

ORDERS FOR MARCH 1 THROUGH
MAY 25, 2000

MARCH 1, 2000

Dismissal Under Rule 46

No. 99-423. *ALSBROOK v. ARKANSAS ET AL.* C. A. 8th Cir. [Certiorari granted, 528 U.S. 1146.] Writ of certiorari dismissed under this Court's Rule 46.1.

Miscellaneous Orders

No. 99-1240. *BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA ET AL. v. GARRETT ET AL.* C. A. 11th Cir. Joint motion of the parties to expedite consideration of petition for writ of certiorari denied.

No. 99-8449 (99A696). *IN RE BARNES*. 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. 99-8473 (99A711). *IN RE WRIGHT*. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Petition for writ of habeas corpus denied. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of execution and set the case for oral argument.

Certiorari Denied

No. 99-8472 (99A710). *WRIGHT v. ALABAMA*. Sup. Ct. Ala. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 766 So. 2d 215.

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Certiorari Dismissed

No. 99-7695. *ASHIEGBU v. PURVIANCE ET AL.* C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* de-

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nied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 194 F. 3d 1311.

Miscellaneous Orders

No. 99M69. IN RE DELBOSQUE;

No. 99M70. CAMOSCIO *v.* DEMINICO ET AL.; and

No. 99M71. PALMER *v.* BARRAM, ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 99-62. SANTA FE INDEPENDENT SCHOOL DISTRICT *v.* DOE, INDIVIDUALLY AND AS NEXT FRIEND FOR HER MINOR CHILDREN, ET AL. C. A. 5th Cir. [Certiorari granted, 528 U.S. 1002.] Motion of Texas et al. for leave to participate in oral argument as *amici curiae* and for divided argument granted.

No. 99-474. NATSIOS, SECRETARY OF ADMINISTRATION AND FINANCE OF MASSACHUSETTS, ET AL. *v.* NATIONAL FOREIGN TRADE COUNCIL. C. A. 1st Cir. [Certiorari granted, 528 U.S. 1018.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 99-478. APPENDI *v.* NEW JERSEY. Sup. Ct. N. J. [Certiorari granted, 528 U.S. 1018.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 99-536. REEVES *v.* SANDERSON PLUMBING PRODUCTS, INC. C. A. 5th Cir. [Certiorari granted, 528 U.S. 985.] Motion of petitioner to strike respondent's lodging appendix denied. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted to be divided as follows: 20 minutes for petitioner and 10 minutes for the Solicitor General.

No. 99-830. STENBERG, ATTORNEY GENERAL OF NEBRASKA, ET AL. *v.* CARHART. C. A. 8th Cir. [Certiorari granted, 528 U.S. 1110.] Motion of Alan Ernest for leave to represent children unborn and born alive denied. Motion of Alan Ernest for leave to file a brief as *amicus curiae* denied.

No. 99-7889. HOLMES *v.* DEPARTMENT OF THE NAVY. C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma*

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pauperis denied. Petitioner is allowed until March 27, 2000, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 99-8017. IN RE PARES-RAMIREZ;
No. 99-8109. IN RE UNDERWOOD;
No. 99-8121. IN RE JACKSON; and
No. 99-8139. IN RE PUNCHARD. Petitions for writs of habeas corpus denied.

No. 99-8082. IN RE MUHAMMAD. Petition for writ of mandamus denied.

Certiorari Denied

No. 99-677. WATERVIEW MANAGEMENT CO. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION. C. A. D. C. Cir. Certiorari denied. Reported below: 194 F. 3d 175.

No. 99-766. CONSOLIDATED EDISON COMPANY OF NEW YORK ET AL. *v.* DEPARTMENT OF ENERGY ET AL. C. A. D. C. Cir. Certiorari denied.

No. 99-782. PUBLIC CITIZEN ET AL. *v.* CARLIN, ARCHIVIST OF THE UNITED STATES, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 184 F. 3d 900.

No. 99-785. TEICHER ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. D. C. Cir. Certiorari denied. Reported below: 177 F. 3d 1016.

No. 99-812. BRIDENBAUGH *v.* O'BANNON, GOVERNOR OF INDIANA. C. A. 7th Cir. Certiorari denied. Reported below: 185 F. 3d 796.

