

ORDERS FOR JUNE 23 THROUGH  
OCTOBER 1, 1997

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JUNE 23, 1997

*Affirmed on Appeal*

No. 96-1480. LOUISIANA ET AL. *v.* UNITED STATES. Affirmed on appeal from D. C. W. D. La. Reported below: 952 F. Supp. 1151.

*Certiorari Granted—Vacated and Remanded*

No. 96-17. NORTHROP GRUMMAN CORP. *v.* UNITED STATES EX REL. HYATT. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Hughes Aircraft Co. v. United States ex rel. Schumer*, 520 U. S. 939 (1997). Reported below: 80 F. 3d 1425.

*Miscellaneous Orders*

No. A-855. YOUNG *v.* ILLINOIS ET AL. C. A. 7th Cir. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. D-1812. IN RE DISBARMENT OF KAPLAN. Robert Steven Kaplan, of Irvine, 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-1813. IN RE DISBARMENT OF WEISMAN. David S. Weisman, 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-1814. IN RE DISBARMENT OF SHIEH. Liang-Houh Shieh, of Taipei, Taiwan, 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-1815. *IN RE DISBARMENT OF BARNES*. Brenda Powers Barnes, of Santa Monica, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-1816. *IN RE DISBARMENT OF HORNE*. Wayne N. Horne, 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. M-83. *EGGETT v. INTEGRATED SYSTEMS SOLUTIONS CORP. ET AL.*;

No. M-84. *IRBY v. UNITED STATES*; and

No. M-85. *OKORO v. UNITED STATES*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 96-188. *GENERAL ELECTRIC CO. ET AL. v. JOINER ET UX*. C. A. 11th Cir. [Certiorari granted, 520 U. S. 1114.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-667. *UNITED STATES v. HYDE*, 520 U. S. 670. Motion of respondent to modify the opinion of this Court denied.

No. 96-1462. *LUNDING ET UX. v. NEW YORK TAX APPEALS TRIBUNAL ET AL.* Ct. App. N. Y. [Certiorari granted, 520 U. S. 1227.] Motion of petitioners to dispense with printing the joint appendix granted.

No. 96-1482. *LEXECON INC. ET AL. v. MILBERG WEISS BERSHAD HYNES & LERACH ET AL.* C. A. 9th Cir. [Certiorari granted, 520 U. S. 1227.] Motion of Cotchett respondents to be dismissed as parties to this case denied.

No. 96-7151. *LEWIS v. UNITED STATES*. C. A. 5th Cir. [Certiorari granted, 520 U. S. 1209 and 1226.] Motion of James M. Lewis for leave to proceed further herein *in forma pauperis* granted.

No. 96-1151. *IN RE ALLEN ET AL.* Petition for writ of mandamus denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

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No. 96-1683. *IN RE CALDERON, WARDEN*. Motion of respondent for leave to proceed *in forma pauperis* denied. Petition for writ of mandamus denied.

*Certiorari Granted*

No. 96-1577. *ALASKA v. NATIVE VILLAGE OF VENETIE TRIBAL GOVERNMENT ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 101 F. 3d 1286.

No. 96-1469. *UNITED STATES v. RAMIREZ*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 91 F. 3d 1297.

*Certiorari Denied*

No. 96-881. *TAFFI ET UX. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 96 F. 3d 1190.

No. 96-1102. *SOUTH CAROLINA ET AL. v. ENVIRONMENTAL TECHNOLOGY COUNCIL*. C. A. 4th Cir. Certiorari denied. Reported below: 98 F. 3d 774.

No. 96-1294. *RMC INTERNATIONAL, LTD., ET AL. v. SENGOKU WORKS, LTD.* C. A. 9th Cir. Certiorari denied. Reported below: 96 F. 3d 1217 and 97 F. 3d 1460.

No. 96-1473. *ZEVALKINK ET AL. v. BROWN, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 102 F. 3d 1236.

No. 96-1479. *STRANO ET AL., DBA STRANO FARMS v. DEPARTMENT OF JUSTICE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 98 F. 3d 1353.

No. 96-1494. *ALCAN ALUMINUM CORP. v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 96 F. 3d 1434.

No. 96-1511. *O'DELL v. HERMAN, SECRETARY OF LABOR, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 386.

No. 96-1518. *UNITED TECHNOLOGIES CORP., BY ITS DIVISION, PRATT & WHITNEY v. FEDERAL AVIATION ADMINISTRATION*. C. A. 2d Cir. Certiorari denied. Reported below: 102 F. 3d 688.

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No. 96-1618. SAENZ, PERSONAL REPRESENTATIVE OF THE ESTATE OF SAENZ, DECEASED *v.* HUMANA HEALTH PLAN OF TEXAS, INC., DBA HUMANA HEALTH PLAN OF CORPUS CHRISTI, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 653.

No. 96-1628. NEW YORK ET AL. *v.* YONKERS BOARD OF EDUCATION ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 96 F. 3d 600.

No. 96-1641. INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION NO. 66 *v.* HOUSTON LIGHTING & POWER CO. C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 397.

No. 96-1642. ALPEX COMPUTER CORP. *v.* NINTENDO CO. LTD. ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 102 F. 3d 1214.

No. 96-1668. SHEEHAN *v.* DAILY RACING FORM, INC. C. A. 7th Cir. Certiorari denied. Reported below: 104 F. 3d 940.

No. 96-1670. TAYLOR ET AL. *v.* RHODE ISLAND DEPARTMENT OF CORRECTIONS ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 101 F. 3d 780.

No. 96-1672. PHILLIPS CO. *v.* SOUTHERN PACIFIC RAIL CORP. ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 97 F. 3d 1375.

No. 96-1674. BYRNES ET AL. *v.* LCI COMMUNICATIONS HOLDINGS CO. ET AL. Sup. Ct. Ohio. Certiorari denied. Reported below: 77 Ohio St. 3d 125, 672 N. E. 2d 145.

No. 96-1684. MUCKLOW *v.* FARROW HARVEY ET AL. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-1685. CALIFORNIA *v.* BROOME. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 96-1688. SCHLESSINGER *v.* SALIMES ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 100 F. 3d 519.

No. 96-1689. MCCOY *v.* CITY AND COUNTY OF SAN FRANCISCO ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 408.

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No. 96-1691. *ORR v. YUHAS*. C. A. 3d Cir. Certiorari denied. Reported below: 104 F. 3d 612.

No. 96-1704. *SANDRA B. ET AL. v. O'CONNOR, DIRECTOR, MILWAUKEE COUNTY DEPARTMENT OF HUMAN SERVICES, ET AL.* Ct. App. Wis. Certiorari denied.

No. 96-1713. *SKEENS v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 96-1724. *HOSCH v. GEORGIA DEPARTMENT OF HUMAN RESOURCES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 419.

No. 96-1725. *SCALLET v. ROSENBLUM ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 391.

No. 96-1727. *FETNER v. HAGGERTY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 99 F. 3d 1180.

No. 96-1730. *BERSHATSKY v. LEVIN, COMMISSIONER OF JURORS, KINGS COUNTY, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 555.

No. 96-1747. *LEW v. ROSEMOUNT, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 108 F. 3d 1391.

No. 96-1783. *OFFICE OF THE PRESIDENT v. OFFICE OF INDEPENDENT COUNSEL ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 112 F. 3d 910.

No. 96-1784. *JAISINGHANI v. PATCHETT*. C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 371.

No. 96-1807. *SANCHEZ v. ECTOR COUNTY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 332.

No. 96-1810. *ROSENBAUM v. ROSENBAUM* (two judgments). App. Ct. Ill., 1st Dist. Certiorari denied.

No. 96-1823. *TUCKER ET AL. v. DEPARTMENT OF THE NAVY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 98 F. 3d 1335.

No. 96-1825. *BODDIE v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 86 F. 3d 1178.

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No. 96-1835. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 98 F. 3d 1266.

No. 96-1845. *REGAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 103 F. 3d 1072.

No. 96-1869. *CHRISTY v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 46 M. J. 47.

No. 96-1873. *LOCKHART v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 108 F. 3d 342.

No. 96-7746. *BRANNAN v. UNITED STUDENT AID FUNDS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 94 F. 3d 1260.

No. 96-7934. *MORRIS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 546 Pa. 296, 684 A. 2d 1037.

No. 96-7983. *CLARKSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 98 F. 3d 155.

No. 96-8080. *ALLEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 550.

No. 96-8310. *MATTHEWS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 96-8335. *POLLARD v. MISSOURI*. Sup. Ct. Mo. Certiorari denied.

No. 96-8432. *MCCLAIN v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 267 Ga. 378, 477 S. E. 2d 814.

No. 96-8712. *RANDALL v. CITY OF EDGEWATER ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 416.

No. 96-8713. *PRUITT v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 391.

No. 96-8722. *LEWIS v. SUPREME COURT OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 16.

No. 96-8733. *ESTES v. BALDWIN, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 407.

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No. 96-8739. *TORRES v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 96-8742. *TAYLOR v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 96-8748. *LUCIEN v. PETERS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 107 F. 3d 873.

No. 96-8757. *SMITH v. IEYOUB, ATTORNEY GENERAL OF LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 96-8760. *WHITE v. ANDERSON, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY.* C. A. 5th Cir. Certiorari denied.

No. 96-8761. *MCBROOM v. FRANKLIN COUNTY BOARD OF ELECTIONS.* Ct. App. Ohio, Franklin County. Certiorari denied.

No. 96-8762. *MILLER v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 284 Ill. App. 3d 16, 671 N. E. 2d 376.

No. 96-8764. *MATCHETT v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 941 S. W. 2d 922.

No. 96-8772. *WOLFGRAM v. MILLER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 F. 3d 966.

