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 96–8289. *ARTEAGA v. COURT OF APPEAL OF CALIFORNIA, SIXTH APPELLATE DISTRICT*. Sup. Ct. Cal. Certiorari denied.

No. 96–8290. *COOK v. CROGAN, COUNTY PROBATION OFFICER, SAN DIEGO COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96–8292. *MULTANI v. ROSS UNIVERSITY ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 233 App. Div. 2d 197, 650 N. Y. S. 2d 527.

No. 96–8298. *SEWARD v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 96–8301. *FARRELL v. OHIO*. Ct. App. Ohio, Sandusky County. Certiorari denied.

No. 96–8305. *ALESSI v. NORTHWEST AIRLINES, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 363.

No. 96–8306. *MOLINA LOPEZ v. ARIZONA*. Super. Ct. Ariz., Pima County. Certiorari denied.

No. 96–8315. *FOSTER v. OLD TOWN TROLLEY ET AL.* Ct. App. D. C. Certiorari denied.

No. 96–8316. *EL-BADRAWI v. DICKSON SUPPLY CO. ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 96–8319. *BRANCATO v. FISCHER*. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 937 S. W. 2d 379.

No. 96–8338. *MONTEZ v. OREGON*. Sup. Ct. Ore. Certiorari denied. Reported below: 324 Ore. 343, 927 P. 2d 64.

No. 96–8397. *SINGH v. GENERAL ACCOUNTING OFFICE ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 106 F. 3d 427.

No. 96–8402. *NICOLAUS v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1102.

No. 96–8414. *MARTIN v. RIVERS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 12.

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No. 96-8480. *LEFF v. INSTITUTE OF SPECIALIZED MEDICINE ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-8498. *REYNOLDS v. LOS ANGELES COUNTY DEPARTMENT OF CHILDREN'S SERVICES.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-8564. *BARBARA v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 96 F. 3d 1456.

No. 96-8590. *HOWARD v. CASPARI, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 99 F. 3d 895.

No. 96-8618. *BURGESS v. EASLEY MUNICIPAL ELECTION COMMISSION.* Sup. Ct. S. C. Certiorari denied. Reported below: 325 S. C. 6, 478 S. E. 2d 680.

No. 96-8625. *COLEMAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 654.

No. 96-8627. *NAGI v. C. E. FLEMING CORP. ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 96-8655. *GIBBS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 649.

No. 96-8656. *GIRARD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1347.

No. 96-8658. *HOWARD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 92 F. 3d 1192.

No. 96-8659. *HERNANDEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 418.

No. 96-8662. *JOHNSON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 22 F. 3d 1100.

No. 96-8669. *MOTT v. ARIZONA.* Sup. Ct. Ariz. Certiorari denied. Reported below: 187 Ariz. 536, 931 P. 2d 1046.

No. 96-8676. *WILLIAMS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 411.

No. 96-8679. *AKPAETI v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 415 and 416.

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No. 96-8683. *HUMPHREY ET UX. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 104 F. 3d 65.

No. 96-8684. *PIERRE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 418.

No. 96-8685. *CHURN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 106 F. 3d 402.

No. 96-8686. *CAUSEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 91 F. 3d 144.

No. 96-8687. *GALES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 709.

No. 96-8689. *GIACOMEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 331.

No. 96-8691. *IRONS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 333.

No. 96-8692. *JACKSON v. BARRY, MAYOR OF THE DISTRICT OF COLUMBIA, ET AL.* Ct. App. D. C. Certiorari denied.

No. 96-8695. *WILLIAMS v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 96-8697. *TROWBRIDGE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 110 F. 3d 71.

No. 96-8701. *BREWSTER ET AL. v. UNITED STATES*;

No. 96-8718. *LINDSEY v. UNITED STATES*; and

No. 96-8727. *BUGGS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 415.

No. 96-8702. *DAVID v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 414.

No. 96-8703. *HOWARD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 107 F. 3d 13.

No. 96-8705. *GOINS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 9.

No. 96-8706. *HANSEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 417.

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No. 96-8710. *STEWART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 398.

No. 96-8711. *O'NEAL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 9.

No. 96-8715. *NELSON v. INTERNAL REVENUE SERVICE*. C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 963.

No. 96-8716. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 121.

No. 96-8717. *JACKSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 333.

No. 96-8725. *JONES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 872.

No. 96-8726. *BELTRAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 397.

No. 96-8729. *FULBRIGHT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 443.

No. 96-8735. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 23.

No. 96-8737. *WRIGHT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 394.

No. 96-8738. *TRIPLETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 1074.

No. 96-8741. *THOMPSON v. TRUE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 414.

No. 96-8745. *ESCOBAR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 948.

No. 96-8747. *GONZALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 54.

No. 96-8754. *WARREN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 392.

No. 96-1412. *SPECKARD, SUPERINTENDENT, GROVELAND CORRECTIONAL FACILITY, ET AL. v. AYALA*. C. A. 2d Cir. Motion

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of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 89 F. 3d 91 and 102 F. 3d 649.

No. 96-1580. SHAY ET AL. *v.* HOWARD ET AL. C. A. 9th Cir. Motions of Crowley Maritime Corp. and American Academy of Actuaries for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 100 F. 3d 1484.

Rehearing Denied

No. 96-925. MCKINNEY ET UX. *v.* BALDWIN, 519 U. S. 1114;
No. 96-6761. HART/CROSS *v.* UNITED STATES, 519 U. S. 1120;
No. 96-6963. IN RE MINNIECHESKE, 519 U. S. 1054;
No. 96-7139. HAMM *v.* UNITED STATES, 519 U. S. 1129;
No. 96-7453. TOBIE *v.* DEPARTMENT OF THE INTERIOR ET AL.,
ante, p. 1124;
No. 96-7941. HOWARD *v.* WALT DISNEY CO. ET AL., *ante*,
p. 1189; and
No. 96-8158. ROGERS *v.* UNITED STATES, *ante*, p. 1178. Petitions for rehearing denied.

No. 96-5268. GLOCK *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 519 U. S. 888. Motion for leave to file petition for rehearing denied.

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Dismissal Under Rule 46

No. 96-8452. LABASTIDA *v.* NEVADA. Sup. Ct. Nev. Certiorari dismissed under this Court's Rule 46. Reported below: 112 Nev. 1502, 931 P. 2d 1334.

Miscellaneous Order

No. A-830. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS *v.* MARTINEZ-VILLAREAL. Application to vacate the stay of execution of sentence of death granted by the United States Court of Appeals for the Ninth Circuit on May 19, 1997, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied.

Certiorari Denied

No. 96-9068 (A-823). MARTINEZ-VILLAREAL *v.* ARIZONA. Sup. Ct. Ariz. Motion for leave to proceed *in forma pauperis*

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without an affidavit of indigency executed by petitioner granted. Application for stay of execution of sentence of death, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied. Certiorari denied.

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Certiorari Granted—Vacated and Remanded

No. 95–1385. WOOD, SUPERINTENDENT, WALLA WALLA STATE PENITENTIARY, ET AL. *v.* GOTCHER. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Edwards v. Balisok*, ante, p. 641. Reported below: 66 F. 3d 1097.

Miscellaneous Orders

No. A–793. EINAUGLER *v.* SUPREME COURT OF NEW YORK ET AL. Application for stay of mandate, addressed to JUSTICE SOUTER and referred to the Court, denied.

No. M–78. NOWICKI *v.* BRUFF ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 95–1726. UNITED STATES *v.* LABONTE ET AL. C. A. 1st Cir. [Certiorari granted, 518 U. S. 1016.] Motion of respondent Stephen Dyer to dismiss the writ of certiorari as improvidently granted denied.

No. 96–871. STATE OIL CO. *v.* KHAN ET AL. C. A. 7th Cir. [Certiorari granted, 519 U. S. 1107.] Motions of Association of the Bar of the City of New York and Business Roundtable for leave to file briefs as *amici curiae* granted. Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96–1252. PROFESSIONAL MEDICAL INSURANCE CO. ET AL. *v.* MURFF. C. A. 8th Cir. Motions of International Association of Insurance Receivers and Transit Casualty Co. for leave to file briefs as *amici curiae* granted.

No. 96–1346. PARADIES ET AL. *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioners for leave to amend petition for writ of certiorari granted.

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No. 96–8809. IN RE WRIGHT. Petition for writ of habeas corpus denied.

No. 96–1675. IN RE GELB; and

No. 96–8392. IN RE ANDERSON. Petitions for writs of mandamus denied.

Certiorari Granted

No. 96–1487. UNITED STATES *v.* BAJAKAJIAN. C. A. 9th Cir. Certiorari granted. Reported below: 84 F. 3d 334.

No. 96–1279. ROGERS *v.* UNITED STATES. C. A. 11th Cir. Certiorari granted limited to the following question: “Whether a district court’s failure to instruct the jury on an element of an offense is harmless error where, at trial, the defendant admitted that element?” Reported below: 94 F. 3d 1519.

No. 96–7901. TREST *v.* CAIN, WARDEN. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 94 F. 3d 1005.

Certiorari Denied

No. 96–752. ARAMONY ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 88 F. 3d 1369.

No. 96–1163. MALLOTT & PETERSON ET AL. *v.* STADTMILLER ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1170.

No. 96–1242. ARMSTRONG ET AL. *v.* EXECUTIVE OFFICE OF THE PRESIDENT ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 90 F. 3d 553.