No. 99-922. IRONWORKERS LOCAL 386 *v.* WARSHAWSKY & CO. ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 182 F. 3d 948.

No. 99-978. MICHAELS, EXECUTOR OF THE ESTATE OF NELSON, DECEASED *v.* BANK OF AMERICA N. T. & S. A. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 189 F. 3d 474.

No. 99-1012. SCARFO *v.* GINSBERG ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 175 F. 3d 957.

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No. 99-1098. *BARTH v. PUBLIC SERVICE ELECTRIC AND GAS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 193 F. 3d 514.

No. 99-1117. *HEARD v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 187 Ill. 2d 36, 718 N. E. 2d 58.

No. 99-1124. *C. VOLANTE CORP. v. BROWN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 194 F. 3d 351.

No. 99-1125. *KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM, INC. v. REIMER & KOGER ASSOCIATES, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 194 F. 3d 922.

No. 99-1129. *AZIZ v. BLUEFIELD STATE COLLEGE.* C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1303.

No. 99-1130. *CLANTON v. TOWNSHIP OF REDFORD.* Ct. App. Mich. Certiorari denied.

No. 99-1131. *MEDICAL SOCIETY OF NEW JERSEY ET AL. v. ROBINS, PRESIDENT, NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS, ET AL.* Super. Ct. N. J., App. Div. Certiorari denied. Reported below: 321 N. J. Super. 586, 729 A. 2d 1056.

No. 99-1136. *PHILLIPS v. CSX TRANSPORTATION, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 190 F. 3d 285.

No. 99-1158. *LAL v. STATE SYSTEM OF HIGHER EDUCATION OF PENNSYLVANIA (SSHE) ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 185 F. 3d 862.

No. 99-1200. *HERSHFIELD v. TOWN OF COLONIAL BEACH ET AL.* Ct. App. Va. Certiorari denied.

No. 99-1229. *RATCLIFF v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 187 F. 3d 637.

No. 99-1234. *HILL, WARDEN v. BELL.* C. A. 9th Cir. Certiorari denied. Reported below: 190 F. 3d 1089.

No. 99-1252. *PRIDE v. MISSOURI.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 1 S. W. 3d 494.

No. 99-1253. *RODRIGUEZ v. WEST, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 189 F. 3d 1351.

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No. 99-1262. *RAZZAQ v. OLD DOMINION UNIVERSITY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 181 F. 3d 90.

No. 99-1267. *SCHLAMER v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 52 M. J. 80.

No. 99-1271. *QUALLS v. ARIZONA.* Ct. App. Ariz. Certiorari denied.

No. 99-1286. *ACCARDI ET UX. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 190 F. 3d 781.

No. 99-1293. *BRISCOE v. INTERNATIONAL BUSINESS MACHINES CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 199 F. 3d 1321.

No. 99-1311. *CASH v. TENNESSEE.* C. A. 6th Cir. Certiorari denied.

No. 99-1322. *COWHIG v. CALDERA, SECRETARY OF THE ARMY.* C. A. 1st Cir. Certiorari denied. Reported below: 181 F. 3d 79.

No. 99-1326. *STEWART v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 203 F. 3d 827.

No. 99-1327. *HINES v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 187 F. 3d 632.

No. 99-1355. *SMITH v. TEXAS ET AL.* Ct. App. Tex., 10th Dist. Certiorari denied.

No. 99-6626. *MANCILLAS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 183 F. 3d 682.

No. 99-6789. *EBERT v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 178 F. 3d 1287.

No. 99-6921. *CASTILLO v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 188 F. 3d 519.

No. 99-6925. *WEATHERS v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 186 F. 3d 948.

No. 99-7310. *WHITE v. ARIZONA.* Sup. Ct. Ariz. Certiorari denied. Reported below: 194 Ariz. 344, 982 P. 2d 819.

No. 99-7324. *EARP v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 20 Cal. 4th 826, 978 P. 2d 15.

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No. 99-7603. *COREY v. HEALTH SOUTH CORPORATION OF ALABAMA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 51.

No. 99-7605. *COREY v. FLORIDA STATE DIVISION OF HUMAN SERVICES.* C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 51.

No. 99-7607. *COREY v. RETCHIN, JUDGE, SUPERIOR COURT OF THE DISTRICT OF COLUMBIA.* C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 51.

No. 99-7608. *COREY v. SIDRANSKY.* C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 51.