No. 96-8782. *BROWN v. AMERICAN EXPRESS TRAVEL RELATED SERVICES Co., INC., ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 96-8783. *JARRETT v. W-F DEVELOPMENT Co., INC., ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-8788. *LOWE v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 96-8790. *CUMBEE v. SOUTH CAROLINA.* Sup. Ct. S. C. Certiorari denied.

No. 96-8791. *McKAY v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 96-8800. *HUGHEY v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

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No. 96–8818. *MOORE v. BOWERSOX*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 106 F. 3d 405.

No. 96–8822. *MANWANI v. BRUNELLE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 400.

No. 96–8846. *FOSTER v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 687 So. 2d 1124.

No. 96–8869. *ANDERSON v. GROOSE*, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 106 F. 3d 242.

No. 96–8893. *PENROD v. NORTON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 87 F. 3d 1327.

No. 96–8899. *BARTLEY v. SULLIVAN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 106 F. 3d 396.

No. 96–8911. *MITCHELL v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 934 P. 2d 346.

No. 96–8912. *MCGREGOR v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 935 P. 2d 332.

No. 96–8915. *WALLACE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 935 P. 2d 366.

No. 96–8928. *EVANS v. DEMOSTHENES*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 1174.

No. 96–8931. *EWING v. MCDANIEL*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 96–8942. *MUNDY v. HATCHER*, WARDEN, ET AL. C. A. 3d Cir. Certiorari denied.

No. 96–8944. *JONES v. TOOMBS*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 870.

No. 96–8968. *ALLEN v. DUNCAN*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 336.

No. 96–8977. *EDWARDS v. THOMAS*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 107 F. 3d 20.

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No. 96-8979. *SATTERWHITE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 103 F. 3d 125.

No. 96-8995. *MASTERS v. CALIFORNIA*. App. Dept., Super. Ct. Cal., County of Los Angeles. Certiorari denied.

No. 96-9008. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 F. 3d 332.

No. 96-9013. *ONYEAGORO v. R. P. HOLMES, INC.* C. A. 1st Cir. Certiorari denied.

No. 96-9014. *SMITH v. BILLER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 89 F. 3d 839.

No. 96-9038. *ELDER v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 111 F. 3d 144.

No. 96-9042. *ROUTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 104 F. 3d 59.

No. 96-9043. *HARMON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 F. 3d 149.

No. 96-9044. *MITCHELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 104 F. 3d 361.

No. 96-9045. *WARREN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 106 F. 3d 1354.

No. 96-9046. *TONEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 1469.

No. 96-9048. *THOMPSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 864.

No. 96-9051. *SPENCER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 394.

No. 96-9055. *MATLOCK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 142.

No. 96-9060. *NG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 504.

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No. 96-9061. *ROGERS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 111 F. 3d 128.

No. 96-9066. *CODRINGTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 96-9070. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 52 F. 3d 1070.

No. 96-9071. *SHORT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 96 F. 3d 1449.

No. 96-9073. *BUNDY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 96-9077. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 109 F. 3d 771.

No. 96-9079. *BURNS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 96-9096. *ELIAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 111 F. 3d 896.

No. 96-9098. *DE LA MORA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 863.

No. 96-9100. *DAVIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 105 F. 3d 660.

No. 96-9101. *HILL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 25.

No. 96-9102. *HIBBLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 109 F. 3d 770.

No. 96-9104. *GNIRKE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 339.

No. 96-9110. *LOWE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 1498.

No. 96-9112. *ESTRELLA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 104 F. 3d 3.

No. 96-9115. *BANKS v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 106 F. 3d 417.

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No. 96-9116. MALPIEDI *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 107 F. 3d 5.

No. 96-9117. HERNANDEZ SALGADO *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 107 F. 3d 22.

No. 96-9120. WHITE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 109 F. 3d 766.

No. 96-9123. BURTON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 104 F. 3d 359.

No. 96-9129. NESBITT *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 393.

No. 96-9135. RUA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 109 F. 3d 771.

No. 96-9136. SIMPSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 18.

No. 96-9139. BOZZA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 109 F. 3d 772.

No. 96-9147. BROWN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 109 F. 3d 767.

No. 96-9152. UPSHAW *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 340.

No. 96-9153. TURNER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 869.

No. 96-9157. ARTOLA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 878.

No. 96-1210. UNITED STUDENT AID FUNDS, INC. *v.* BRANNAN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 94 F. 3d 1260.

No. 96-1678. CALDERON, WARDEN *v.* MOORE. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 108 F. 3d 261.

No. 96-1498. SCIOTO COUNTY REGIONAL WATER DISTRICT No. 1, AUTHORITY *v.* SCIOTO WATER, INC., ET AL. C. A. 6th

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Cir. Motions of Bell Arthur Water Corp. et al. and Cass Rural Water Users Inc. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 103 F. 3d 38.

No. 96-1694. NEW MEXICO TAXATION AND REVENUE DEPARTMENT *v.* CONOCO, INC., ET AL. Sup. Ct. N. M. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 122 N. M. 736, 931 P. 2d 730.

No. 96-8743. BENNEY *v.* SHAW INDUSTRIES, INC., ET AL. C. A. 11th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition.

No. 96-1707. TEXAS MANUFACTURED HOUSING ASSN., INC., ET AL. *v.* CITY OF NEDERLAND ET AL. C. A. 5th Cir. Motion of Manufactured Housing Institute for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 101 F. 3d 1095.

*Rehearing Denied*

No. 96-879. SOFFER *v.* BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK ET AL., 519 U. S. 1112;

No. 96-7411. SMITH *v.* CHATER, COMMISSIONER OF SOCIAL SECURITY (two judgments), 520 U. S. 1171;

No. 96-7729. PARKER *v.* BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, ET AL., 520 U. S. 1171;

No. 96-7783. EDDMONDS *v.* WASHINGTON, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, 520 U. S. 1172;

No. 96-8047. JENKINS *v.* OAKLEY ET AL., 520 U. S. 1200;

No. 96-8096. MULTANI *v.* UNITED STATES ET AL., 520 U. S. 1214;

No. 96-8126. KENT *v.* HARVARD ET AL., 520 U. S. 1215;

No. 96-8152. PORTER *v.* UNITED STATES, 520 U. S. 1177;

No. 96-8153. SPEARS *v.* UNITED STATES, 520 U. S. 1178; and

No. 96-8438. PIZZO *v.* LOUISIANA, 520 U. S. 1218. Petitions for rehearing denied.

JUNE 24, 1997

*Dismissal Under Rule 46*

No. 96-1652. ZOLLER *v.* NEW YORK LIFE INSURANCE CO. ET AL. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari dismissed under this Court's Rule 46.2. Reported below: 228 App. Div. 2d 368, 644 N. Y. S. 2d 617.

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*Miscellaneous Order*

No. 96-9506 (A-931). *IN RE WORATZECK*. Application for stay of execution of sentence of death, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied. Petition for writ of habeas corpus denied.

*Certiorari Denied*

No. 96-9505 (A-929). *WORATZECK v. ARIZONA BOARD OF EXECUTIVE CLEMENCY ET AL.* C. A. 9th Cir. Application for stay of execution of sentence of death, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied. Certiorari denied. Reported below: 117 F. 3d 400.

JUNE 26, 1997

*Dismissal Under Rule 46*

No. 96-1706. *TEXAS LIFE, ACCIDENT, HEALTH & HOSPITAL SERVICE INSURANCE GUARANTY ASSN. v. GAYLORD ENTERTAINMENT CO. ET AL.* C. A. 5th Cir. Certiorari dismissed under this Court's Rule 46.2. Reported below: 105 F. 3d 210.

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*Affirmed on Appeal*

No. 96-595. *RENO, ATTORNEY GENERAL v. SHEA*. Affirmed on appeal from D. C. S. D. N. Y. Reported below: 930 F. Supp. 916.

No. 96-1779. *MEADOWS, SECRETARY, STATE BOARD OF ELECTIONS OF VIRGINIA, ET AL. v. MOON ET AL.*; and

No. 96-1918. *HARRIS ET AL. v. MOON ET AL.* Affirmed on appeals from D. C. E. D. Va. Reported below: 952 F. Supp. 1141.

*Appeal Dismissed.* (See No. 96-987, *ante*, p. 979.)

*Vacated and Remanded on Appeal.* (See No. 96-1389, *ante*, p. 979.)

*Certiorari Granted—Vacated and Remanded*

No. 95-1879. *DEPARTMENT OF AGRICULTURE v. CAL-ALMOND, INC., ET AL.* C. A. 9th Cir. Certiorari granted, judgment va-

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cated, and case remanded for further consideration in light of *Glickman v. Wileman Brothers & Elliott, Inc.*, *ante*, p. 457. Reported below: 67 F. 3d 874.

No. 95–2006. FRANK, SHERIFF, ORANGE COUNTY, VERMONT *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Printz v. United States*, *ante*, p. 898. Reported below: 78 F. 3d 815.

No. 96–323. K. R., AN INFANT, BY HER PARENTS AND NEXT FRIENDS, ET AL. *v.* ANDERSON COMMUNITY SCHOOL CORP. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the Individuals With Disabilities Education Act Amendments of 1997. Reported below: 81 F. 3d 673.

No. 96–437. CHRISTIANS, TRUSTEE *v.* CRYSTAL EVANGELICAL FREE CHURCH. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *City of Boerne v. Flores*, *ante*, p. 507. Reported below: 82 F. 3d 1407.

No. 96–710. SULLIVAN ET AL. *v.* SASNETT ET AL. C. A. 7th Cir. Motion of respondents for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *City of Boerne v. Flores*, *ante*, p. 507. Reported below: 91 F. 3d 1018.

No. 96–776. BOARD OF EDUCATION OF THE ENLARGED CITY SCHOOL DISTRICT OF THE CITY OF WATERVLIET, NEW YORK *v.* RUSSMAN, CHILD WITH DISABILITIES, BY HER PARENTS, RUSSMAN ET VIR. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the Individuals With Disabilities Education Act Amendments of 1997. Reported below: 85 F. 3d 1050.