No. 96–1310. SALAZAR-HARO *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 3d Cir. Certiorari denied. Reported below: 95 F. 3d 309.

No. 96–1324. ZARNES *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 96–1415. SUFFOLK PARENTS OF HANDICAPPED ADULTS ET AL. *v.* WINGATE, COMMISSIONER, SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 818.

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No. 96-1426. HUTTON, PERSONAL REPRESENTATIVE OF THE ESTATE OF HUTTON *v.* THREE RIVERS AREA HOSPITAL. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 956.

No. 96-1504. HUBBARD *v.* KENTUCKY EDUCATION PROFESSIONAL STANDARDS BOARD. Ct. App. Ky. Certiorari denied.

No. 96-1505. BUSS *v.* PAINESVILLE TOWNSHIP. Ct. App. Ohio, Lake County. Certiorari denied.

No. 96-1507. LA FUERZA AEREA BOLIVIANA, AN INSTRUMENTALITY OF THE REPUBLIC OF BOLIVIA *v.* TRANSAERO, INC. C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 538.

No. 96-1508. PRICKETT ET AL. *v.* NORFOLK SOUTHERN RAILWAY CO. ET AL. Sup. Ct. Ala. Certiorari denied. Reported below: 691 So. 2d 1055.

No. 96-1513. GRANT *v.* MISSISSIPPI ET AL. Sup. Ct. Miss. Certiorari denied. Reported below: 686 So. 2d 1078.

No. 96-1517. FIDEL ET AL. *v.* NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PENNSYLVANIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 664.

No. 96-1520. MUSE ET AL. *v.* INTERNATIONAL BUSINESS MACHINES CORP. ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 490.

No. 96-1521. WILLIAMS *v.* AVNET, INC., ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 346.

No. 96-1522. DUFFEY, DIRECTOR, UNITED STATES INFORMATION AGENCY *v.* HARTMAN ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 88 F. 3d 1232.

No. 96-1523. FOSTER *v.* CITY OF SOUTHFIELD ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 106 F. 3d 400.

No. 96-1524. GROOMS ET AL. *v.* GLAZE ET AL. Sup. Ct. S. C. Certiorari denied. Reported below: 324 S. C. 249, 478 S. E. 2d 841.

No. 96-1527. PATEL ET AL. *v.* PENMAN ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 868.

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No. 96–1528. *LOVING v. PIRELLI CABLE CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 96 F. 3d 1433.

No. 96–1532. *NEW JERSEY CARPENTERS APPRENTICE TRAINING AND EDUCATION FUND v. BOROUGH OF KENILWORTH.* Sup. Ct. N. J. Certiorari denied. Reported below: 147 N. J. 171, 685 A. 2d 1309.

No. 96–1533. *SAULSBERRY v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 691 So. 2d 1021.

No. 96–1535. *RONWIN v. IOWA SUPREME COURT BOARD OF PROFESSIONAL ETHICS AND CONDUCT.* Sup. Ct. Iowa. Certiorari denied. Reported below: 557 N. W. 2d 515.

No. 96–1546. *CONTINENTAL TREND RESOURCES, INC., ET AL. v. OXY USA INC.* C. A. 10th Cir. Certiorari denied. Reported below: 101 F. 3d 634.

No. 96–1548. *HUTTON v. HOWARD.* Ct. App. Okla. Certiorari denied.

No. 96–1565. *ORBACK ET AL. v. HEWLETT-PACKARD CO.* C. A. 10th Cir. Certiorari denied. Reported below: 97 F. 3d 429.

No. 96–1583. *VAN HARKEN ET AL. v. CITY OF CHICAGO.* C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 1346.

No. 96–1603. *CORNFORTH v. HOWARD, SPECIAL JUDGE, DISTRICT COURT OF OKLAHOMA, OKLAHOMA COUNTY.* C. A. 10th Cir. Certiorari denied. Reported below: 98 F. 3d 1349.

No. 96–1637. *WOLFE v. DEBOSE ET AL.* Sup. Ct. Colo. Certiorari denied. Reported below: 928 P. 2d 1315.

No. 96–1676. *BENNALLACK v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 409.

No. 96–1682. *STELMOKAS, AKA STELMOKEVICIUS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 100 F. 3d 302.

No. 96–1700. *ABIDEKUN v. NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 352.

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No. 96-1702. *HARVEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 393.

No. 96-6825. *CAMPBELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 94 F. 3d 125.

No. 96-7332. *WEST v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 92 F. 3d 1385.

No. 96-7640. *MORALES-LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 698.

No. 96-7641. *JOHNSON v. GOMEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 92 F. 3d 964.

No. 96-7872. *GRAHAM-WEBER v. COUNTY OF ESSEX ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 112.

No. 96-7895. *BASCUE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1461.

No. 96-7930. *CHANDLER v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 96-8240. *JOHNSON v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 326 Ark. 430, 934 S. W. 2d 179.

No. 96-8244. *DEVER ET AL. v. TURNER, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1138.

No. 96-8250. *FELTROP v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 91 F. 3d 1178.

No. 96-8299. *SACERIO v. SCHOOL BOARD OF DADE COUNTY*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 681 So. 2d 1151.

No. 96-8307. *RIVERS v. FARCAS, STEWART, BROWNIE, HANDSON & BLISS*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 96-8318. *PLEDGER v. ARKANSAS REGIONAL BLOOD SERVICE*. Ct. App. Ark. Certiorari denied. Reported below: 55 Ark. App. xxv.

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No. 96–8322. *HILL v. PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 96–8323. *HILL v. RAUP ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96–8324. *HILL v. ACKER*. C. A. 3d Cir. Certiorari denied.

No. 96–8325. *HILL v. BECK ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96–8326. *HILL v. GATES ET AL.* (two judgments). C. A. 3d Cir. Certiorari denied.

No. 96–8327. *HILL v. MCCLURE, JUDGE, UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 96–8328. *HILL v. KEMP ET AL.* (two judgments). C. A. 3d Cir. Certiorari denied.

No. 96–8329. *HARRISON v. BARBOUR, SUPERINTENDENT, TWIN RIVERS CORRECTIONS CENTER, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1345.

No. 96–8331. *COHEA v. WHITE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96–8340. *KLYNG v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 96–8343. *TOSH v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 96–8345. *WAMBACH v. CREECY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 360.

No. 96–8347. *PAGE v. SAUNDERS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 97 F. 3d 1448.

No. 96–8349. *MILLER v. STATE INDUSTRIAL INSURANCE SYSTEM OF NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1112, 923 P. 2d 577.

No. 96–8354. *CAREY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

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No. 96-8356. *ABELE v. SWIGERT*. C. A. 11th Cir. Certiorari denied.

No. 96-8363. *CANNON v. SIMMS ET AL.* Super. Ct. Bibb County, Ga. Certiorari denied.

No. 96-8365. *CRAIG v. BLACKBURN ET AL.* C. A. 10th Cir. Certiorari denied.

No. 96-8370. *WHITEROCK v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 775, 918 P. 2d 1309.

No. 96-8372. *TREMBLAY v. SMITH ET AL.* C. A. 1st Cir. Certiorari denied.

No. 96-8373. *WERNER, AKA THOMAS v. MCCOTTER, EXECUTIVE DIRECTOR, UTAH DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 414.

No. 96-8375. *GARY v. TURPIN, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 96-8378. *HOEKSTRA, BY AND THROUGH HER PARENTS, HOEKSTRA ET AL. v. INDEPENDENT SCHOOL DISTRICT No. 283*. C. A. 8th Cir. Certiorari denied. Reported below: 103 F. 3d 624.

No. 96-8381. *CLAYTON v. CLAYTON*. Ct. App. Ind. Certiorari denied. Reported below: 662 N. E. 2d 1014.

No. 96-8384. *HOWARD v. HOWARD*. Ct. App. Ohio, Lucas County. Certiorari denied.

No. 96-8385. *ECHOLS v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 326 Ark. 917, 936 S. W. 2d 509.

No. 96-8386. *BERNYS v. WING ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 96-8387. *SPICER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 96-8390. *BROWN v. BONACCORSO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 94 F. 3d 650.

No. 96-8394. *ALTSCHUL v. TEXAS* (four judgments). Ct. Crim. App. Tex. Certiorari denied.

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No. 96-8395. *ASHING v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 282 Ill. App. 3d 1122, 707 N. E. 2d 304.

No. 96-8410. *DARWALL v. MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 96-8412. *BELTON v. DEPARTMENT OF VETERANS AFFAIRS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 14.

No. 96-8419. *BALLOD v. PENNSYLVANIA ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 676 A. 2d 1333.

No. 96-8428. *JUDD v. UNIVERSITY OF NEW MEXICO ET AL.* C. A. 10th Cir. Certiorari denied.

No. 96-8434. *KABAKOW v. AMERICAN SAVINGS BANK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 95 F. 3d 1157.

No. 96-8446. *JAMES v. COURT OF COMMON PLEAS OF SOUTH CAROLINA, SUMTER COUNTY, ET AL.* Sup. Ct. S. C. Certiorari denied.

No. 96-8457. *EVANS v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1172, 926 P. 2d 265.

No. 96-8467. *DRUMMOND v. MARYLAND*. C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 1129.

No. 96-8484. *VIEUX v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 41 Mass. App. 526, 671 N. E. 2d 989.