No. 99-7609. *COREY v. COREY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 51.

No. 99-7610. *COREY v. PAMPER ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 51.

No. 99-7611. *COREY v. DOWLING ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 51.

No. 99-7612. *ABE v. MICHIGAN STATE UNIVERSITY.* Ct. App. Mich. Certiorari denied.

No. 99-7622. *MCGILBERRY v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 741 So. 2d 894.

No. 99-7626. *IOANE v. TRIPLETT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 99-7629. *BRITZ v. COWAN, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 192 F. 3d 1101.

No. 99-7632. *THOMAS, AKA TURNER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99-7637. *HEDGEPEETH v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 350 N. C. 776, 517 S. E. 2d 605.

No. 99-7641. *FEE v. BORGERT, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 194 F. 3d 1312.

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No. 99-7642. *FALCON v. RICHMOND POLICE DEPARTMENT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 253.

No. 99-7643. *HIBBERT v. TERHUNE, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 99-7644. *GASKIN v. WARD, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 99-7645. *HAYNES ET VIR v. MATTINA ET AL.* C. A. 2d Cir. Certiorari denied.

No. 99-7646. *HORSLEY v. BUSH, GOVERNOR OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-7647. *FRANCIS v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied. Reported below: 743 So. 2d 12.

No. 99-7653. *MATHONICAN v. TEXAS ET AL.* (two judgments). C. A. 5th Cir. Certiorari denied.

No. 99-7655. *JACKSON v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 304 Ill. App. 3d 883, 711 N. E. 2d 360.

No. 99-7656. *FRYE v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 99-7658. *FAIR v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 733 So. 2d 515.

No. 99-7660. *HINES v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99-7662. *HYCHE v. CHRISTENSEN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 99-7663. *FRANKS v. MARTIN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-7665. *DURACHKO v. McCULLOUGH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE.* C. A. 3d Cir. Certiorari denied.

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No. 99-7666. *GEARY v. MCKINNEY ET AL.* Sup. Ct. Colo. Certiorari denied.

No. 99-7670. *DEAL v. CATOE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 168 F. 3d 481.

No. 99-7671. *GONZALEZ v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.* C. A. 9th Cir. Certiorari denied.

No. 99-7673. *SCHAEFER v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 238 Ga. App. 594, 519 S. E. 2d 248.

No. 99-7676. *LINDSEY v. CATOE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 187 F. 3d 630.

No. 99-7677. *STEELE v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 741 So. 2d 487.

No. 99-7680. *VALADEZ v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99-7688. *ANTONIO GONZALEZ v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 99-7696. *MANN v. TAFT, STETTINIUS & HOLLISTER ET AL.* Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 99-7697. *MCLAUGHLIN v. COTNER.* C. A. 6th Cir. Certiorari denied. Reported below: 193 F. 3d 410.

No. 99-7698. *JOHNSON v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 182 F. 3d 908.

No. 99-7700. *COOMBS v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied.

No. 99-7705. *KULKA v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 99-7706. *TUNSTALL v. KAVANAGH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1328.

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No. 99-7710. *MAYS v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 99-7713. *JENNINGS v. WYOMING ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 477.

No. 99-7717. *CROSBY v. LAMBERT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1326.

No. 99-7723. *WHITE v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99-7726. *WISE v. CADDELL CONSTRUCTION CO., INC.* C. A. 11th Cir. Certiorari denied. Reported below: 203 F. 3d 841.

No. 99-7736. *BOULINEAU v. GARNER*, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 184 F. 3d 825.

No. 99-7737. *CALHOUN v. DETELLA*, WARDEN, ET AL. C. A. 7th Cir. Certiorari denied.

No. 99-7754. *ABBEY v. ROBERT BOSCH GMBH ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 217 F. 3d 853.

No. 99-7819. *GLASS v. TERHUNE*, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 182 F. 3d 925.

No. 99-7871. *MARSH v. MADRID*, ATTORNEY GENERAL OF NEW MEXICO. C. A. 10th Cir. Certiorari denied. Reported below: 198 F. 3d 258.

No. 99-7874. *MAYEUX v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 99-7905. *MERRITT v. PRICE*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH. C. A. 3d Cir. Certiorari denied.