No. 96–1267. ABRAMS *v.* BARNETT, WARDEN. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Lindh v. Murphy*, *ante*, p. 320. Reported below: 100 F. 3d 485.

No. 96–1379. FLANAGAN ET AL. *v.* AHEARN ET AL.; and

No. 96–1394. ORTIZ ET AL. *v.* FIBREBOARD CORP. ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and cases

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remanded for further consideration in light of *Amchem Products, Inc. v. Windsor*, *ante*, p. 591. Reported below: 90 F. 3d 963.

No. 96-1633. UNIFIED SCHOOL DISTRICT NO. 259, SEDGWICK COUNTY, KANSAS *v.* FOWLER ET UX., PARENTS AND NEXT FRIENDS OF FOWLER; and

No. 96-1865. FOWLER ET UX., PARENTS AND NEXT FRIENDS OF FOWLER *v.* UNIFIED SCHOOL DISTRICT NO. 259, SEDGWICK COUNTY, KANSAS. C. A. 10th Cir. Certiorari granted, judgment vacated, and cases remanded for further consideration in light of Individuals With Disabilities Education Act Amendments of 1997. Reported below: 107 F. 3d 797.

No. 96-8014. FRETWELL *v.* NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. 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 *Lindh v. Murphy*, *ante*, p. 320.

No. 96-8170. MOORE *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Lindh v. Murphy*, *ante*, p. 320. Reported below: 101 F. 3d 1069.

*Certiorari Granted—Reversed.* (See No. 96-1383, *ante*, p. 982.)

#### *Miscellaneous Orders*

No. D-1798. IN RE DISBARMENT OF SLOBODA. Disbarment entered. [For earlier order herein, see 520 U. S. 1184.]

No. D-1817. IN RE DISBARMENT OF WILLIAMS. Kenneth Mack Williams, of Glen Burnie, Md., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1818. IN RE DISBARMENT OF SOSNAY. Robert S. Sosnay, of Wauwatosa, Wis., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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No. M-87. RIVERA-ROBLES *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. M-89. LYLE *v.* JARRELL ET AL.;

No. M-90. COLEMAN *v.* TAYLOR; and

No. M-91. NORTH AMERICAN MARINE, INC., ET AL. *v.* PONTOON SHIPPING CO., LTD. (CYPRUS). Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 108, Orig. NEBRASKA *v.* WYOMING ET AL. Motion of the Special Master for compensation and reimbursement of expenses granted, and the Special Master is awarded a total of \$42,577.26 for the period of November 16, 1996, through June 15, 1997, to be paid as follows: 30% by Nebraska, 30% by Wyoming, 15% by Colorado, and 25% by the United States. [For earlier order herein, see, *e. g.*, 519 U. S. 1038.]

No. 120, Orig. NEW JERSEY *v.* NEW YORK. Motion of the Special Master for compensation and reimbursement of expenses granted, and the Special Master is awarded a total of \$263,488.89 to be paid equally by the parties. Motion of New York for leave to file Exceptions in excess of the page limitations denied. Motion of the City of New York for leave to file a brief as *amicus curiae* in excess of the page limitations denied. [For earlier order herein, see, *e. g.*, 520 U. S. 1273.]

No. 95-1726. UNITED STATES *v.* LABONTE ET AL., 520 U. S. 751. Motion of respondent Stephen Dyer to modify the opinion denied.

No. 96-779. ARKANSAS EDUCATIONAL TELEVISION COMMISSION *v.* FORBES. C. A. 8th Cir. [Certiorari granted, 520 U. S. 1114.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted to be divided as follows: petitioner, 25 minutes; respondent, 25 minutes; and the Acting Solicitor General, 10 minutes.

No. 96-871. STATE OIL CO. *v.* KHAN ET AL. C. A. 7th Cir. [Certiorari granted, 519 U. S. 1107.] Motion of New York et al. for leave to participate in oral argument as *amici curiae* and for divided argument granted.

No. 96-1742. BELSHE, DIRECTOR, CALIFORNIA DEPARTMENT OF HEALTH SERVICES *v.* ORTHOPAEDIC HOSPITAL ET AL. C. A.

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9th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 96–9220. IN RE HUGHEY;  
No. 96–9235. IN RE STONE; and  
No. 96–9255. IN RE BLUMEYER. Petitions for writs of habeas corpus denied.

No. 96–8947. IN RE CARNEY ET AL. Petition for writ of mandamus denied.

*Certiorari Granted*

No. 96–1037. KIOWA TRIBE OF OKLAHOMA *v.* MANUFACTURING TECHNOLOGIES, INC. Ct. Civ. App. Okla. Certiorari granted.

No. 96–1613. UNITED STATES *v.* ESTATE OF ROMANI. Sup. Ct. Pa. Certiorari granted. Reported below: 547 Pa. 41, 688 A. 2d 703.

No. 96–679. PISCATAWAY TOWNSHIP BOARD OF EDUCATION *v.* TAXMAN. C. A. 3d Cir. Motions of National School Boards Association and New Jersey School Boards Association for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 91 F. 3d 1547.

No. 96–1395. KING, DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT *v.* ERICKSON ET AL.; and KING, DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT *v.* McMANUS ET AL. C. A. Fed. Cir. Motion of respondent Jeanette Walsh for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 89 F. 3d 1575 (first judgment); 92 F. 3d 1208 (second judgment).

No. 96–1578. PHILLIPS ET AL. *v.* WASHINGTON LEGAL FOUNDATION ET AL. C. A. 5th Cir. Certiorari granted limited to the following question: “Is interest earned on client trust funds held by lawyers in IOLTA accounts a property interest of the client or lawyer, cognizable under the Fifth Amendment of the United States Constitution, despite the fundamental precept of IOLTA that such funds, absent the IOLTA program, could not earn interest for the client or lawyer?” Reported below: 94 F. 3d 996.

No. 96–1769. OHIO ADULT PAROLE AUTHORITY ET AL. *v.* WOODARD. C. A. 6th Cir. Motion of respondent for leave to proceed *in*

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*forma pauperis* granted. Certiorari granted. Reported below: 107 F. 3d 1178.

*Certiorari Denied*

No. 95-2052. UNITED STATES *v.* GONZALEZ, SHERIFF, VAL VERDE COUNTY, TEXAS, ET AL.; and

No. 95-2077. GONZALEZ, SHERIFF, VAL VERDE COUNTY, TEXAS, ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 79 F. 3d 452.

No. 95-8131. SCHMIDT *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied. Reported below: 197 Wis. 2d 252, 541 N. W. 2d 105.

No. 95-8204. POST ET AL. *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied. Reported below: 197 Wis. 2d 279, 541 N. W. 2d 115.

No. 95-9308. MARBERRY *v.* WISCONSIN. Ct. App. Wis. Certiorari denied.

No. 96-577. TRISTAR CORP. *v.* FREITAS ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 84 F. 3d 550.

No. 96-628. KEANE, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY *v.* BORIA. C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 492.

No. 96-823. KANSAS *v.* MYERS. Sup. Ct. Kan. Certiorari denied. Reported below: 260 Kan. 669, 923 P. 2d 1024.

No. 96-1059. SYCUAN BAND OF MISSION INDIANS ET AL. *v.* WILSON, GOVERNOR OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 64 F. 3d 1250 and 99 F. 3d 321.

No. 96-1326. HANDICABS, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 8th Cir. Certiorari denied. Reported below: 95 F. 3d 681.

No. 96-1392. FINK *v.* RYAN, SECRETARY OF STATE OF ILLINOIS. Sup. Ct. Ill. Certiorari denied. Reported below: 174 Ill. 2d 302, 673 N. E. 2d 281.

No. 96-1447. UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, AFL-CIO *v.* BE&K CONSTRUCTION CO.

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ET AL. Sup. Ct. Ala. Certiorari denied. Reported below: 688 So. 2d 246.

No. 96-1491. CUSIMANO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 97 F. 3d 663.

No. 96-1538. TOLAND ET UX., DBA JOHN TOLAND CO. *v.* PRUDENTIAL SECURITIES INC. ET AL.;

No. 96-1731. BISHOFBERGER ET UX. *v.* PRUDENTIAL SECURITIES INC. ET AL.; and

No. 96-1732. JACKSON ET UX. *v.* PRUDENTIAL SECURITIES INC. ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 107 F. 3d 4.

No. 96-1539. LOON MOUNTAIN RECREATION CORP. *v.* DUBOIS ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 102 F. 3d 1273.

No. 96-1542. FEDERATION FOR AMERICAN IMMIGRATION REFORM, INC. *v.* RENO, ATTORNEY GENERAL, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 93 F. 3d 897.

No. 96-1571. KARE 11, AN NBC AFFILIATE AND A DIVISION OF COMBINED COMMUNICATIONS CORP., ET AL. *v.* RYTHER. C. A. 8th Cir. Certiorari denied. Reported below: 108 F. 3d 832.

No. 96-1574. PANTANI ET VIR *v.* RICHARDSON, COMMISSIONER OF INTERNAL REVENUE, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 352.

No. 96-1639. DEMPSTER *v.* MUNICIPALITY OF ANCHORAGE ET AL. C. A. 9th Cir. Certiorari denied.

No. 96-1651. WCC ASSOCIATES ET AL. *v.* HAWAII CARPENTERS TRUST FUNDS. Sup. Ct. Haw. Certiorari denied. Reported below: 83 Haw. 205, 925 P. 2d 375.

No. 96-1657. MULLINS *v.* MANNING COAL CORP. ET AL. Sup. Ct. Ky. Certiorari denied. Reported below: 938 S. W. 2d 260.

No. 96-1687. ISENBERGH ET AL., CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF ISENBERGH, DECEASED *v.* KNIGHT-RIDDER NEWSPAPER SALES, INC., NKA NEWSPAPERS FIRST, INC., ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 436.