No. 96-8504. *ALTSCHUL v. TEXAS* (two judgments). Ct. Crim. App. Tex. Certiorari denied.

No. 96-8521. *SWEENEY v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-8539. *M CRAE v. BROWN, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 106 F. 3d 424.

No. 96-8550. *MALLIA v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 89 N. Y. 2d 1013, 680 N. E. 2d 625.

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No. 96-8657. *HIGGASON v. SWIHART ET AL.* C. A. 7th Cir. Certiorari denied.

No. 96-8720. *MCBRIDE v. THOMPSON, SUPERINTENDENT, OREGON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 1146.

No. 96-8728. *GRAY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 956.

No. 96-8731. *EATON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 868.

No. 96-8734. *STEWART v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 104 F. 3d 1377.

No. 96-8744. *GOLDY v. MORTON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-8752. *BEASLEY ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 102 F. 3d 1440.

No. 96-8758. *PERDUE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 24.

No. 96-8759. *WATKINS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 398.

No. 96-8763. *IBIDA v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 393.

No. 96-8765. *JOINER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 103 F. 3d 961.

No. 96-8766. *IVORY v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 106 F. 3d 403.

No. 96-8768. *KIRKLAND v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 104 F. 3d 1403 and 107 F. 3d 923.

No. 96-8771. *STEWART v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 101 F. 3d 716.

No. 96-8775. *CROWE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 392.

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No. 96-8776. *GELIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 709.

No. 96-8777. *CANNON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 105 F. 3d 671.

No. 96-8779. *OGLETREE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 25.

No. 96-8781. *SOMERS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 133.

No. 96-8784. *KIMBLE, AKA KIMBALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 96-8785. *LAWANSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 F. 3d 380.

No. 96-8787. *MOLINA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 106 F. 3d 1118.

No. 96-8789. *BALL v. BOOKER, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 104 F. 3d 362.

No. 96-8792. *THORNTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 411.

No. 96-8794. *VINES v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 691 A. 2d 165.

No. 96-8795. *WIMBUSH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 F. 3d 968.

No. 96-8799. *DIALLO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 96-8801. *DOBYNS ET AL. v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 679 A. 2d 487.

No. 96-8802. *EDWARDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 108 F. 3d 344.

No. 96-8806. *ROGERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 104 F. 3d 361.

No. 96-8807. *DUNCAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 555.

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No. 96–8808. FIGUEROA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 105 F. 3d 874.

No. 96–8812. JACQUOT *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 26.

No. 96–8816. MURPHY *v.* PERRILL, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 107 F. 3d 880.

No. 96–8826. VASQUEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 369.

No. 96–8828. SMITH *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 531.

No. 96–8829. PETERSEN *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 24.

No. 96–8831. CHIQUITO *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 311.

No. 96–8836. BOWLER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 96–8838. COCIVERA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 104 F. 3d 566.

No. 96–8842. CARGLE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 107 F. 3d 13.

No. 96–1496. TIDEWATER MARINE WESTERN, INC., ET AL. *v.* CALIFORNIA LABOR COMMISSIONER ET AL. Sup. Ct. Cal. Motion of Maritime Law Association of the United States for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 14 Cal. 4th 557, 927 P. 2d 296.

No. 96–1553. ERNST & YOUNG *v.* SIMPSON. C. A. 6th Cir. Motions of 16 law firms and Arthur Anderson LLP et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 100 F. 3d 436.

No. 96–1605. BEAR VALLEY CHURCH OF CHRIST *v.* DEBOSE ET AL. Sup. Ct. Colo. Motion of National Baptist Convention of America, Inc., et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 928 P. 2d 1315.

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Rehearing Denied

- No. 96–1308. *LOVELL v. HURFORD ET AL.*, *ante*, p. 1156;
No. 96–7470. *DODD v. OLIVER ET AL.*, *ante*, p. 1125;
No. 96–7514. *CRAWFORD v. HAWAII*, *ante*, p. 1126;
No. 96–7824. *IN RE IJEMBA*, *ante*, p. 1114;
No. 96–7825. *IVY v. UNITED STATES*, *ante*, p. 1131;
No. 96–7956. *AGCAOILI v. BROWN, SECRETARY OF VETERANS AFFAIRS*, *ante*, p. 1159; and
No. 96–8185. *FRANKS v. UNITED STATES*, *ante*, p. 1179. Petitions for rehearing denied.

No. 96–5454. *MASON v. NORWEST BANK SOUTH DAKOTA, N. A., ET AL.*, 519 U.S. 910. Petition for rehearing denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

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Miscellaneous Order. (See also No. 96–9124, *infra*.)

No. 96–9158 (A–860). *IN RE MADDEN*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 96–9124 (A–853). *MADDEN v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Combined petition for writ of certiorari, petition for writ of habeas corpus, and petition for an appropriate writ denied.

MAY 29, 1997

Dismissal Under Rule 46

No. 96–7563. *RUSSELL v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari dismissed under this Court's Rule 46.

JUNE 2, 1997

Certiorari Granted—Vacated and Remanded. (See also No. 96–1033, *ante*, p. 893.)

No. 96–540. *UNITED STATES v. DUNN*. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further

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consideration in light of *United States v. LaBonte*, *ante*, p. 751. Reported below: 80 F. 3d 402.

Miscellaneous Orders

No. 96-859. STEVEDORING SERVICES OF AMERICA ET AL. *v.* DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL., *ante*, p. 1155. Motion of respondent Charles S. Sproull for attorney's fees denied without prejudice to refiling in the United States Court of Appeals for the Ninth Circuit.

No. 96-8882. IN RE NORDQUEST; and

No. 96-8932. IN RE FOREST. Petitions for writs of habeas corpus denied.

No. 96-1658. IN RE UNIVERSAL COMPUTER SYSTEMS, INC., ET AL.; and

No. 96-8850. IN RE MCCALL. Petitions for writs of mandamus denied.

No. 96-8465. IN RE HIGGINS. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 96-1337. COUNTY OF SACRAMENTO ET AL. *v.* LEWIS ET AL., PERSONAL REPRESENTATIVES OF THE ESTATE OF LEWIS, DECEASED. C. A. 9th Cir. Certiorari granted. Reported below: 98 F. 3d 434.

No. 96-1375. ST. PAUL-RAMSEY MEDICAL CENTER, INC. *v.* SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. 8th Cir. Certiorari granted. Reported below: 91 F. 3d 57.

No. 96-1470. QUALITY KING DISTRIBUTORS, INC. *v.* L'ANZA RESEARCH INTERNATIONAL, INC. C. A. 9th Cir. Motions of Costco Cos., Inc., et al. and American Free Trade Association for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 98 F. 3d 1109.

Certiorari Denied

No. 95-8469. BRITT *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 79 F. 3d 584.

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No. 95–8791. *NOVEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 78 F. 3d 1483.

No. 95–9335. *HERNANDEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 79 F. 3d 584.

No. 95–9361. *JOHNSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 79 F. 3d 1156.

No. 96–1203. *WEAVER v. UNITED STATES INFORMATION AGENCY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 87 F. 3d 1429.

No. 96–1206. *MCGUIRE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 99 F. 3d 671.

No. 96–1359. *CITY OF NEW YORK ET AL. v. BERY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 97 F. 3d 689.

No. 96–1361. *GRIJALVA v. DEPARTMENT OF THE INTERIOR*. C. A. Fed. Cir. Certiorari denied. Reported below: 104 F. 3d 374.

No. 96–1377. *AETNA HEALTH PLANS OF CALIFORNIA, INC., ET AL. v. ARDARY ET AL.*; and

No. 96–1526. *INLAND HEALTHCARE GROUP v. ARDARY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 496.

No. 96–1444. *ARIAS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 13 Cal. 4th 92, 913 P. 2d 980.

No. 96–1531. *LEAK ET AL. v. GRANT MEDICAL CENTER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 129.

No. 96–1534. *SWEENEY v. SCHMOKE, MAYOR OF BALTIMORE, ET AL.* Cir. Ct. Baltimore County, Md. Certiorari denied.

No. 96–1545. *LANE v. MINISTRY OF DEFENSE, STATE OF ISRAEL*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 665.

No. 96–1558. *URBAN SEARCH MANAGEMENT ET AL. v. TYUS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 102 F. 3d 256.

No. 96–1562. *SISTRUNK v. CITY OF STRONGSVILLE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 194.

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No. 96-1567. *JACKSON v. LOUISIANA*. Ct. App. La., 2d Cir. Certiorari denied. Reported below: 672 So. 2d 215.

No. 96-1573. *LAW OFFICES OF HERBERT HAFIF v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 F. 3d 276.

No. 96-1575. *DELONE v. MORRIS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 386.

No. 96-1576. *WESSELS v. IOWA*. Ct. App. Iowa. Certiorari denied.

No. 96-1582. *OREGON TAXPAYERS UNITED PAC v. KEISLING, OREGON SECRETARY OF STATE*. Ct. App. Ore. Certiorari denied. Reported below: 143 Ore. App. 537, 924 P. 2d 853.

No. 96-1597. *DOSTERT v. SUPREME COURT OF APPEALS OF WEST VIRGINIA ET AL.* Sup. Ct. App. W. Va. Certiorari denied.

No. 96-1640. *BASIC ENERGY CORP. v. CHILES, GOVERNOR OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 418.

No. 96-1643. *DANIELL v. OLD LINE LIFE INSURANCE COMPANY OF AMERICA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 695.