No. 99-7998. *FLOWERS v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99-7999. *HIIVALA v. LAMBERT*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. C. A. 9th Cir. Certiorari denied. Reported below: 195 F. 3d 1098.

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No. 99–8005. *HAYES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 438.

No. 99–8013. *IFABIYI, AKA DEBROWN, AKA BELL, AKA BELLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 194 F. 3d 1308.

No. 99–8032. *SANJURJO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 239.

No. 99–8033. *REYNOLDS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 197 F. 3d 241.

No. 99–8038. *ANDERSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 201 F. 3d 445.

No. 99–8041. *LONG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8045. *COX v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 181 F. 3d 104.

No. 99–8051. *ROGERS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 201 F. 3d 429.

No. 99–8052. *MORALES ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 185 F. 3d 74.

No. 99–8056. *ANDERSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 191 F. 3d 454.

No. 99–8058. *ARMENDARIZ-MATA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99–8059. *CORTINAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 193 F. 3d 523.

No. 99–8062. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 198 F. 3d 262.

No. 99–8065. *CABANA v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 127 Md. App. 778.

No. 99–8067. *SHUE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 433.

No. 99–8074. *MIKALAJUNAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 186 F. 3d 490.

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No. 99–8075. *MYERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 248.

No. 99–8077. *LARKINS v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 99–8078. *KEE MANN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 193 F. 3d 1172.

No. 99–8080. *COLLINS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 279.

No. 99–8083. *MAY v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 53.

No. 99–8087. *BROWN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 203 F. 3d 818.

No. 99–8091. *ROBISON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 449.

No. 99–8093. *STUEBING v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 202 F. 3d 264.

No. 99–8094. *MACK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 99–8099. *JOHNSON v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO*. C. A. 6th Cir. Certiorari denied.

No. 99–8101. *SCAFF-MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 182 F. 3d 935.

No. 99–8103. *NELSON v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99–8105. *AJIBOYE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1352.

No. 99–8115. *GOMEZ SALAZAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 659.

No. 99–8118. *ROMERO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 189 F. 3d 576.

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No. 99–8124. PADILLA-MENA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 201 F. 3d 445.

No. 99–8125. ROBINSON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 433.

No. 99–866. ORSON, INC., T/A ROXY SCREENING ROOMS *v.* MIRAMAX FILM CORP. C. A. 3d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 189 F. 3d 377.

No. 99–944. CHENOWETH, MEMBER OF CONGRESS, ET AL. *v.* CLINTON, PRESIDENT OF THE UNITED STATES, ET AL. C. A. D. C. Cir. Motion of Landmark Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 181 F. 3d 112.

No. 99–950. CONSOLIDATED RAIL CORPORATION *v.* WIGHTMAN, ADMINISTRATRIX OF THE ESTATE OF WIGHTMAN, DECEASED, ET AL. Sup. Ct. Ohio. Motions of Alliance of American Insurers et al. and Association of American Railroads for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 86 Ohio St. 3d 431, 715 N. E. 2d 546.

No. 99–981. PENNSYLVANIA *v.* HALYE. Super. Ct. Pa. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 719 A. 2d 763.

No. 99–1041. PRYOR, ATTORNEY GENERAL OF ALABAMA, ET AL. *v.* SUMMIT MEDICAL ASSOCIATES, P. C., ET AL. C. A. 11th Cir. Motion of James Clancy for leave to file a brief as *amicus curiae* denied. Certiorari denied. Reported below: 180 F. 3d 1326.

Rehearing Denied

No. 98–9749. MCFALL *v.* DEPARTMENT OF AGRICULTURE, 528 U. S. 1003;

No. 99–5960. RODRIGUEZ *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., 528 U. S. 971;

No. 99–6507. PRAVDA *v.* SARATOGA COUNTY, NEW YORK, ET AL., 528 U. S. 1063;

No. 99–6915. IN RE DORROUGH, 528 U. S. 1017; and

No. 99–7105. EATON *v.* DAKOTA COUNTY HOUSING REDEVELOPMENT AUTHORITIES ET AL., 528 U. S. 1131. Petitions for rehearing denied.

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No. 99–5746. WEEKS *v.* ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, 528 U.S. 225. Stay of execution of sentence of death granted September 1, 1999, vacated. Petition for rehearing denied.