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No. 96-1696. *DAGI v. CHRIS MOTORS CORP. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 102 F. 3d 555.

No. 96-1698. *INSTITUT PASTEUR ET AL. v. CAMBRIDGE BIOTECH CORP.* C. A. 1st Cir. Certiorari denied. Reported below: 104 F. 3d 489.

No. 96-1701. *VERNON, SHERIFF, ROCKINGHAM COUNTY v. HARTER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 101 F. 3d 334.

No. 96-1708. *HOLT v. MITCHELL, JUDGE, CIRCUIT COURT OF DUVAL COUNTY, FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 689 So. 2d 1069.

No. 96-1709. *HOLT v. LEE.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 681 So. 2d 282.

No. 96-1710. *UNITED STATES FIRE INSURANCE CO. ET AL. v. ASBESTOS CLAIMS MANAGEMENT CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 101 F. 3d 813.

No. 96-1714. *ELLIOTT ET VIR, REPRESENTATIVES OF THE ESTATE OF ELLIOTT, DECEASED v. LEAVITT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 99 F. 3d 640.

No. 96-1718. *HOMEBUILDERS ASSOCIATION OF CENTRAL ARIZONA ET AL. v. CITY OF SCOTTSDALE ET AL.* Sup. Ct. Ariz. Certiorari denied. Reported below: 187 Ariz. 479, 930 P. 2d 993.

No. 96-1722. *RFE INDUSTRIES, INC. v. SPM CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 105 F. 3d 923.

No. 96-1726. *AMERICAN INVESTORS LIFE INSURANCE CO. v. HUDSON.* Ct. App. Ark. Certiorari denied. Reported below: 55 Ark. App. 360, 935 S. W. 2d 594.

No. 96-1729. *KNISKERN, ADMINISTRATOR OF THE ESTATE OF CAVALIERE, DECEASED, ET AL. v. TOWNSHIP OF SOMERFORD ET AL.* Ct. App. Ohio, Franklin County. Certiorari denied. Reported below: 112 Ohio App. 3d 189, 678 N. E. 2d 273.

No. 96-1734. *ARIZONA v. PALENKAS.* Ct. App. Ariz. Certiorari denied. Reported below: 188 Ariz. 201, 933 P. 2d 1269.

No. 96-1735. *TEXAS v. MOWBRAY.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 943 S. W. 2d 461.

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No. 96-1737. SWANSON *v.* KNABE. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-1744. GONZALEZ ET AL. *v.* GALLO. Sup. Ct. Cal. Certiorari denied. Reported below: 14 Cal. 4th 1090, 929 P. 2d 596.

No. 96-1745. ENERCON INDUSTRIES CORP. ET AL. *v.* PILLAR CORP. ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 105 F. 3d 1437.

No. 96-1748. JOHNSON *v.* GREATER SOUTHEAST COMMUNITY HOSPITAL CORP. ET AL. C. A. D. C. Cir. Certiorari denied.

No. 96-1750. MEDICO *v.* MEDICO ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 862.

No. 96-1752. NEW PORT LARGO, INC. *v.* MONROE COUNTY. C. A. 11th Cir. Certiorari denied. Reported below: 95 F. 3d 1084.

No. 96-1756. McMILLIAN *v.* TATE ET AL.; and  
No. 96-1765. TATE *v.* McMILLIAN. C. A. 11th Cir. Certiorari denied. Reported below: 88 F. 3d 1554 and 101 F. 3d 1363.

No. 96-1766. WASHINGTON LEGAL FOUNDATION ET AL. *v.* TEXAS EQUAL ACCESS TO JUSTICE FOUNDATION ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 94 F. 3d 996.

No. 96-1778. ABRAMS *v.* OFFICE OF BAR COUNSEL FOR THE DISTRICT OF COLUMBIA. Ct. App. D. C. Certiorari denied. Reported below: 689 A. 2d 6.

No. 96-1780. MEMBERS OF THE DISCIPLINARY BOARD OF THE SUPREME COURT OF NEW MEXICO ET AL. *v.* REVO. C. A. 10th Cir. Certiorari denied. Reported below: 106 F. 3d 929.

No. 96-1781. STEVENS ET UX. *v.* CITY OF CANNON BEACH ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 409.

No. 96-1817. TAYLOR *v.* CONNECTICUT. Sup. Ct. Conn. Certiorari denied. Reported below: 239 Conn. 481, 687 A. 2d 489.

No. 96-1834. AGENCY RENT-A-CAR, INC., ET AL. *v.* HALL. Ct. App. D. C. Certiorari denied.

No. 96-1842. RUSH *v.* TEXAS. Ct. App. Tex., 1st Dist. Certiorari denied.

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No. 96-1846. *NEWMAN ET UX. v. WORCESTER COUNTY DEPARTMENT OF SOCIAL SERVICES*. Ct. App. Ind. Certiorari denied. Reported below: 659 N. E. 2d 593.

No. 96-1850. *REYNOLDS, WARDEN, ET AL. v. BROWN*. C. A. 10th Cir. Certiorari denied.

No. 96-1859. *DIANA v. FLORIDA*. Cir. Ct. Pinellas County, Fla. Certiorari denied.

No. 96-1868. *GOLDTOOTH v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 106 F. 3d 427.

No. 96-1876. *EHRLANDER v. DEPARTMENT OF TRANSPORTATION OF ALASKA ET AL.* Sup. Ct. Alaska. Certiorari denied.

No. 96-1903. *ABBEY v. SVERDRUP CORP. ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 692 So. 2d 833.

No. 96-1922. *GREAT PLAINS CHEMICAL CO., INC., ET AL. v. MICRO CHEMICAL, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 103 F. 3d 1538.

No. 96-1931. *SALERNO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 108 F. 3d 730.

No. 96-5609. *CHRISTY v. MAGNUSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 85 F. 3d 628.

No. 96-7662. *ANDERSON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 932 S. W. 2d 502.

No. 96-7758. *FIERRO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 934 S. W. 2d 370.

No. 96-8280. *WILLIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 102 F. 3d 1078.

No. 96-8380. *UNTERBURGER ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 97 F. 3d 1413.

No. 96-8405. *VASQUEZ v. OFFICE OF PERSONNEL MANAGEMENT ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 670.

No. 96-8413. *MURDOCH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 98 F. 3d 472.

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No. 96-8499. *CARDAN v. NYX ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-8577. *LOCKHART v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 104 F. 3d 54.

No. 96-8672. *MATHENIA v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 99 F. 3d 1476.

No. 96-8755. *GIBSON v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 424 Mass. 242, 675 N. E. 2d 776.

No. 96-8767. *BARQUERO v. MEDRANO.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-8773. *AMERSON v. IDAHO.* Ct. App. Idaho. Certiorari denied. Reported below: 129 Idaho 395, 925 P. 2d 399.

No. 96-8774. *BOWLES v. WALDEN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 96-8797. *STOBAUGH v. WOOD, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 107 F. 3d 17.

No. 96-8803. *GRANT v. IN REM RELEASE BOARD ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 226 App. Div. 2d 375, 640 N. Y. S. 2d 227.

No. 96-8804. *GODETT v. GAITHER, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 96-8805. *THOMAS v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 96-8811. *MCGEE v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 104 F. 3d 370.

No. 96-8814. *MOYA v. EYHERBIDE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 96-8817. *LOYER v. LOYER ET AL.* (two judgments). Ct. App. Ohio, Huron County. Certiorari denied.

No. 96-8819. *JOHNSON v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

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No. 96-8832. *ASSA'AD-FALTAS v. ROGERS*. C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 389.

No. 96-8833. *COOLIDGE v. BLOCK DRUG, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 105 F. 3d 662.

No. 96-8834. *SETCHELL v. LITTLE SIX, INC.* Sup. Ct. Minn. Certiorari denied.

No. 96-8835. *BROWN v. NETHERLAND, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 865.

No. 96-8839. *BOND v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 345 N. C. 1, 478 S. E. 2d 163.

No. 96-8840. *WASHINGTON v. OAKLAND UNIFIED SCHOOL DISTRICT*. C. A. 9th Cir. Certiorari denied. Reported below: 112 F. 3d 518.

No. 96-8841. *CADEJUSTE v. WELCH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 106 F. 3d 389.

No. 96-8843. *DiCESARE v. COWLEY, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 99 F. 3d 1149.

No. 96-8848. *BATES v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 96-8852. *CURTIS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 685 So. 2d 1234.

No. 96-8854. *VISCIOTTI v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 14 Cal. 4th 325, 926 P. 2d 987.

No. 96-8856. *ELEY v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 77 Ohio St. 3d 174, 672 N. E. 2d 640.

No. 96-8872. *SMITH v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 932 P. 2d 521.

No. 96-8880. *KOVACIK v. HACKEL ET AL.* C. A. 6th Cir. Certiorari denied.

No. 96-8881. *MARR v. WRIGHT, SUPERINTENDENT, CLALLAM BAY CORRECTIONAL FACILITY*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 139.

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No. 96-8884. *LACHICA v. MEDICAL COLLEGE OF WISCONSIN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 101 F. 3d 110.

No. 96-8886. *BELL v. HUNT, GOVERNOR OF NORTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 103 F. 3d 116.

No. 96-8890. *RODRIGUEZ v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 96-8896. *FABIAN v. METROPOLITAN DADE COUNTY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 96-8923. *BLAISDELL v. PENAROSA, ACTING WARDEN.* Sup. Ct. Haw. Certiorari denied.

No. 96-8938. *PETERSON v. SHANKS, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 107 F. 3d 21.

No. 96-8939. *BARBARY v. STURM ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 207 Wis. 2d 642, 559 N. W. 2d 924.

No. 96-8941. *SINGH v. COMMISSIONER OF SOCIAL SERVICES, CITY OF NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 231 App. Div. 2d 573, 648 N. Y. S. 2d 612.