No. 96-1656. *MULLINAX v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 327 Ark. 41, 938 S.W. 2d 801.

No. 96-1663. *PIERSON v. WILSHIRE TERRACE CORP.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-1677. *JENKINS v. UNITED STATES POSTAL SERVICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 104 F. 3d 376.

No. 96-1679. *ELDRIDGE AUTO SALES, INC. v. PURTLE*. C. A. 6th Cir. Certiorari denied. Reported below: 91 F. 3d 797.

No. 96-1690. *PFLUGER v. ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 283 Ill. App. 3d 1119, 708 N. E. 2d 854.

No. 96-1716. *KUMPAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 963.

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No. 96-1736. *MUCHNICK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 100 F. 3d 740.

No. 96-1751. *PRITCHARD v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 45 M. J. 126.

No. 96-1754. *GREEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 656.

No. 96-1767. *ROE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 F. 3d 1140.

No. 96-5777. *CALDWELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 82 F. 3d 427.

No. 96-5865. *ADAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 89 F. 3d 841.

No. 96-6001. *FOUNTAIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 83 F. 3d 946.

No. 96-6496. *SAUNDERS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 92 F. 3d 1188.

No. 96-6518. *VON HOFF v. UNITED STATES*;
No. 96-6776. *HOELZER v. UNITED STATES*; and
No. 96-7731. *BATES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 96 F. 3d 1441.

No. 96-6810. *MCQUILKIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 97 F. 3d 723.

No. 96-7264. *LIPPITT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 97 F. 3d 1454.

No. 96-7618. *BORKOWSKI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1461.

No. 96-7639. *ROANE v. UNITED STATES*;
No. 96-7686. *JOHNSON v. UNITED STATES*; and
No. 96-7692. *TIPTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 90 F. 3d 861.

No. 96-7796. *SORIA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 933 S. W. 2d 46.

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No. 96-7873. *HOLMAN v. PAGE, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 95 F. 3d 481.

No. 96-7921. *LUFKIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 134.

No. 96-7959. *SWIGER v. OHIO*. Ct. App. Ohio, Tuscarawas County. Certiorari denied.

No. 96-7989. *IYAMU v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 554.

No. 96-8011. *NICOLETTI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 92 F. 3d 1199.

No. 96-8061. *RHODES v. BRIGANO, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 91 F. 3d 803.

No. 96-8072. *MUHAYMIN, AKA MOSBY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 101 F. 3d 1278.

No. 96-8101. *VILLAREAL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 96-8302. *SMULLS v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 935 S. W. 2d 9.

No. 96-8401. *BABA v. 1133 BUILDING CORP. ET AL.*; and *BABA v. EVANS ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 210 App. Div. 2d 6, 619 N. Y. S. 2d 41 (first judgment); 213 App. Div. 2d 248, 624 N. Y. S. 2d 18 (second judgment).

No. 96-8415. *MCREYNOLDS v. KAYE, CHIEF JUDGE, COURT OF APPEALS OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 96-8418. *PUGH v. MORALES, ATTORNEY GENERAL OF TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 331.

No. 96-8420. *CASTEEL v. PIESCHEK, SHERIFF OF BROWN COUNTY JAIL, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 96-8429. *MCREYNOLDS v. MURPHY, PRESIDING JUSTICE, SUPREME COURT OF NEW YORK, APPELLATE DIVISION, FIRST JUDICIAL DEPARTMENT*. C. A. 2d Cir. Certiorari denied.

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No. 96-8440. *McREYNOLDS v. MARK, JUSTICE, FAMILY COURT OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 96-8442. *LEVY v. FRESH FIELDS MARKET, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 1130.

No. 96-8444. *RICHARDS v. BROWN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 89 F. 3d 835.

No. 96-8449. *NEESE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 96-8450. *MONROE v. ANDERSON, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied.

No. 96-8454. *ELISON ET UX. v. BANK OF NEW YORK*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 96-8455. *ETEMAD v. CALIFORNIA DEPARTMENT OF WATER RESOURCES CONTROL BOARD*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 15.

No. 96-8464. *LAMBERT v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 675 N. E. 2d 1060.

No. 96-8468. *EASTERWOOD v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 96-8469. *HAWKINS v. MICHIGAN DEPARTMENT OF CORRECTIONS*. C. A. 6th Cir. Certiorari denied.

No. 96-8471. *SIX v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 94 F. 3d 469.

No. 96-8474. *HOUSER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 96-8476. *BELTON v. DOW CHEMICAL CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 137.

No. 96-8483. *TAPLIN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 96-8491. *GANGI v. BAYBANK, FSB, ET AL.* Sup. Ct. N. H. Certiorari denied.

No. 96-8500. *THORNTON v. ALABAMA.* Sup. Ct. Ala. Certiorari denied.

No. 96-8502. *ALLEN v. WESTWINDS APARTMENTS.* Ct. App. S. C. Certiorari denied.

No. 96-8503. *CARR v. RANEY, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 96-8532. *JENKINS ET AL. v. OAKLEY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 99 F. 3d 1149.

No. 96-8538. *NOE v. ANDERSON, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY.* C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 396.

No. 96-8557. *HERMAN v. RATELLE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-8582. *FELDER v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 686 So. 2d 1305.

No. 96-8595. *MCDONALD v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 687 So. 2d 1304.

No. 96-8629. *MAGHE v. KOCH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 107 F. 3d 21.

No. 96-8636. *LOWE v. POGUE.* Sup. Ct. Okla. Certiorari denied.

No. 96-8644. *TIDIK v. RITSEMA ET AL.* C. A. 6th Cir. Certiorari denied.

No. 96-8648. *TURNPAUGH v. LECUREUX, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 871.

No. 96-8650. *WILLIAMS v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 112 Nev. 1750.

No. 96-8664. *HADLEY v. ILLINOIS.* App. Ct. Ill., 5th Dist. Certiorari denied.

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No. 96-8666. *HARRIS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 96-8688. *DOGGINS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 96-8690. *ST. JOSEPH v. BORG, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 408.

No. 96-8693. *NELSON v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-8704. *ELLIS v. PINKINS, CHIEF DEPUTY WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 337.

No. 96-8709. *REESE v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 94 F. 3d 1177.

No. 96-8714. *NICHOLAS v. PATAKI, GOVERNOR OF NEW YORK, ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 233 App. Div. 2d 657, 650 N. Y. S. 2d 317.

No. 96-8736. *WATSON v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 284 Ill. App. 3d 1153, 708 N. E. 2d 1289.

No. 96-8749. *JORDAN v. MISSOURI*. Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 937 S. W. 2d 262.

No. 96-8750. *MCQUEEN v. PARKER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 99 F. 3d 1302.

No. 96-8753. *HARRIS v. CHAPMAN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 499.

No. 96-8756. *SCHWARTZ v. EMHART GLASS MACHINERY, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-8770. *ANTONELLI v. FUGETT ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 101 F. 3d 110.

No. 96-8786. *JAMES v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 397.

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No. 96–8810. *BIZBERG-GOGOL, AKA ZION v. FEDERAL BUREAU OF INVESTIGATION*. C. A. 11th Cir. Certiorari denied. Reported below: 949 F. 2d 1161.

No. 96–8813. *LITTLEFIELD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 527.

No. 96–8815. *MCDONALD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 100 F. 3d 1320.

No. 96–8824. *LEEPER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 1457.

No. 96–8830. *PRESCOTT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 107 F. 3d 5.

No. 96–8844. *GALLARES v. RUNYON, POSTMASTER GENERAL, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 138.

No. 96–8847. *HARDY v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 284 Ill. App. 3d 1119, 708 N. E. 2d 1275.

No. 96–8849. *MANGONE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 105 F. 3d 29.

No. 96–8853. *HEIMERMANN v. VANDER ARK, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 96–8855. *BATSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 392.

No. 96–8861. *ROSE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 104 F. 3d 1408.

No. 96–8863. *CARROLL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 105 F. 3d 740.

No. 96–8865. *DAVIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 103 F. 3d 660.

No. 96–8866. *FERRET-CASTELLANOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 339.

No. 96–8867. *HICKS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 106 F. 3d 187.

No. 96–8877. *KRAFT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 98 F. 3d 1336.

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No. 96–1610. CLARK, EXECUTRIX OF THE ESTATE OF CLARK, DECEASED *v.* E. I. DU PONT DE NEMOURS & CO. ET AL. C. A. 4th Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 105 F. 3d 646.

No. 96–8334. BETHLEY *v.* LOUISIANA. Sup. Ct. La. Certiorari denied. Reported below: 685 So. 2d 1063.

Statement of JUSTICE STEVENS, with whom JUSTICE GINSBURG and JUSTICE BREYER join, respecting the denial of certiorari.

It is well settled that our decision to deny a petition for writ of certiorari does not in any sense constitute a ruling on the merits of the case in which the writ is sought. *United States v. Carver*, 260 U. S. 482, 490 (1923). See *Singleton v. Commissioner*, 439 U. S. 940, 942 (1978) (opinion of STEVENS, J., respecting denial of certiorari); *Maryland v. Baltimore Radio Show, Inc.*, 338 U. S. 912, 919 (1950) (opinion of Frankfurter, J., respecting denial of certiorari). That is certainly true of our decision to deny certiorari in this case. It is worth noting the existence of an arguable jurisdictional bar to our review. Our consideration of state-court decisions is confined to “[f]inal judgments or decrees rendered by the highest court of a State in which a decision could be had.” 28 U. S. C. § 1257(a). Petitioner has been neither convicted of nor sentenced for any crime. As we have indicated, “in the context of a criminal prosecution, finality is normally defined by the imposition of the sentence.” *Flynt v. Ohio*, 451 U. S. 619, 620 (1981). See *Baltimore Radio*, 338 U. S., at 918 (noting one reason for denial of certiorari is that “judgment of the lower court may not be final”).