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Miscellaneous Order

No. 99A726. GIBSON, WARDEN *v.* LAFEVERS. Application to vacate order of the United States Court of Appeals for the Tenth Circuit, entered March 7, 2000, directing entry of an order staying execution of respondent, presented to JUSTICE BREYER, and by him referred to the Court, denied.

MARCH 14, 2000

Certiorari Denied

No. 99–8616 (99A760). RICH *v.* WOODFORD, WARDEN, 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.

MARCH 15, 2000

Certiorari Dismissed

No. 99–8615 (99A759). POLAND *v.* STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS. 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 dismissed for want of jurisdiction.

Miscellaneous Order

No. 99–8625 (99A761). IN RE POLAND. 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. 99–8597 (99A741). POLAND *v.* ARIZONA. Super. Ct. Ariz., Yavapai County. Application for stay of execution of sentence of death, presented to JUSTICE O’CONNOR, and by her referred to the Court, denied. Certiorari denied. JUSTICE STEVENS

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and JUSTICE BREYER would grant the application for stay of execution.

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Miscellaneous Order

No. 99A750. HUNT, GOVERNOR OF NORTH CAROLINA, ET AL. *v.* CROMARTIE ET AL.; and

No. 99A757. SMALLWOOD ET AL. *v.* CROMARTIE ET AL. Applications for stay of judgment of the United States District Court for the Eastern District of North Carolina, case No. 4:96-CV-104-BO(3), entered March 8, 2000, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted pending the timely docketing of the appeals in this Court. Should the jurisdictional statements be timely filed, this order shall remain in effect pending this Court's action on the appeals. If the appeals are dismissed or the judgment affirmed, this order shall terminate automatically. In the event jurisdiction is noted or postponed, this order will remain in effect pending the sending down of the judgment of this Court.

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Certiorari Dismissed

No. 99-7818. FORD *v.* CALIFORNIA. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 99-8071. KOWALSKI *v.* OREGON STATE BAR. Sup. Ct. Ore. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. D-2127. IN RE DISBARMENT OF THOMAS. Disbarment entered. [For earlier order herein, see 528 U. S. 1043.]

No. D-2129. IN RE DISBARMENT OF HORN. Disbarment entered. [For earlier order herein, see 528 U. S. 1071.]

No. D-2131. IN RE DISBARMENT OF ZEEGERS. Disbarment entered. [For earlier order herein, see 528 U. S. 1071.]

No. D-2132. IN RE DISBARMENT OF GRINDLE. Disbarment entered. [For earlier order herein, see 528 U. S. 1071.]

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No. D-2133. IN RE DISBARMENT OF PHILOMENA. Disbarment entered. [For earlier order herein, see 528 U.S. 1071.]

No. D-2135. IN RE DISBARMENT OF KUHLMAN. Disbarment entered. [For earlier order herein, see 528 U.S. 1072.]

No. D-2136. IN RE DISBARMENT OF MILLER. Disbarment entered. [For earlier order herein, see 528 U.S. 1072.]

No. D-2138. IN RE DISBARMENT OF JONES. Disbarment entered. [For earlier order herein, see 528 U.S. 1112.]

No. D-2139. IN RE DISBARMENT OF HENCKE. Disbarment entered. [For earlier order herein, see 528 U.S. 1112.]

No. 99M72. SWARTZ *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION;

No. 99M73. CLENDENIN *v.* VIRGINIA DEPARTMENT OF SOCIAL SERVICES; and

No. 99M74. IACOBUCCI *v.* BOULTER. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 8, Orig. ARIZONA *v.* CALIFORNIA ET AL. Motion of the Solicitor General for divided argument granted. [For earlier order herein, see, *e. g.*, 528 U.S. 1147.]

No. 105, Orig. KANSAS *v.* COLORADO. Motion of the Special Master for fees and reimbursement of expenses granted, and the Special Master is awarded a total of \$112,783.95 for the period March 3, 1999, through January 28, 2000, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 526 U.S. 1048.]