No. 96-8956. *OWENS v. ARIZONA.* Ct. App. Ariz. Certiorari denied.

No. 96-8959. *LONGFELLOW v. DELAWARE.* Sup. Ct. Del. Certiorari denied. Reported below: 688 A. 2d 1370.

No. 96-9015. *WALKER v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 933 P. 2d 327.

No. 96-9020. *WHYTE v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 228 App. Div. 2d 395, 645 N. Y. S. 2d 292.

No. 96-9036. *GREER v. PARKE, SUPERINTENDENT, INDIANA STATE PRISON.* C. A. 7th Cir. Certiorari denied. Reported below: 107 F. 3d 873.

No. 96-9049. *ARTEAGA v. TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES.* Sup. Ct. Tex. Certiorari denied.

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No. 96-9067. *BAIR v. BROWN, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 101 F. 3d 716.

No. 96-9069. *SIMON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 688 So. 2d 791.

No. 96-9092. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 109 F. 3d 765.

No. 96-9094. *SCHWARZ v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 108 F. 3d 1392.

No. 96-9103. *DORLOUIS ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 248.

No. 96-9114. *LAUTI v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 102 F. 3d 166.

No. 96-9122. *ARROYO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 505.

No. 96-9127. *RUSSELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 109 F. 3d 1503.

No. 96-9128. *SCHWEITZER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 9.

No. 96-9130. *MARTINEZ v. SLATER, SECRETARY OF TRANSPORTATION*. C. A. 10th Cir. Certiorari denied.

No. 96-9132. *ISENBERG v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 111 F. 3d 128.

No. 96-9133. *RIES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 106 F. 3d 410.

No. 96-9134. *OLIVARES-SEVILLA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 F. 3d 142.

No. 96-9137. *BANNISTER v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 100 F. 3d 610.

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No. 96-9145. *BRAMSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 868.

No. 96-9149. *MCDONALD v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 101 F. 3d 588.

No. 96-9150. *NAGIB v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 106 F. 3d 404.

No. 96-9151. *MEDINA-ALFONSO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 109 F. 3d 770.

No. 96-9159. *AUSTIN v. LUCHT, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 106 F. 3d 384.

No. 96-9162. *JENNINGS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 107 F. 3d 876.

No. 96-9164. *JONES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 1147.

No. 96-9165. *HAUT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 864.

No. 96-9168. *HATHCOCK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 103 F. 3d 715.

No. 96-9171. *FERNANDEZ-ROQUE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 868.

No. 96-9172. *HAUT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 213.

No. 96-9173. *HAMILTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 107 F. 3d 499.

No. 96-9174. *DRAVES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 103 F. 3d 1328.

No. 96-9175. *COLLINS v. FARMERS HOME ADMINISTRATION ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 105 F. 3d 1366.

No. 96-9179. *SCROGGINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 868.

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No. 96-9181. *MERRICK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 107 F. 3d 868.

No. 96-9185. *STARNES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 109 F. 3d 648.

No. 96-9186. *POLANCO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 112 F. 3d 505.

No. 96-9189. *BOYLESS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 101 F. 3d 702.

No. 96-9193. *WARE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 110 F. 3d 66.

No. 96-9199. *SCOTT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 104 F. 3d 357.

No. 96-9205. *BINFORD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 108 F. 3d 723.

No. 96-9206. *BECKER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 107 F. 3d 863.

No. 96-9207. *SANFORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 109 F. 3d 769.

No. 96-9208. *SATZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 F. 3d 956.

No. 96-9209. *OWENS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 109 F. 3d 771.

No. 96-9212. *STEWART v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 872.

No. 96-9213. *ROGERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 109 F. 3d 765.

No. 96-9222. *EDMONSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 107 F. 3d 22.

No. 96-9225. *EVERETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 109 F. 3d 768.

No. 96-9237. *TINSLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 107 F. 3d 871.

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No. 96–9239. WILLIAMS ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 108 F. 3d 1375.

No. 96–31. SMITH *v.* CALIFORNIA FAIR EMPLOYMENT AND HOUSING COMMISSION ET AL. Sup. Ct. Cal. Motions of American Jewish Congress et al. and Defenders of Property Rights for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 12 Cal. 4th 1143, 913 P. 2d 909.

No. 96–174. ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW ET AL. *v.* FOSTER, GOVERNOR OF LOUISIANA, ET AL. C. A. 5th Cir. Motion of Public Citizen for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 81 F. 3d 1387.

No. 96–1231. E. I. DU PONT DE NEMOURS & Co. *v.* SHERIDAN. C. A. 3d Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 100 F. 3d 1061.

No. 96–1591. CALDERON, WARDEN *v.* SILVA. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 106 F. 3d 409.

No. 96–1719. GALLO ET AL. *v.* AMOCO CORP., AS PLAN ADMINISTRATOR, ET AL. C. A. 7th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 102 F. 3d 918.

No. 96–1755. CALDERON, WARDEN *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA (HAYES, REAL PARTY IN INTEREST). C. A. 9th Cir. Motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* granted. Motion of respondent Blufford Hayes, Jr., for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 103 F. 3d 72.

*Rehearing Denied*

No. 96–1160. RICHARDSON *v.* ALBERTSON’S, INC., 520 U. S. 1196;

No. 96–1390. EVANS, BY HER MOTHER AND NEXT FRIEND, EVANS *v.* AVERY ET AL., 520 U. S. 1210;

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No. 96-1399. UNITED STATES EX REL. HAYCOCK *v.* HUGHES AIRCRAFT Co., 520 U. S. 1211;

No. 96-7555. SIDLES *v.* LEWIS ET AL., 520 U. S. 1146;

No. 96-7565. WILLIAMS ET UX. *v.* UNITED STATES ET AL., 520 U. S. 1188;

No. 96-7849. HARRIS *v.* CUYAHOGA COUNTY, OHIO, ET AL., 520 U. S. 1174;

No. 96-8015. GOLDEN *v.* TEXAS, 520 U. S. 1176;

No. 96-8046. MCREYNOLDS *v.* VENKATARAGHAVEN ET AL., 520 U. S. 1200;

No. 96-8175. HENRY *v.* WILLIAMSON ET AL., 520 U. S. 1216;

No. 96-8265. TAYLOR *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 520 U. S. 1201;

No. 96-8273. SISK *v.* TEXAS, 520 U. S. 1232; and

No. 96-8604. PARKER *v.* UNITED STATES, 520 U. S. 1223. Petitions for rehearing denied.

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*Certiorari Denied*

No. 97-5020 (A-8). MCQUEEN *v.* KENTUCKY. Sup. Ct. Ky. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 948 S. W. 2d 415.

No. 97-5021 (A-10). MCQUEEN *v.* PATTON, GOVERNOR OF KENTUCKY. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 118 F. 3d 460.

No. 97-5030 (A-2). MCQUEEN *v.* KENTUCKY. Sup. Ct. Ky. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 949 S. W. 2d 70.

No. 97-5039 (A-12). MCQUEEN *v.* SAPP, COMMISSIONER, KENTUCKY DEPARTMENT OF CORRECTIONS, ET AL. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS would grant the application for stay of execution and the petition for writ of certiorari. Reported below: 118 F. 3d 460.

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*Rehearing Denied*

No. 96-8750 (A-7). *MCQUEEN v. PARKER, WARDEN*, 520 U. S. 1257. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Petition for rehearing denied.

JULY 1, 1997

*Miscellaneous Order*

No. 97-5019 (A-6). *IN RE HUNT*. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

*Certiorari Denied*

No. 96-9160 (A-862). *HUNT v. MARYLAND*. Ct. App. Md. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 345 Md. 122, 691 A. 2d 1255.

JULY 3, 1997

*Miscellaneous Order*

No. 96-1400 (A-925). *CALIFORNIA ET AL. v. DEEP SEA RESEARCH, INC., ET AL.* C. A. 9th Cir. [Certiorari granted, 520 U. S. 1263.] Application for stay, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied.

JULY 16, 1997

*Miscellaneous Order*

No. A-904. *PREWITT v. ALEXANDER ET AL.* C. A. 5th Cir. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

JULY 17, 1997

*Certiorari Denied*

No. 97-5106 (A-49). *SMITH v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. 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, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would

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grant the application for stay of execution. Reported below: 111 F. 3d 1126.

JULY 23, 1997

*Miscellaneous Order*

No. 97-5311 (A-76). *IN RE O'DELL*. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

*Certiorari Denied*

No. 97-5300 (A-74). *O'DELL v. ALLEN, GOVERNOR OF VIRGINIA, ET AL.* C. A. 4th Cir. Application for injunction staying the execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

JULY 25, 1997

*Dismissal Under Rule 46*

No. 96-1880. *ANELLO v. ZONING BOARD OF APPEALS OF VILLAGE OF DOBBS FERRY ET AL.* Ct. App. N. Y. Certiorari dismissed under this Court's Rule 46.1. Reported below: 89 N. Y. 2d 535, 678 N. E. 2d 870.

JULY 29, 1997

*Miscellaneous Order*

No. 97-5381 (A-85). *IN RE WEST*. 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 and petition for review denied.

*Certiorari Denied*

No. 97-5348 (A-78). *WEST 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. 97-5406 (A-89). *WEST v. TEXAS BOARD OF PARDONS AND PAROLES 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.

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*Rehearing Denied*

No. 96-7332 (A-82). WEST *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 520 U. S. 1242. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for rehearing denied.

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*Miscellaneous Order*

No. 97-197. IN RE CALDERON, WARDEN. Motion of petitioner to proceed with 8½- by 11-inch paper granted. Motion of petitioner to expedite consideration of petition for writ of mandamus granted. Petition for writ of mandamus denied.

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*Miscellaneous Orders*

No. D-1803. IN RE DISBARMENT OF SCHWARTZ. Disbarment entered. [For earlier order herein, see 520 U. S. 1208.]