No. 96–8707. THOMPSON *v.* CALDERON, WARDEN. C. A. 9th Cir. Motion of respondent to strike *amici curiae* brief of Richard Gilbert et al. denied. Certiorari denied. Reported below: 109 F. 3d 1358.

Rehearing Denied

No. 96–1357. SMITH, PERSONAL REPRESENTATIVE OF SMITH, DECEASED *v.* SOCIALIST PEOPLE’S LIBYAN ARAB JAMAHIRIYA ET AL., *ante*, p. 1204;

No. 96–1380. MURRAY *v.* BABBITT, SECRETARY OF THE INTERIOR, *ante*, p. 1187;

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No. 96-7790. *McREYNOLDS v. GANGEL-JACOB*, JUSTICE, APPELLATE DIVISION, SUPREME COURT OF NEW YORK, FIRST JUDICIAL DEPARTMENT, *ante*, p. 1173;

No. 96-7823. *WORATZECK v. STEWART*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, *ante*, p. 1173;

No. 96-7871. *FLETCHER v. SCHINDLER ELEVATOR CORP. ET AL.*, *ante*, p. 1174;

No. 96-7900. *WASHINGTON v. CITY OF JACKSONVILLE, FLORIDA, ET AL.*, *ante*, p. 1175;

No. 96-8106. *JACOBSON v. STEVENS ET AL.*, *ante*, p. 1177;

No. 96-8173. *GANT v. DRUG ENFORCEMENT AGENCY ET AL.*, *ante*, p. 1178; and

No. 96-8217. *PIZZO v. CAIN, WARDEN, ET AL.*, *ante*, p. 1190. Petitions for rehearing denied.

JUNE 3, 1997

Miscellaneous Order

No. A-875. *HARRIS v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. JUSTICE SCALIA took no part in the consideration or decision of this application.

Certiorari Denied

No. 96-8892 (A-811). *BEHRINGER v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

JUNE 4, 1997

Dismissal Under Rule 46

No. 96-1126. *IOLAB CORP. v. HUNTER*. Sup. Ct. Mo. Certiorari dismissed under this Court's Rule 46.1. Reported below: 927 S. W. 2d 848.

Miscellaneous Order

No. 96-9244 (A-881). *IN RE LOSADA*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and

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by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 96-9138 (A-854). *JOHNSON-BEY v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

No. 96-9243 (A-876). *LOSADA v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

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Certiorari Granted—Vacated and Remanded

No. 96-896. *JEFFERSON COUNTY, ALABAMA v. ACKER ET AL.* C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Arkansas v. Farm Credit Servs. of Central Ark.*, ante, p. 821. Reported below: 92 F. 3d 1561.

No. 96-936. *CITY OF ANAHEIM v. CALIFORNIA CREDIT UNION LEAGUE*. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Arkansas v. Farm Credit Servs. of Central Ark.*, ante, p. 821. Reported below: 95 F. 3d 30.

Miscellaneous Orders. (See also No. 96-8796, ante, p. 937.)

No. A-792. *SMITH v. COLORADO*. Sup. Ct. Colo. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. A-802 (96-1843). *SMITH v. UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT ET AL.* C. A. 10th Cir. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. D-1391. *IN RE DISBARMENT OF CASTRO*. Disbarment entered. [For earlier order herein, see 511 U.S. 1104.]

No. D-1788. *IN RE DISBARMENT OF AURIEMMA*. Disbarment entered. [For earlier order herein, see ante, p. 1112.]

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No. D-1791. IN RE DISBARMENT OF GROWNEY. Disbarment entered. [For earlier order herein, see *ante*, p. 1152.]

No. D-1792. IN RE DISBARMENT OF SANDS. Disbarment entered. [For earlier order herein, see *ante*, p. 1153.]

No. D-1793. IN RE DISBARMENT OF BOEHME. Disbarment entered. [For earlier order herein, see *ante*, p. 1153.]

No. D-1794. IN RE DISBARMENT OF ECHOLS. Disbarment entered. [For earlier order herein, see *ante*, p. 1153.]

No. D-1806. IN RE DISBARMENT OF MORATH. Thomas D. Morath, 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-1807. IN RE DISBARMENT OF CALVERT. Stephen Bradford Calvert, of Stuart, Fla., 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-1808. IN RE DISBARMENT OF KIRK. Raymond D. Kirk, of Lexington, Ky., 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-1809. IN RE DISBARMENT OF LANDAN. Henry Sinclair Landan, 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-1810. IN RE DISBARMENT OF LASH. Michael Lewis Lash, of New Orleans, La., 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. 96-8961. IN RE RICHARDS. Petition for writ of habeas corpus denied.

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Certiorari Granted

No. 96-568. *ONCALE v. SUNDOWNER OFFSHORE SERVICES, INC., ET AL.* C. A. 5th Cir. Certiorari granted. Reported below: 83 F. 3d 118.

No. 96-1579. *BROGAN v. UNITED STATES.* C. A. 2d Cir. Certiorari granted. Reported below: 96 F. 3d 35.

No. 96-1400. *CALIFORNIA ET AL. v. DEEP SEA RESEARCH, INC., ET AL.* C. A. 9th Cir. Motions of National Trust for Historic Preservation et al. and Columbus-America Discovery Group for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 102 F. 3d 379.

No. 96-1569. *BOGAN ET AL. v. SCOTT-HARRIS.* C. A. 1st Cir. Certiorari granted. In addition to the questions presented by the petition, the parties are directed to brief and argue the following question: "Are individual members of a local legislative body entitled to absolute immunity from liability under 42 U. S. C. § 1983 for actions taken in a legislative capacity?" Reported below: 134 F. 3d 427.

No. 96-1581. *SOUTH DAKOTA v. YANKTON SIOUX TRIBE ET AL.* C. A. 8th Cir. Motion of Montana Association of Counties for Reservation Counties for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 99 F. 3d 1439.

Certiorari Denied

No. 95-1763. *J. M. MARTINAC & CO. ET AL. v. SARATOGA FISHING CO.* C. A. 9th Cir. Certiorari denied. Reported below: 69 F. 3d 1432.

No. 96-176. *PRESSLEY, PERSONAL REPRESENTATIVE FOR THE ESTATE OF PRESSLEY, DECEASED v. PRESSLEY.* C. A. 6th Cir. Certiorari denied. Reported below: 82 F. 3d 126.

No. 96-1397. *VILLAGE OF AIRMONT v. LEBLANC-STERNBERG ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 355.

No. 96-1417. *CARGILL, INC. v. PARSLEY DAIRY FARM ET AL.;*
and

No. 96-1624. *PARSLEY DAIRY FARM ET AL. v. CARGILL, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 551.

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No. 96-1425. *TERRY ET AL. v. RENO, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 101 F. 3d 1412.

No. 96-1433. *BARRY, MAYOR OF THE DISTRICT OF COLUMBIA, ET AL. v. LASHAWN A., BY HER NEXT FRIEND, MOORE, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 107 F. 3d 923.

No. 96-1499. *C. O. N. T. R. O. L. ET AL. v. NEILSEN ET AL.* Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 916 S. W. 2d 677.

No. 96-1515. *CHRISTENSEN ET AL. v. GRIFFES, VERMONT COMMISSIONER OF MOTOR VEHICLES.* Sup. Ct. Vt. Certiorari denied. Reported below: 166 Vt. 21, 686 A. 2d 964.

No. 96-1563. *SC TESTING TECHNOLOGY, INC., ET AL. v. MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION ET AL.* Sup. Jud. Ct. Me. Certiorari denied. Reported below: 688 A. 2d 421.

No. 96-1568. *TEE ET AL. v. UAL CORP. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 91 F. 3d 163.

No. 96-1572. *HEALTHSOUTH REHABILITATION HOSPITAL v. AMERICAN NATIONAL RED CROSS, DBA AMERICAN RED CROSS SOUTH CAROLINA BLOOD SERVICES REGION.* C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 1005.

No. 96-1585. *EDMUNDSON, ADMINISTRATOR OF THE ESTATE OF TURNAGE, DECEASED, ET AL. v. KEESLER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 117.

No. 96-1586. *KRUGER ET UX. v. SONIC RESTAURANTS, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 670.

No. 96-1588. *CLARK v. BURNS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 105 F. 3d 659.

No. 96-1589. *COLFORD v. CHUBB LIFE INSURANCE COMPANY OF AMERICA.* Sup. Jud. Ct. Me. Certiorari denied. Reported below: 687 A. 2d 609.

No. 96-1592. *OLKEY ET AL. v. HYPERION 1999 TERM TRUST, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 98 F. 3d 2.

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No. 96-1593. *HINCHLIFFE v. PENNSYLVANIA*. Commw. Ct. Pa. Certiorari denied. Reported below: 677 A. 2d 406.

No. 96-1594. *HAYS ET AL. v. CITY OF URBANA*. C. A. 7th Cir. Certiorari denied. Reported below: 104 F. 3d 102.