No. 99-658. CASTILLO ET AL. *v.* UNITED STATES. C. A. 5th Cir. [Certiorari granted, 528 U.S. 1109.] Motion of Law Enforcement Alliance of America for leave to file a brief as *amicus curiae* granted. Motion of petitioner Brad Eugene Branch for leave to proceed further herein *in forma pauperis* granted. Motion for appointment of counsel granted, and it is ordered that Richard G. Ferguson, of Waco, Tex., be appointed to serve as counsel for petitioner Brad Eugene Branch. Request for expenses and attorney's fees denied without prejudice. Motion of petitioner Renos Lenny Avraam for leave to proceed further herein *in forma pauperis* granted. Motion for appointment of counsel granted, and it is ordered that John F. Carroll, Esq., of San Antonio, Tex., be appointed to serve as counsel for petitioner

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Renos Lenny Avraam. Request for expenses and attorney's fees denied without prejudice.

No. 99-830. STENBERG, ATTORNEY GENERAL OF NEBRASKA, ET AL. *v.* CARHART. C. A. 8th Cir. [Certiorari granted, 528 U. S. 1110.] Motion of National Association of Pro-life Nurses, Inc., for leave to file a brief as *amicus curiae* granted. Motions of Right to Life Advocates, Inc., National Association for the Protection of Unborn Children, James J. Clancy, and Texas Black Americans for Life et al. for leave to file briefs as *amici curiae* denied.

No. 99-7401. TURNER *v.* UNITED STATES. C. A. Fed. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [528 U. S. 1111] denied.

No. 99-7402. TURNER *v.* VIRGINIA. C. A. D. C. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [528 U. S. 1134] denied.

No. 99-8191. IN RE HELGOTH;

No. 99-8203. IN RE DECKER;

No. 99-8213. IN RE SMITH;

No. 99-8267. IN RE HARRIS;

No. 99-8275. IN RE ADIO-MOWO;

No. 99-8288. IN RE SANDERS;

No. 99-8380. IN RE HAYNES ET VIR;

No. 99-8395. IN RE MURRAY;

No. 99-8427. IN RE SERRANO; and

No. 99-8441. IN RE SAUNDERS. Petitions for writs of habeas corpus denied.

No. 99-8425. IN RE RICHARDS. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 99-1369. IN RE GOULDING;

No. 99-7788. IN RE WATERS;

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No. 99–8089. IN RE PAGLINGAYEN; and
No. 99–8294. IN RE JARVIS. Petitions for writs of mandamus denied.

No. 99–1316. IN RE WOJCIECHOWSKI; and
No. 99–1351. IN RE MARCONE. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 99–859. CENTRAL GREEN CO. *v.* UNITED STATES. C. A. 9th Cir. Certiorari granted. Reported below: 177 F. 3d 834.

No. 99–804. CLEVELAND *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted limited to Question 1 as presented by the petition. Reported below: 182 F. 3d 296.

No. 99–1038. EASTERN ASSOCIATED COAL CORP. *v.* UNITED MINE WORKERS OF AMERICA, DISTRICT 17, ET AL. C. A. 4th Cir. Motion of Institute for a Drug-Free Workplace for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 188 F. 3d 501.

No. 99–1185. SELING, SUPERINTENDENT, SPECIAL COMMITMENT CENTER *v.* YOUNG. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 192 F. 3d 870.

Certiorari Denied

No. 99–818. GUAM ECONOMIC DEVELOPMENT AUTHORITY *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 179 F. 3d 630.

No. 99–837. CONLEY *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 186 F. 3d 7.

No. 99–882. COPPER ET AL. *v.* CITY OF FARGO ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 184 F. 3d 994.

No. 99–919. BALFOUR BEATTY BAHAMAS LTD. *v.* BUSH. C. A. 11th Cir. Certiorari denied. Reported below: 170 F. 3d 1048.

No. 99–920. RILEY ET AL. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 187 F. 3d 888.

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No. 99-959. AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO, ET AL. *v.* CLINTON, PRESIDENT OF THE UNITED STATES, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 180 F. 3d 727.

No. 99-961. MAPOY *v.* CARROLL, DISTRICT DIRECTOR, DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 4th Cir. Certiorari denied. Reported below: 185 F. 3d 224.

No. 99-969. MISTICK PBT *v.* HOUSING AUTHORITY OF THE CITY OF PITTSBURGH ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 186 F. 3d 376.

No. 99-985. KEELER DIE CAST *v.* INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW), AFL-CIO, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 185 F. 3d 535.

No. 99-986. BYRD *v.* ENVIRONMENTAL PROTECTION AGENCY. C. A. D. C. Cir. Certiorari denied. Reported below: 174 F. 3d 239.