No. D-1804. IN RE DISBARMENT OF COOLEY. Disbarment entered. [For earlier order herein, see 520 U. S. 1208.]

No. D-1813. IN RE DISBARMENT OF WEISMAN. David S. Weisman, 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 June 23, 1997 [*ante*, p. 1101], is discharged.

No. D-1819. IN RE DISBARMENT OF KRAMER. Michael A. Kramer, of Casselberry, 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-1820. IN RE DISBARMENT OF FRANZEN. Charles Robert Franzen, 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.

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No. D-1821. *IN RE DISBARMENT OF SIDDIQI*. Anis Ahmad Siddiqi, of Brooklyn, 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-1822. *IN RE DISBARMENT OF CADE*. Gladys Maxine B. Cade, of Silver Spring, Md., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-1823. *IN RE DISBARMENT OF BALDAUFF*. Michael Chapman Baldauff, of York, Pa., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1824. *IN RE DISBARMENT OF BARRON*. Kenneth Ray Barron, of Tyler, 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-1825. *IN RE DISBARMENT OF HINES*. John H. Hines, Jr., of Smithfield, R. I., 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-1826. *IN RE DISBARMENT OF PICCIRILLI*. Vincent J. Piccirilli, of Cranston, R. I., 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-1827. *IN RE DISBARMENT OF TALLO*. Richard C. Tallo, of East Greenwich, R. I., 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-1828. *IN RE DISBARMENT OF NEWELL*. Frank Harvey Newell III, of Towson, Md., is suspended from the practice of law

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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-1829. IN RE DISBARMENT OF DYSON. Thomas R. Dyson, Jr., of Chevy Chase, Md., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1830. IN RE DISBARMENT OF HALLER. Arthur Gordon Haller, of Gainesville, 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-1831. IN RE DISBARMENT OF SCOTT. Richard Scott, of Lincoln, Neb., 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-1832. IN RE DISBARMENT OF WELCKER. Ronald Alfred Welcker, 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. D-1833. IN RE DISBARMENT OF TOBIN. Harris A. Tobin, of Gainesville, 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-1834. IN RE DISBARMENT OF APOLLO. Stephen Apollo, of Hackensack, 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-1835. IN RE DISBARMENT OF BECKMAN. A. Thomas Beckman, of Lutherville, Md., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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No. D-1836. *IN RE DISBARMENT OF ZOLOT*. Lawrence M. Zolot, of San Diego, 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-1837. *IN RE DISBARMENT OF QUINN*. Anthony P. Quinn, of Queens, 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-1838. *IN RE DISBARMENT OF CROWLEY*. Martin J. Crowley, of Smithtown, 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.

*Certiorari Granted*

No. 97-215. *CALDERON, WARDEN v. THOMPSON*. C. A. 9th Cir. Motion of petitioner to proceed with 8½- by 11-inch paper granted. Motion of petitioner to expedite consideration granted. Petition for writ of mandamus denied. Treating the papers submitted as a petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit, certiorari granted limited to Questions 1 and 2 presented by the petition. Reported below: 120 F. 3d 1045.

*Rehearing Denied*

No. 95-1764. *SARATOGA FISHING CO. v. J. M. MARTINAC & CO. ET AL.*, 520 U. S. 875;

No. 96-538. *FROST ET AL. v. UNITED STATES*, 520 U. S. 1226;

No. 96-1358. *OCHOA v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*, 520 U. S. 1229;

No. 96-1534. *SWEENEY v. SCHMOKE, MAYOR OF BALTIMORE, ET AL.*, 520 U. S. 1251;

No. 96-1593. *HINCHLIFFE v. PENNSYLVANIA*, 520 U. S. 1265;

No. 96-1664. *TIN YAT CHIN v. DEPARTMENT OF JUSTICE*, 520 U. S. 1231;

No. 96-1700. *ABIDEKUN v. NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT ET AL.*, 520 U. S. 1241;

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- No. 96-6480. *DUTCHER v. MOREO ET AL.*, 519 U. S. 1063;  
No. 96-7748. *FIDIS v. LAKESIDE MEDICAL CENTER*, 520 U. S. 1171;  
No. 96-7796. *SORIA v. TEXAS*, 520 U. S. 1253;  
No. 96-7937. *WILKINS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 520 U. S. 1189;  
No. 96-7980. *RODRIGUEZ v. UNITED STATES*, 520 U. S. 1160;  
No. 96-8086. *TUERK v. OTIS ELEVATOR Co., INC., ET AL.*, 520 U. S. 1214;  
No. 96-8172. *HALE v. RUNYON, POSTMASTER GENERAL*, 520 U. S. 1190;  
No. 96-8250. *FELTROP v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*, 520 U. S. 1242;  
No. 96-8288. *ARTEAGA v. SUPERIOR COURT OF CALIFORNIA, SANTA CLARA COUNTY*, 520 U. S. 1233;  
No. 96-8289. *ARTEAGA v. COURT OF APPEAL OF CALIFORNIA, SIXTH APPELLATE DISTRICT*, 520 U. S. 1233;  
No. 96-8292. *MULTANI v. ROSS UNIVERSITY ET AL.*, 520 U. S. 1233;  
No. 96-8294. *KEIRSEY v. MARYLAND*, 520 U. S. 1191;  
No. 96-8299. *SACERIO v. SCHOOL BOARD OF DADE COUNTY*, 520 U. S. 1242;  
No. 96-8373. *WERNER, AKA THOMAS v. MCCOTTER, EXECUTIVE DIRECTOR, UTAH DEPARTMENT OF CORRECTIONS, ET AL.*, 520 U. S. 1244;  
No. 96-8375. *GARY v. TURPIN, WARDEN*, 520 U. S. 1244;  
No. 96-8384. *HOWARD v. HOWARD*, 520 U. S. 1244;  
No. 96-8428. *JUDD v. UNIVERSITY OF NEW MEXICO ET AL.*, 520 U. S. 1245;  
No. 96-8464. *LAMBERT v. INDIANA*, 520 U. S. 1255;  
No. 96-8498. *REYNOLDS v. LOS ANGELES COUNTY DEPARTMENT OF CHILDREN'S SERVICES*, 520 U. S. 1234;  
No. 96-8512. *SIKORA v. DOE ET AL.*, 520 U. S. 1266;  
No. 96-8532. *JENKINS ET AL. v. OAKLEY ET AL.*, 520 U. S. 1256;  
No. 96-8571. *GRAY v. WOOD, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY, ET AL.*, 520 U. S. 1268;  
No. 96-8572. *HANSEN v. UNITED STATES*, 520 U. S. 1222;  
No. 96-8606. *SHARP v. ALLSTATE INSURANCE Co. ET AL.*, 520 U. S. 1268;

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No. 96-8618. *BURGESS v. EASLEY MUNICIPAL ELECTION COMMISSION*, 520 U. S. 1234;

No. 96-8627. *NAGI v. C. E. FLEMING CORP. ET AL.*, 520 U. S. 1234;

No. 96-8637. *IN RE ROBINSON*, 520 U. S. 1273;

No. 96-8644. *TIDIK v. RITSEMA ET AL.*, 520 U. S. 1256;

No. 96-8667. *IN RE GRUBBS*, 520 U. S. 1227;

No. 96-8677. *BURNETT v. CHIPPEWA COUNTY SHERIFF'S DEPARTMENT*, 520 U. S. 1279;

No. 96-8697. *TROWBRIDGE v. UNITED STATES*, 520 U. S. 1235;

No. 96-8771. *STEWART v. UNITED STATES*, 520 U. S. 1246;

No. 96-8840. *WASHINGTON v. OAKLAND UNIFIED SCHOOL DISTRICT*, *ante*, p. 1124; and

No. 96-8919. *DANCER v. MERIT SYSTEMS PROTECTION BOARD*, 520 U. S. 1280. Petitions for rehearing denied.

No. 96-79. *BOGGS v. BOGGS ET AL.*, 520 U. S. 833. Motion of respondents to supplement petition for rehearing granted. Petition for rehearing denied.

No. 96-8894. *ROBINSON v. CLINTON, PRESIDENT OF THE UNITED STATES, ET AL.*, 520 U. S. 1283. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

AUGUST 5, 1997

*Miscellaneous Order*

No. 97-5492 (A-107). *IN RE FELTROP*. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

AUGUST 6, 1997

*Miscellaneous Orders*

No. A-61 (97-122). *CITY OF MONROE ET AL. v. UNITED STATES*. Appeal from D. C. M. D. Ga. Application for stay of permanent injunction entered by the three judge panel of the United States District Court for the Middle District of Georgia, case No. 94-CV-45(WDO), on April 21, 1997, presented to JUSTICE KENNEDY, and by him referred to the Court, granted pending action by this Court on the statement as to jurisdiction. Should the appeal be dis-

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missed or the judgment affirmed, this order shall terminate automatically. If probable jurisdiction is noted or postponed, this order shall continue in effect pending the sending down of the judgment of this Court. Motion to seal exhibits filed by the appellants denied.

No. A-111 (O. T. 1997). *PERRY v. BROWNLEE ET AL.* Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied.

No. A-112 (O. T. 1997). *PERRY v. MORGAN, WARDEN, ET AL.* Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied.

No. A-114 (O. T. 1997). *PERRY v. MORGAN, WARDEN, ET AL.* Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied.

No. 97-5495 (A-108). *IN RE PERRY.* Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

*Certiorari Denied*

No. 97-5366 (A-96). *PERRY v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

AUGUST 12, 1997

*Miscellaneous Order*

No. 97-5464 (A-99). *IN RE REESE.* Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

AUGUST 14, 1997

*Certiorari Denied*

No. 97-5246 (A-67). *CORWIN 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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AUGUST 15, 1997

*Miscellaneous Orders*

No. A-31 (97-5078). HUNT *v.* UNITED STATES. C. A. 9th Cir. Application for bail, addressed to JUSTICE BREYER and referred to the Court, denied.