No. 96-1608. *TRIMIEW v. NORFOLK SOUTHERN RAILWAY CO.* Sup. Ct. Va. Certiorari denied. Reported below: 253 Va. 22, 480 S. E. 2d 104.

No. 96-1609. *LABOUR v. AMERICAN STATES INSURANCE CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 99 F. 3d 1145.

No. 96-1615. *SCRUGGS v. WILSON ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 685 So. 2d 1206.

No. 96-1616. *LEIJA ET VIR, AS NEXT FRIENDS OF LEIJA, A MINOR v. CANUTILLO INDEPENDENT SCHOOL DISTRICT*. C. A. 5th Cir. Certiorari denied. Reported below: 101 F. 3d 393.

No. 96-1620. *SCHUNDLER, MAYOR OF JERSEY CITY, ET AL. v. AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 104 F. 3d 1435.

No. 96-1632. *PSI REPAIR SERVICES, INC. v. HONEYWELL, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 104 F. 3d 811.

No. 96-1634. *ASAM v. DEVEREAUX, CHAIRMAN, DISCIPLINARY BOARD, ALABAMA STATE BAR, ET AL.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 686 So. 2d 1222.

No. 96-1635. *ASAM v. NORRIS ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 691 So. 2d 1056.

No. 96-1645. *FLOYD AUTEN ELECTRIC, INC. v. BERRY CONSTRUCTION, INC., ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-1665. *SANTIAGO, PERSONAL REPRESENTATIVE OF THE ESTATE OF SANTIAGO, DECEASED v. WARE ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 205 Wis. 2d 292, 556 N. W. 2d 356.

No. 96-1669. *PADDOCK PUBLICATIONS, INC., DBA THE DAILY HERALD v. CHICAGO TRIBUNE CO. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 42.

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No. 96-1705. *ORTON v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 10th Cir. Certiorari denied. Reported below: 100 F. 3d 968.

No. 96-1711. *STANLEY ET AL. v. BOLES*. Sup. Jud. Ct. Me. Certiorari denied.

No. 96-1723. *SMITH ET UX. v. NOYES*. Sup. Ct. N. H. Certiorari denied.

No. 96-1739. *SCHULZ ET AL. v. NEW YORK STATE UNIFIED COURT SYSTEM ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 356.

No. 96-1771. *COLLINS v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied.

No. 96-1774. *CARPENTER v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 46 M. J. 372.

No. 96-1775. *DURST-LEE v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 101 F. 3d 714.

No. 96-7768. *WHITEHEAD v. UNITED STATES*; and

No. 96-7967. *PRETTY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 98 F. 3d 1213.

No. 96-8114. *BRITZ v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 174 Ill. 2d 163, 673 N. E. 2d 300.

No. 96-8124. *LETSINGER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 93 F. 3d 140.

No. 96-8125. *LOMBARD v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 102 F. 3d 1.

No. 96-8505. *HARRIS v. GOMEZ, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-8512. *SIKORA v. DOE ET AL.* C. A. 8th Cir. Certiorari denied.

No. 96-8515. *WOODARD v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 234 App. Div. 2d 613, 652 N. Y. S. 2d 64.

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No. 96-8517. *RAHMAN v. PHILLIP ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 356.

No. 96-8523. *SHARP v. RAY.* C. A. 6th Cir. Certiorari denied. Reported below: 103 F. 3d 130.

No. 96-8524. *RODRIGUEZ v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 104 F. 3d 694.

No. 96-8530. *NOE v. ANDERSON, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY.* C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 396.

No. 96-8534. *SIDLES v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA.* C. A. 9th Cir. Certiorari denied.

No. 96-8535. *SIDDIQUI v. NEW YORK.* C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 386.

No. 96-8536. *BUELL v. GELMAN.* App. Term, Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 96-8543. *COLLYER v. DARLING ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 98 F. 3d 211.

No. 96-8544. *BOLIEK v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 96 F. 3d 1070.

No. 96-8551. *LOWE v. ZIMMERMAN ET AL.* C. A. 10th Cir. Certiorari denied.

No. 96-8561. *CLEMY P. ET AL. v. MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES.* Ct. App. Md. Certiorari denied. Reported below: 344 Md. 458, 687 A. 2d 681.

No. 96-8562. *RUTHRUFF v. JOHNSON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 96-8563. *RIDGEWAY v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 96-8566. *WATTS v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 87 F. 3d 1282.

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No. 96-8568. *VELA v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 96-8571. *GRAY v. WOOD*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 87 F. 3d 1318.

No. 96-8575. *JOHNSON v. GIBBONS*. Ct. App. D. C. Certiorari denied.

No. 96-8576. *LOWE v. FIELDS ET AL.* C. A. 10th Cir. Certiorari denied.

No. 96-8579. *ALTSCHUL v. LOGUE*, JUDGE. Sup. Ct. Tex. Certiorari denied.

No. 96-8584. *HARMON v. SIKES*, WARDEN, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 555.

No. 96-8591. *CORNETT v. LONGOIS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 396.

No. 96-8592. *BERNYS v. WING ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 96-8593. *WONG ET AL. v. HAN KUK CHUN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1296.

No. 96-8594. *NORBURY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 96-8599. *VIDAL v. FLORIDA*. Cir. Ct. Fla., Dade County. Certiorari denied.

No. 96-8606. *SHARP v. ALLSTATE INSURANCE CO. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 957.

No. 96-8607. *HUMPHRIES v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 325 S. C. 28, 479 S. E. 2d 52.

No. 96-8610. *FLETCHER v. HARRISON*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 96-8630. *JACKSON v. BYRD*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MUNCY, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 105 F. 3d 145.

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No. 96-8638. *ROBINSON v. BARBOUR*, SUPERINTENDENT, TWIN RIVERS CORRECTIONS CENTER. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1460.

No. 96-8649. *WALKER v. KENTUCKY DEPARTMENT OF CORRECTIONS*. Ct. App. Ky. Certiorari denied.

No. 96-8660. *NELSON v. STRAWN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 867.

No. 96-8674. *MICKENS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 252 Va. 315, 478 S. E. 2d 302.

No. 96-8724. *MUNDY v. DUPREE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 862.

No. 96-8746. *GARZA v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 96-8780. *ORNELAS v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL. C. A. 5th Cir. Certiorari denied.

No. 96-8798. *DOMINGUEZ v. HENRY*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 877.

No. 96-8821. *KIDD v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 175 Ill. 2d 1, 675 N. E. 2d 910.

No. 96-8825. *McAFFEE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 652.

No. 96-8860. *UKANDU v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 101 F. 3d 692.

No. 96-8864. *TROTTER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 285 Ill. App. 3d 1095, 709 N. E. 2d 313.

No. 96-8871. *RODEA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 1401.

No. 96-8878. *McMULLEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1155.

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No. 96-8885. *PAULUS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 100 F. 3d 957.

No. 96-8887. *AYBAR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 684.

No. 96-8888. *ZACKARY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 23 and 25.

No. 96-8889. *TARRANT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 96-8895. *TRIPLETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 1074.

No. 96-8898. *CHILDRESS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 707.

No. 96-8902. *HENSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 864.

No. 96-8903. *HART v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 96-8906. *COBB v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 108 F. 3d 1380.

No. 96-8907. *COLLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 25.

No. 96-8910. *VELAZQUEZ-MEDINA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 340.

No. 96-8913. *MYERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 936.

No. 96-8914. *KESHISHIAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 18.

No. 96-8917. *OKOLI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 397.

No. 96-8920. *FREISINGER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 363.

No. 96-8921. *DURHAM v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 106 F. 3d 404.

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No. 96–8933. *FANELLI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 863.

No. 96–8934. *PATTERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 393.

No. 96–8935. *LOAISIGA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 104 F. 3d 484.

No. 96–8936. *VAN ZANT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 110 F. 3d 65.

No. 96–8949. *TILLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 331.

No. 96–8950. *LANIER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 121.

No. 96–8951. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 108 F. 3d 342.

No. 96–8954. *MURRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 12.

No. 96–8955. *MILES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 18.

No. 95–1913. *THIOKOL CORP. ET AL. v. REVENUE DIVISION, DEPARTMENT OF TREASURY OF MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 76 F. 3d 751.

No. 96–1681. *MORGAN, SUPERINTENDENT, KNOX COUNTY SCHOOLS v. CHRIS L., A MINOR, BY NEXT FRIEND, MIKE L.* C. A. 6th Cir. Motions of Georgia School Boards Association, Inc., and National School Boards Association for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 106 F. 3d 401.

Rehearing Denied

No. 96–900. *VISWANATHAN v. BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA ET AL.*, *ante*, p. 1115;

No. 96–7765. *AINSWORTH v. STATE BAR OF CALIFORNIA ET AL.*, *ante*, p. 1172; and

No. 96–8154. *CLARK v. UNITED STATES*, *ante*, p. 1178. Petitions for rehearing denied.

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Miscellaneous Order

No. 96–9321 (A–894). *IN RE BEHRINGER*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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Certiorari Granted—Reversed and Remanded. (See No. 96–1104, *ante*, p. 968.)

Certiorari Granted—Vacated and Remanded

No. 96–6114. *COLLINS v. WELBORN, WARDEN*. 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 *Bracy v. Gramley*, *ante*, p. 899. Reported below: 81 F. 3d 684.

No. 96–8184. *DANIEL 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 *Old Chief v. United States*, 519 U. S. 172 (1997). Reported below: 103 F. 3d 131.

Miscellaneous Orders

No. D–1797. *IN RE DISBARMENT OF REED*. Disbarment entered. [For earlier order herein, see *ante*, p. 1184.]

No. D–1799. *IN RE DISBARMENT OF BENDET*. Disbarment entered. [For earlier order herein, see *ante*, p. 1184.]

No. D–1800. *IN RE DISBARMENT OF FRYE*. Disbarment entered. [For earlier order herein, see *ante*, p. 1184.]

No. D–1801. *IN RE DISBARMENT OF SCHWARTZ*. Disbarment entered. [For earlier order herein, see *ante*, p. 1184.]

No. D–1802. *IN RE DISBARMENT OF BOYLE*. Disbarment entered. [For earlier order herein, see *ante*, p. 1184.]

No. D–1811. *IN RE DISBARMENT OF WATKINS*. Brian R. Watkins, of Lincoln, Neb., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, re-

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quiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. M-81. KOVACS *v.* MENTAL HEALTH SERVICES OF ORANGE COUNTY, FLORIDA;

No. M-82. GRASSIA *v.* LUONGO ET AL.; and

No. M-86. BENJAMIN ET AL. *v.* AROOSTOCK MEDICAL CENTER ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 120, Orig. NEW JERSEY *v.* NEW YORK. Report of the Special Master and Supplement received and ordered filed. Exceptions to the Report may be filed within 45 days. Replies, if any, may be filed within 30 days. [For earlier order herein, see, *e.g.*, 519 U.S. 1038.]

No. 96-8637. IN RE ROBINSON; and

No. 96-8643. IN RE TYLER. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 96-827. CRAWFORD-EL *v.* BRITTON. C. A. D. C. Cir. Certiorari granted. Reported below: 93 F. 3d 813.

No. 96-1590. FEDERAL ELECTION COMMISSION *v.* AKINS ET AL. C. A. D. C. Cir. Certiorari granted. Reported below: 101 F. 3d 731.

No. 96-8653. GRAY *v.* MARYLAND. Ct. App. Md. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 344 Md. 417, 687 A. 2d 660.

Certiorari Denied

No. 96-1150. MAY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 92 F. 3d 1189.

No. 96-1167. JAIN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 93 F. 3d 436.

No. 96-1252. PROFESSIONAL MEDICAL INSURANCE CO. ET AL. *v.* MURFF. C. A. 8th Cir. Certiorari denied. Reported below: 97 F. 3d 289.

No. 96-1274. DIGITAL EQUIPMENT CORP. *v.* DEPARTMENT OF REVENUE OF WASHINGTON. Sup. Ct. Wash. Certiorari denied. Reported below: 129 Wash. 2d 177, 916 P. 2d 933.

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No. 96-1329. *LIGHTMAN ET AL. v. ZENITH INSURANCE CO.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1348.

No. 96-1341. *BONDS ET AL. v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 93 F. 3d 801.

No. 96-1432. *YOURDON, INC. v. BRIDGES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 102 F. 3d 56.

No. 96-1442. *SOUTHERN COMPANY SERVICES, INC. v. PRITCHARD.* C. A. 11th Cir. Certiorari denied. Reported below: 92 F. 3d 1130 and 102 F. 3d 1118.

No. 96-1463. *METRO-NORTH COMMUTER RAILROAD CO. v. PADILLA ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 92 F. 3d 117.

No. 96-1481. *LEAVITT, GOVERNOR OF UTAH, ET AL. v. JANE L. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 102 F. 3d 1112.

No. 96-1537. *SWINT ET AL. v. CHAMBERS COUNTY COMMISSION ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 105 F. 3d 672.

No. 96-1606. *KINGSTON CONSTRUCTORS, INC. v. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.* Sup. Ct. Cal. Certiorari denied. Reported below: 14 Cal. 4th 939, 928 P. 2d 581.

No. 96-1612. *HARPER, JUDGE, COURT OF APPEALS OF OHIO, CUYAHOGA COUNTY v. OFFICE OF DISCIPLINARY COUNSEL, SUPREME COURT OF OHIO, ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 77 Ohio St. 3d 211, 673 N. E. 2d 1253.

No. 96-1619. *BUREAU VERITAS v. CARBOTRADE S. P. A., ON ITS OWN BEHALF AND AS ASSIGNEE OF ESSEX CEMENT CO., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 86.

No. 96-1621. *KING v. FIELDER ET UX.* C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 17.

No. 96-1622. *KNAPP v. NORTHWESTERN UNIVERSITY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 101 F. 3d 473.

No. 96-1623. *GATES ET AL. v. SHINN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 463.

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No. 96-1625. *DELK ET AL. v. FORD MOTOR CO. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 96 F. 3d 182.

No. 96-1626. *ASAM v. RYAN, ACTING JUDGE, CIRCUIT COURT OF DALLAS COUNTY.* C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 417.

No. 96-1629. *PEELER v. SPARTAN RADIOCASTING, INC., ET AL.* Sup. Ct. S. C. Certiorari denied. Reported below: 324 S. C. 261, 478 S. E. 2d 282.

No. 96-1630. *BEISWENGER ENTERPRISES CORP. v. CARLETTA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 86 F. 3d 1032.

No. 96-1631. *DORF & STANTON COMMUNICATIONS, INC., ET AL. v. MOLSON BREWERIES ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 100 F. 3d 919.

No. 96-1636. *LEBBOS v. MASSACHUSETTS STATE BAR.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 423 Mass. 753, 672 N. E. 2d 517.

No. 96-1644. *GREEN v. UMANA.* App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 279 Ill. App. 3d 1117, 701 N. E. 2d 574.

No. 96-1646. *GIORGIO ET UX. v. TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 92 F. 3d 1185.

No. 96-1649. *KEATON ET AL. v. OHIO.* Ct. App. Ohio, Fayette County. Certiorari denied. Reported below: 113 Ohio App. 3d 696, 681 N. E. 2d 1375.

No. 96-1650. *SCHEETZ, TRUSTEE OF THE SEVILLE CORPORATE PARK SUBDIVISION TRUST U/A DATED DECEMBER 1, 1988 v. VILLAGE OF SEVILLE.* Ct. App. Ohio, Medina County. Certiorari denied.

No. 96-1659. *DOODY v. ARIZONA.* Ct. App. Ariz. Certiorari denied. Reported below: 187 Ariz. 363, 930 P. 2d 440.

No. 96-1660. *DUNLAP v. ARIZONA.* Ct. App. Ariz. Certiorari denied. Reported below: 187 Ariz. 441, 930 P. 2d 518.

No. 96-1662. *DANIELS v. KANSAS CITY SOUTHERN RAILWAY CO.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 935 S. W. 2d 690.

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No. 96-1666. *KUCEJ v. CONNECTICUT STATEWIDE GRIEVANCE COMMITTEE*. Sup. Ct. Conn. Certiorari denied. Reported below: 239 Conn. 449, 686 A. 2d 110.

No. 96-1667. *GATES v. COUNTY OF SAN LUIS OBISPO ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-1673. *PALLAN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-1692. *SPEEN v. CROWN CLOTHING CORP. ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 102 F. 3d 625.

No. 96-1697. *GATES v. COUNTY OF SAN LUIS OBISPO ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-1699. *DAVID ET AL. v. MOSLEY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 117.

No. 96-1715. *ARIZONA v. RICHCREEK*. Sup. Ct. Ariz. Certiorari denied. Reported below: 187 Ariz. 501, 930 P. 2d 1304.

No. 96-1728. *IN RE KEATHLEY*. Sup. Ct. Mo. Certiorari denied.

No. 96-1741. *HUCK, DERIVATIVELY ON BEHALF OF SEA AIR SHUTTLE CORP. v. DAWSON ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 45.

No. 96-1757. *HOLTZMAN v. MULLON, DIRECTOR OF VETERANS ADMINISTRATION MEDICAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 100 F. 3d 959.

No. 96-1761. *ROSENBAUM v. ROSENBAUM ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 282 Ill. App. 3d 1110, 707 N. E. 2d 299.

No. 96-1776. *BRASTEN v. ZINDELL ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 6.

No. 96-1790. *ORTEGA VENEGAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 122.

No. 96-1796. *MEDLEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 99 F. 3d 1142.

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No. 96-1803. HOLLAR, JUDGE, TERRITORIAL COURT OF THE VIRGIN ISLANDS *v.* GOVERNMENT OF THE VIRGIN ISLANDS ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 384.

No. 96-1808. OWENS *v.* DEPARTMENT OF THE INTERIOR. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 333.

No. 96-1812. GARCIA *v.* RUNYON, POSTMASTER GENERAL, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 397.

No. 96-1857. HESS *v.* ADVANCED CARDIOVASCULAR SYSTEMS, INC. C. A. Fed. Cir. Certiorari denied. Reported below: 106 F. 3d 976.

No. 96-8145. SLOAN ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 1378.

No. 96-8149. DICKERSON *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied.

No. 96-8226. CUMMINGS-EL *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: 684 So. 2d 729.

No. 96-8573. HOVER *v.* FLORIDA POWER & LIGHT CO. ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 101 F. 3d 708.

No. 96-8596. PLYLER *v.* MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 100 F. 3d 365.

No. 96-8597. SIMPSON *v.* SOUTH CAROLINA. Sup. Ct. S. C. Certiorari denied. Reported below: 325 S. C. 37, 479 S. E. 2d 57.