No. A-71 (96-9490). ZIGLAR *v.* ALABAMA. C. A. 11th Cir. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

AUGUST 18, 1997

*Dismissal Under Rule 46*

No. 96-1746. HELLENIC AMERICAN NEIGHBORHOOD ACTION COMMITTEE *v.* CITY OF NEW YORK ET AL. C. A. 2d Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 101 F. 3d 877.

AUGUST 19, 1997

*Miscellaneous Order*

No. 97-5637 (A-141). IN RE SIX. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

*Certiorari Denied*

No. 97-5343 (A-126). POPE *v.* PRUETT, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 113 F. 3d 1364.

No. 97-5617 (A-138). SIX *v.* BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

AUGUST 26, 1997

*Miscellaneous Order*

No. 97-215. CALDERON, WARDEN *v.* THOMPSON. C. A. 9th Cir. [Certiorari granted, *ante*, p. 1136.] The order granting the peti-

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tion for writ of certiorari is amended to read as follows: Motion of petitioner to proceed with 8½- by 11-inch paper granted. Motion of petitioner to expedite consideration granted. Petition for writ of mandamus denied. Treating the papers submitted as a petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit, certiorari granted limited to Questions 1 and 2 presented by the petition. In addition, the parties are directed to brief and argue the following question: "Did the Ninth Circuit, sitting en banc, err in concluding that the three-judge panel 'committed fundamental errors of law that would result in manifest injustice' sufficient to justify recalling the mandate?"

AUGUST 27, 1997

*Dismissal Under Rule 46*

No. 96-9376. IN RE RODDEN. Petition for writ of mandamus dismissed under this Court's Rule 46.

AUGUST 29, 1997

*Miscellaneous Order*

No. A-166 (97-5639). CARR *v.* GEORGIA. Sup. Ct. Ga. Application of respondent to vacate the stay of execution of sentence of death granted by the Superior Court of Monroe County on August 25, 1997, presented to JUSTICE KENNEDY, and by him referred to the Court, denied.

SEPTEMBER 3, 1997

*Miscellaneous Order*

No. A-98 (97-5250). MILLER *v.* CORCORAN, WARDEN, ET AL. C. A. 4th Cir. Application for bail, addressed to JUSTICE STEVENS and referred to the Court, denied.

SEPTEMBER 4, 1997

*Miscellaneous Order*

No. A-174 (97-369). COALITION FOR ECONOMIC EQUITY ET AL. *v.* WILSON, GOVERNOR OF CALIFORNIA, ET AL.; and

No. A-175. CITY AND COUNTY OF SAN FRANCISCO *v.* WILSON, GOVERNOR OF CALIFORNIA, ET AL. C. A. 9th Cir. Applications

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for stay, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied.

SEPTEMBER 9, 1997

*Miscellaneous Order*

No. 97-5798 (A-178). IN RE DAVIS. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted. 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. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of execution.

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*Miscellaneous Orders*

No. D-1805. IN RE DISBARMENT OF SCHLOTTMAN. Disbarment entered. [For earlier order herein, see 520 U. S. 1208.]

No. D-1807. IN RE DISBARMENT OF CALVERT. Disbarment entered. [For earlier order herein, see 520 U. S. 1262.]

No. D-1810. IN RE DISBARMENT OF LASH. Disbarment entered. [For earlier order herein, see 520 U. S. 1262.]

No. D-1811. IN RE DISBARMENT OF WATKINS. Disbarment entered. [For earlier order herein, see 520 U. S. 1272.]

No. D-1812. IN RE DISBARMENT OF KAPLAN. Disbarment entered. [For earlier order herein, see *ante*, p. 1101.]

No. D-1816. IN RE DISBARMENT OF HORNE. Disbarment entered. [For earlier order herein, see *ante*, p. 1102.]

No. D-1817. IN RE DISBARMENT OF WILLIAMS. Disbarment entered. [For earlier order herein, see *ante*, p. 1115.]

No. D-1818. IN RE DISBARMENT OF SOSNAY. Disbarment entered. [For earlier order herein, see *ante*, p. 1115.]

No. D-1819. IN RE DISBARMENT OF KRAMER. Michael A. Kramer, of Casselberry, Fla., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before

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this Court. The rule to show cause, issued on August 4, 1997 [*ante*, p. 1133], is discharged.

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, 520 U. S. 1209.] Motions of National Coordinating Committee for Multiemployer Plans et al., Midwest Motor Express, Inc., and John T. Joyce et al. for leave to file briefs as *amici curiae* granted.

No. 96-643. STEEL CO., AKA CHICAGO STEEL & PICKLING CO. *v.* CITIZENS FOR A BETTER ENVIRONMENT. C. A. 7th Cir. [Certiorari granted, 519 U. S. 1147.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-792. KALINA *v.* FLETCHER. C. A. 9th Cir. [Certiorari granted, 519 U. S. 1148.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-843. NATIONAL CREDIT UNION ADMINISTRATION *v.* FIRST NATIONAL BANK & TRUST CO. ET AL.; and

No. 96-847. AT&T FAMILY FEDERAL CREDIT UNION ET AL. *v.* FIRST NATIONAL BANK & TRUST CO. ET AL. C. A. D. C. Cir. [Certiorari granted, 519 U. S. 1148.] Motion of the Acting Solicitor General for divided argument granted.

No. 96-1395. KING, DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT *v.* ERICKSON ET AL.; and KING, DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT *v.* MCMANUS ET AL. C. A. Fed. Cir. [Certiorari granted, *ante*, p. 1117.] Motion of the Acting Solicitor General to dispense with printing the joint appendix granted.

No. 96-1487. UNITED STATES *v.* BAJAKAJIAN. C. A. 9th Cir. [Certiorari granted, 520 U. S. 1239.] Motion of the Acting Solicitor General to dispense with printing the joint appendix granted.

No. 96-1613. UNITED STATES *v.* ESTATE OF ROMANI. Sup. Ct. Pa. [Certiorari granted, *ante*, p. 1117.] Motion of the Acting Solicitor General to dispense with printing the joint appendix granted.

No. 96-8400. BUCHANAN *v.* ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. [Certio-

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rari granted, 520 U. S. 1196.] Motion of National Association of Criminal Defense Lawyers for leave to file a brief as *amicus curiae* granted.

*Certiorari Denied*

No. 97-5808 (A-210). MURPHY *v.* NETHERLAND, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 116 F. 3d 97.

*Rehearing Denied*

- No. 84, Orig. UNITED STATES *v.* ALASKA, *ante*, p. 1;  
No. 94-9498. HEMPHILL *v.* HOUSING AUTHORITY OF THE CITY OF CHARLESTON ET AL., 516 U. S. 838;  
No. 96-31. SMITH *v.* CALIFORNIA FAIR EMPLOYMENT AND HOUSING COMMISSION ET AL., *ante*, p. 1129;  
No. 96-1903. ABBEY *v.* SVERDRUP CORP. ET AL., *ante*, p. 1122;  
No. 96-5609. CHRISTY *v.* MAGNUSON ET AL., *ante*, p. 1122;  
No. 96-7326. SCOTT *v.* NACHMAN, 520 U. S. 1107;  
No. 96-7703. CARTER *v.* AMTRAK NATIONAL RAILROAD PASSENGER CORPORATION, 520 U. S. 1213;  
No. 96-7878. MAXWELL *v.* TEXAS, 520 U. S. 1175;  
No. 96-7929. PEREZ *v.* UNITED STATES, 520 U. S. 1175;  
No. 96-7957. VEATCH *v.* UNITED STATES, 520 U. S. 1149;  
No. 96-8405. VASQUEZ *v.* OFFICE OF PERSONNEL MANAGEMENT ET AL., *ante*, p. 1122;  
No. 96-8483. TAPLIN *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 520 U. S. 1255;  
No. 96-8491. GANGI *v.* BAYBANK, FSB, ET AL., 520 U. S. 1256;  
No. 96-8534. SIDLES *v.* UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA, 520 U. S. 1267;  
No. 96-8535. SIDDIQUI *v.* NEW YORK, 520 U. S. 1267;  
No. 96-8590. HOWARD *v.* CASPARI, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER, 520 U. S. 1234;  
No. 96-8639. IN RE RODRIGUEZ, 520 U. S. 1208;  
No. 96-8668. HART *v.* CALIFORNIA ET AL., 520 U. S. 1279;  
No. 96-8681. BERGNE *v.* UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, 520 U. S. 1279;

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- No. 96-8686. CAUSEY *v.* UNITED STATES, 520 U. S. 1235;  
No. 96-8699. OBERUCH *v.* ARIZONA ET AL., 520 U. S. 1279;  
No. 96-8722. LEWIS *v.* SUPREME COURT OF CALIFORNIA ET AL., *ante*, p. 1106;  
No. 96-8761. MCBROOM *v.* FRANKLIN COUNTY BOARD OF ELECTIONS, *ante*, p. 1107;  
No. 96-8803. GRANT *v.* IN REM RELEASE BOARD ET AL., *ante*, p. 1123;  
No. 96-8817. LOYER *v.* LOYER ET AL. (two judgments), *ante*, p. 1123;  
No. 96-8939. BARBARY *v.* STURM ET AL., *ante*, p. 1125;  
No. 96-8947. IN RE CARNEY ET AL., *ante*, p. 1117;  
No. 96-9014. SMITH *v.* BILLER ET AL., *ante*, p. 1109;  
No. 96-9038. ELDER *v.* MERIT SYSTEMS PROTECTION BOARD, *ante*, p. 1109;  
No. 96-9046. TONEY *v.* UNITED STATES, *ante*, p. 1109;  
No. 96-9071. SHORT *v.* UNITED STATES, *ante*, p. 1110;  
No. 96-9073. BUNDY *v.* UNITED STATES, *ante*, p. 1110;  
No. 96-9079. BURNS *v.* UNITED STATES, *ante*, p. 1110;  
No. 96-9094. SCHWARZ *v.* MERIT SYSTEMS PROTECTION BOARD, *ante*, p. 1126;  
No. 96-9115. BANKS *v.* UNITED STATES ET AL., *ante*, p. 1110;  
No. 96-9137. BANNISTER *v.* BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, *ante*, p. 1126;  
No. 96-9175. COLLINS *v.* FARMERS HOME ADMINISTRATION ET AL., *ante*, p. 1127; and  
No. 96-9237. TINSLEY *v.* UNITED STATES, *ante*, p. 1128. Petitions for rehearing denied.  
No. 95-1184. GLICKMAN, SECRETARY OF AGRICULTURE *v.* WILEMAN BROTHERS & ELLIOTT, INC., ET AL., *ante*, p. 457. Petition of Wileman Brothers & Elliott, Inc., et al. for rehearing denied. Petition of Gerawan Farming, Inc., et al. for rehearing denied.  
No. 96-9070. SMITH *v.* UNITED STATES, *ante*, p. 1110. Motion for leave to file petition for rehearing denied.

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*Dismissal Under Rule 46*

- No. 97-5032. BLEDSOE *v.* UNITED STATES. C. A. 5th Cir. Certiorari dismissed under this Court's Rule 46.

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*Dismissals Under Rule 46*

No. 97-127. ST. LEDGER ET AL. *v.* KENTUCKY REVENUE CABINET ET AL. Sup. Ct. Ky. Certiorari dismissed under this Court's Rule 46.1. Reported below: 942 S. W. 2d 893.

No. 97-329. PENGUIN BOOKS USA, INC., ET AL. *v.* DR. SEUSS ENTERPRISES. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 109 F. 3d 1394.

*Miscellaneous Order*

No. 97-6078 (A-234). IN RE TURNER. 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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*Miscellaneous Order*

No. 97-6123 (A-239). IN RE McDONALD. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

SEPTEMBER 24, 1997

*Dismissal Under Rule 46*

No. 97-5935. KESTERSON *v.* UNITED STATES. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 114 F. 3d 1189.

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*Miscellaneous Orders*

No. D-1806. IN RE DISBARMENT OF MORATH. Disbarment entered. [For earlier order herein, see 520 U. S. 1262.]

No. D-1808. IN RE DISBARMENT OF KIRK. Disbarment entered. [For earlier order herein, see 520 U. S. 1262.]

No. D-1815. IN RE DISBARMENT OF BARNES. Brenda Powers Barnes, of Santa Monica, Cal., having requested to resign as a member of the Bar of this Court, it is ordered that her name be

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stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on June 23, 1997 [*ante*, p. 1102], is discharged.

No. D-1820. IN RE DISBARMENT OF FRANZEN. Disbarment entered. [For earlier order herein, see *ante*, p. 1133.]

No. D-1824. IN RE DISBARMENT OF BARRON. Disbarment entered. [For earlier order herein, see *ante*, p. 1134.]

No. D-1826. IN RE DISBARMENT OF PICCIRILLI. Disbarment entered. [For earlier order herein, see *ante*, p. 1134.]

No. D-1828. IN RE DISBARMENT OF NEWELL. Disbarment entered. [For earlier order herein, see *ante*, p. 1134.]

No. D-1829. IN RE DISBARMENT OF DYSON. Disbarment entered. [For earlier order herein, see *ante*, p. 1135.]

No. D-1834. IN RE DISBARMENT OF APOLLO. Disbarment entered. [For earlier order herein, see *ante*, p. 1135.]

No. D-1835. IN RE DISBARMENT OF BECKMAN. Disbarment entered. [For earlier order herein, see *ante*, p. 1135.]

No. D-1839. IN RE DISBARMENT OF SARANELLO. Joseph Anthony Saranello, 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-1840. IN RE DISBARMENT OF GILBERT. Ronald Bart Gilbert, 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-1841. IN RE DISBARMENT OF SEGAL. Theodore Joseph Segal, of Phoenix, 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. D-1842. IN RE DISBARMENT OF STEWARD. Harrison B. Steward III, of Orlando, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days,

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

No. D-1843. *IN RE DISBARMENT OF TUCCORI*. Lawrence Stanley Tuccori, of Fresno, 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-1844. *IN RE DISBARMENT OF DAVIS*. James Herman Davis, 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-1845. *IN RE DISBARMENT OF KADISH*. Charles Kadish, of Buffalo Grove, 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-1846. *IN RE DISBARMENT OF JACKSON*. Andrew D. Jackson, of Whiting, Ind., 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-1847. *IN RE DISBARMENT OF WOLHAR*. Robert C. Wolhar, Jr., of Georgetown, Del., 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-1848. *IN RE DISBARMENT OF GILLERAN*. Robert Thomas Gilleran, 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-1849. *IN RE DISBARMENT OF PICKETT*. Neal Yarborough Pickett, 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.

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No. D-1850. IN RE DISBARMENT OF MARCUS. Lyn H. Marcus, 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-1851. IN RE DISBARMENT OF SMITH. Nicholas Smith, of Plymouth, Mich., 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-1852. IN RE DISBARMENT OF GREENE. Lawrence R. Greene, of Detroit, Mich., 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-1853. IN RE DISBARMENT OF THORNTON. Kenneth W. Thornton, Jr., of Georgetown, S. C., 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-1854. IN RE DISBARMENT OF FISHER. Robert Patrick Fisher, of Scotts Valley, 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-1855. IN RE DISBARMENT OF HOPEWELL. Richard James Hopewell, of Sioux Falls, S. D., 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. 120, Orig. NEW JERSEY *v.* NEW YORK. Motions of the National Trust for Historic Preservation in the United States et al., New York Landmarks Conservancy et al., and New York Historical Society et al. for leave to file briefs as *amici curiae* granted. Exceptions to the Report of the Special Master are set for oral argument in due course. Motion of New York for leave to file a surrepley brief denied. [For earlier order herein, see, *e. g.*, *ante*, p. 1116.]

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No. 96-188. GENERAL ELECTRIC CO. ET AL. *v.* JOINER ET UX. C. A. 11th Cir. [Certiorari granted, 520 U. S. 1114.] Motions of Ardith Cavallo and Association of Trial Lawyers of America for leave to file briefs as *amici curiae* 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, 520 U. S. 1209.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 96-976. HUDSON ET AL. *v.* UNITED STATES. C. A. 10th Cir. [Certiorari granted, 520 U. S. 1165.] Motion of Ohio et al. for leave to participate in oral argument as *amici curiae* denied.

No. 96-1291. OUBRE *v.* ENTERGY OPERATIONS, INC. C. A. 5th Cir. [Certiorari granted, 520 U. S. 1185.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument 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, 520 U. S. 1250.] Motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* granted.

No. 96-1395. KING, DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT *v.* ERICKSON ET AL.; and KING, DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT *v.* McMANUS ET AL. C. A. Fed. Cir. [Certiorari granted, *ante*, p. 1117.] Motion of International Association of Chiefs of Police, Inc., for leave to file a brief as *amicus curiae* granted.

No. 96-1469. UNITED STATES *v.* RAMIREZ. C. A. 9th Cir. [Certiorari granted, *ante*, p. 1103.] Motion of the Acting Solicitor General to dispense with printing the joint appendix granted.

No. 96-1482. LEXECON INC. ET AL. *v.* MILBERG WEISS BERSHAD HYNES & LERACH ET AL. C. A. 9th Cir. [Certiorari granted, 520 U. S. 1227.] Motion of respondent Joseph W. Cotchett et al. for divided argument denied.

*Probable Jurisdiction Noted*

No. 97-29. TEXAS *v.* UNITED STATES ET AL. Appeal from D. C. D. C. Probable jurisdiction noted. Brief of appellant is to

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be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of appellees is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply.

*Certiorari Granted*

No. 96-1584. *CAMPBELL v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari granted limited to Question 1 presented by the petition. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply. Reported below: 673 So. 2d 1061.

No. 96-1693. *HOPKINS, WARDEN v. REEVES*. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Questions 1, 2, and 4 presented by the petition. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply. Reported below: 102 F. 3d 977.

No. 96-1768. *FELTNER v. COLUMBIA PICTURES TELEVISION, INC.* C. A. 9th Cir. Certiorari granted. In addition to the questions presented by the petition, the parties are requested to brief and argue the following question: "Whether 17 U. S. C. § 504(c) permits or requires a jury trial in actions for statutory damages for copyright infringement." Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be filed

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with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply. Reported below: 106 F. 3d 284.

No. 96-1923. COHEN *v.* DE LA CRUZ ET AL. C. A. 3d Cir. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply. Reported below: 106 F. 3d 52.

No. 96-1925. CATERPILLAR INC. *v.* INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, ET AL. C. A. 3d Cir. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply. Reported below: 107 F. 3d 1052.

No. 96-1971. RIVET ET AL. *v.* REGIONS BANK OF LOUISIANA ET AL. C. A. 5th Cir. Certiorari granted. Brief of petitioners is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply. Reported below: 108 F. 3d 576.

No. 96-8516. BOUSLEY *v.* BROOKS, WARDEN. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be

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filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply. Reported below: 97 F. 3d 284.

No. 97-115. *KAWAAUHAU ET VIR v. GEIGER*. C. A. 8th Cir. Certiorari granted. Brief of petitioners is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, November 13, 1997. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, December 15, 1997. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, January 5, 1998. This Court's Rule 29.2 does not apply. Reported below: 113 F. 3d 848.

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*Miscellaneous Order*

No. M-9 (A-248). *ADANANDUS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

*Certiorari Denied*

No. 97-6231 (A-253). *ADANANDUS 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.