No. 96-8605. PECK *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-8611. ISLES *v.* COSBY ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 98 F. 3d 1333.

No. 96-8615. RHINE *v.* OKLAHOMA. Ct. Crim. App. Okla. Certiorari denied.

No. 96-8616. COHEA *v.* MUELLER, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 407.

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No. 96-8619. *ABELLAN v. FAIRMONT HOTEL*. C. A. 9th Cir. Certiorari denied. Reported below: 85 F. 3d 634.

No. 96-8621. *SONG v. COUNTRYMAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 666.

No. 96-8623. *BURCHILL v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 453 Pa. Super. 678, 683 A. 2d 308.

No. 96-8628. *KLINGENSMITH v. ROY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 7.

No. 96-8632. *MORRIS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 940 S. W. 2d 610.

No. 96-8634. *LAGANA, AKA RAGUSA v. DILLON ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 355.

No. 96-8640. *SCOTT v. SUTOR ET AL.* C. A. 2d Cir. Certiorari denied.

No. 96-8642. *WIFORD v. BOONE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 414.

No. 96-8646. *WILLOUGHBY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 96-8651. *TAPIA v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 113 Nev. 1656, 970 P. 2d 1137.

No. 96-8652. *WARD v. GEORGETOWN UNIVERSITY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 107 F. 3d 924.

No. 96-8654. *ENGLAND v. STEPANIK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 96-8661. *KUTNYAK v. WALTERS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MERCER, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-8665. *HILL v. GATES ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 96-8668. *HART v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 105 F. 3d 665.

No. 96-8673. *MARSHALL v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 99 F. 3d 1153.

No. 96-8675. *MOFFITT v. CITY OF CHARLOTTE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 647.

No. 96-8677. *BURNETT v. CHIPPEWA COUNTY SHERIFF'S DEPARTMENT.* Ct. App. Mich. Certiorari denied.

No. 96-8678. *BASEY v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 3d 52.

No. 96-8680. *CHALET v. MORTON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-8681. *BERGNE v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 96-8682. *HUERTA v. COUNTY OF LOS ANGELES ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-8696. *TEBBETTS v. WHITSON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 670.

No. 96-8698. *WOOLLEY v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 96-8699. *OBERUCH v. ARIZONA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-8700. *ARTEAGA v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.* C. A. 9th Cir. Certiorari denied.

No. 96-8723. *McCOY v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 661 N. E. 2d 911.

No. 96-8740. *WALKER v. WHITE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 96-8751. *CHAMBERS v. WILSON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 26.

No. 96-8778. *SINKS v. SHANKS, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 103 F. 3d 145.

No. 96-8820. *JACKSON v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 113 Nev. 1630, 970 P. 2d 1110.

No. 96-8827. *VINES v. BUCHLER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 101 F. 3d 110.

No. 96-8859. *TAVAKOLI-NOURI v. CLINTON, PRESIDENT OF THE UNITED STATES, ET AL.* (two judgments). C. A. 3d Cir. Certiorari denied.

No. 96-8879. *KEALOHA v. HAWAII.* Sup. Ct. Haw. Certiorari denied. Reported below: 84 Haw. 85, 929 P. 2d 98.

No. 96-8919. *DANCER v. MERIT SYSTEMS PROTECTION BOARD.* C. A. Fed. Cir. Certiorari denied. Reported below: 106 F. 3d 426.

No. 96-8937. *VEATCH v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 670.

No. 96-8940. *SKINNER v. RUNYON, POSTMASTER GENERAL.* C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 1131.

No. 96-8948. *VACCARO v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 864.

No. 96-8952. *LEVESQUE v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 111 F. 3d 122.

No. 96-8953. *LANGDON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 96-8957. *SPEAR v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 416.

No. 96-8960. *MITCHELL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 332.

No. 96-8962. *OMORI v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 18.

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No. 96-8974. *FEICHTINGER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 105 F. 3d 1188.

No. 96-8980. *BISSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 F. 3d 1461.

No. 96-8981. *BELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 871.

No. 96-8985. *GONZALEZ-QUEZADA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 1386.

No. 96-8987. *GRAVES ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 868.

No. 96-8990. *ALLEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 106 F. 3d 695.

No. 96-8992. *JOHNSON ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 393.

No. 96-8994. *MCHAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 1027.

No. 96-8997. *PANCHAL ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 108 F. 3d 342.

No. 96-8998. *SPEARMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 96 F. 3d 1452.

No. 96-9002. *GUZMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 127.

No. 96-9005. *CISNEROS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 339.

No. 96-9006. *CALLUM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 878.

No. 96-9007. *WORKMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 110 F. 3d 915.

No. 96-9010. *ESCOBAR VELASQUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 110 F. 3d 71.

No. 96-9016. *1-95-CV-553-P1 v. 1-95-CV-553-D1 ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 96-9022. *NEGRETE-DIAZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 340.

No. 96-9023. *LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 339.

No. 96-9025. *JOYCE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 107 F. 3d 22.

No. 96-9027. *CHESNEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 86 F. 3d 564.

No. 96-9029. *BANKS v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 96-9032. *MOORE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 108 F. 3d 330.

No. 96-9034. *DIGGS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 111 F. 3d 963.

No. 96-9039. *RUELAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 1416.

No. 96-9053. *KARAFI v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 107 F. 3d 22.

No. 96-9054. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 104 F. 3d 193.

No. 96-9059. *KIMBLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 712.

No. 96-1476. *ALLSTATE LIFE INSURANCE CO. v. HIBMA ET AL.* Ct. App. Ariz. Motions of American Council of Life Insurance et al. and Association of California Life and Health Insurance Cos. for leave to file briefs as *amici curiae* granted. Certiorari denied.

No. 96-1655. *SMITH, AS ASSIGNEE OF THE INTEREST OF ORIGINAL PLAINTIFF, FAULKENBERRY v. ELKINS ET AL.* C. A. 5th Cir. Motion of International Biochemicals Group, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 105 F. 3d 655.

No. 96-8641. *PANDEY v. GRAHAM ET AL.* App. Ct. Mass. Certiorari denied. JUSTICE BREYER took no part in the consider-

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ation or decision of this petition. Reported below: 41 Mass. App. 1120, 673 N. E. 2d 96.

No. 96-8894. ROBINSON *v.* CLINTON, PRESIDENT OF THE UNITED STATES, ET AL. C. A. 7th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

Rehearing Denied

No. 95-1100. BOARD OF THE COUNTY COMMISSIONERS OF BRYAN COUNTY, OKLAHOMA *v.* BROWN ET AL., *ante*, p. 397;

No. 95-1535. NEWTON *v.* BOARD TO DETERMINE FITNESS OF BAR APPLICANTS, SUPREME COURT OF GEORGIA, 517 U. S. 1209;

No. 96-1427. DiCICCO *v.* BONSEY ET AL., *ante*, p. 1187;

No. 96-1561. DELCOURT *v.* SILVERMAN ET AL., *ante*, p. 1213;

No. 96-6887. SAMUEL *v.* DUNCAN, WARDEN, ET AL., *ante*, p. 1157;

No. 96-7144. WOLFGAM *v.* STATE BAR OF CALIFORNIA ET AL., 519 U. S. 1129;

No. 96-7233. BOWERS ET AL. *v.* SATURN GENERAL MOTORS CORP., *ante*, p. 1170;

No. 96-7450. LIDMAN *v.* DEPARTMENT OF STATE ET AL., *ante*, p. 1124;

No. 96-7671. WILLIAMS *v.* SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. (two judgments), *ante*, p. 1158;

No. 96-7757. PORTER *v.* WEST, SECRETARY OF THE ARMY, *ante*, p. 1129;

No. 96-7774. BURNETT *v.* EASTERN UPPER PENINSULA MENTAL HEALTH CENTER ET AL., *ante*, p. 1172;

No. 96-7906. HUSSEIN *v.* PIERRE HOTEL, *ante*, p. 1188;

No. 96-7955. BUTLER *v.* MERCHANTS BANK & TRUST CO., *ante*, p. 1176;

No. 96-7961. MCCOLM *v.* JORDAN ET AL., *ante*, p. 1176;

No. 96-8111. CARTER *v.* ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY, *ante*, p. 1190;

No. 96-8150. SCHWARZ *v.* DEPARTMENT OF JUSTICE, *ante*, p. 1216;

No. 96-8177. HARGROVE *v.* COLONY OF STONE MOUNTAIN ET AL., *ante*, p. 1190;

No. 96-8209. JONES *v.* GROOSE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER, *ante*, p. 1179;

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No. 96-8247. *DOWNEY ET UX. v. KREMPIN ET AL.*, *ante*, p. 1201;
No. 96-8344. *WILLIS v. DETELLA, WARDEN*, *ante*, p. 1202;
No. 96-8360. *COOPER v. GAMMON, SUPERINTENDENT, MOB-
ERLY CORRECTIONAL CENTER*, *ante*, p. 1202; and
No. 96-8361. *IN RE ALEXANDER*, *ante*, p. 1209. Petitions for
rehearing denied.

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Miscellaneous Order

No. 96-9394 (A-910). *IN RE TRISTAN MONTOYA*. Application
for stay of execution of sentence of death, presented to JUSTICE
SCALIA, and by him referred to the Court, denied. Petition for
writ of habeas corpus denied.