No. 99-989. BROWN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 186 F. 3d 1055.

No. 99-991. GRIFFITH ET AL. *v.* ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY ET AL. C. A. 8th Cir. Certiorari denied.

No. 99-1001. DART *v.* DART. Sup. Ct. Mich. Certiorari denied. Reported below: 460 Mich. 573, 597 N. W. 2d 82.

No. 99-1010. BIG D ENTERPRISES, INC., ET AL. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 184 F. 3d 924.

No. 99-1013. MICCOSUKEE TRIBE OF INDIANS OF FLORIDA ET AL. *v.* TAMIAMI PARTNERS, LTD, BY AND THROUGH ITS GENERAL PARTNER, TAMIAMI DEVELOPMENT CORP. C. A. 11th Cir. Certiorari denied. Reported below: 177 F. 3d 1212.

No. 99-1015. MAURO *v.* ARPAIO, SHERIFF, MARICOPA COUNTY, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 188 F. 3d 1054.

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No. 99-1016. PEREIRA, CHAPTER 11 TRUSTEE, ESTATE OF PAYROLL EXPRESS CORP., ET AL. *v.* AETNA CASUALTY & SURETY CO. ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 186 F. 3d 196.

No. 99-1019. WORTHINGTON CORP. *v.* RONSINI, EXECUTRIX OF THE ESTATE OF RONSINI. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 256 App. Div. 2d 250, 683 N. Y. S. 2d 39.

No. 99-1021. LAUDERBAUGH *v.* UNITED STATES. C. A. Armed Forces. Certiorari denied. Reported below: 52 M. J. 438.

No. 99-1034. CENTURY CLINIC, INC., ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 189 F. 3d 475.

No. 99-1039. SIBLEY *v.* LEMAIRE, SHERIFF, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 184 F. 3d 481.

No. 99-1043. OKOLIE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 99-1054. BUCKWALTER ET AL. *v.* COUNTY OF CLARK ET AL. Sup. Ct. Nev. Certiorari denied. Reported below: 115 Nev. 58, 974 P. 2d 1162.

No. 99-1069. MONTGOMERY COUNTY PUBLIC SCHOOLS ET AL. *v.* EISENBERG ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 197 F. 3d 123.

No. 99-1099. LUKAN *v.* SCOTT, SUPERINTENDENT, NORTH FOREST INDEPENDENT SCHOOL DISTRICT, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 183 F. 3d 342.

No. 99-1113. DOBBS-WEINSTEIN *v.* VANDERBILT UNIVERSITY. C. A. 6th Cir. Certiorari denied. Reported below: 185 F. 3d 542.

No. 99-1148. CANNICE *v.* NORWEST BANK IOWA, N. A., ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 189 F. 3d 723.

No. 99-1160. COMFORT SILKIE COMPANY CORP. *v.* SIEFERT, DBA BAREFOOT DREAMS. C. A. Fed. Cir. Certiorari denied. Reported below: 215 F. 3d 1344.

No. 99-1175. GOROD *v.* PROVANZANO ET AL. Super. Ct. Mass., Middlesex County. Certiorari denied.

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No. 99-1180. *ZINSMEYER TRUSTS PARTNERSHIP v. PAINEWEBBER GROUP, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 187 F. 3d 988.

No. 99-1187. *BARR, JUDGE, 337TH DISTRICT COURT OF HARRIS COUNTY, TEXAS v. TEXAS COMMISSION ON JUDICIAL CONDUCT.* Sup. Ct. Tex. Certiorari denied.

No. 99-1189. *JOHNSON v. ANDERSON.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 732 So. 2d 423.

No. 99-1190. *BACA, SHERIFF, COUNTY OF LOS ANGELES v. LEE ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 73 Cal. App. 4th 1116, 86 Cal. Rptr. 2d 913.

No. 99-1194. *WARDEN v. CALIFORNIA STATE BAR ET AL.* Sup. Ct. Cal. Certiorari denied. Reported below: 21 Cal. 4th 628, 982 P. 2d 154.

No. 99-1195. *VARFES v. NEWLAND, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 256.

No. 99-1198. *SPRINGER v. INFINITY GROUP CO. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 478.

No. 99-1199. *READ v. NEW YORK.* C. A. 2d Cir. Certiorari denied. Reported below: 199 F. 3d 1323.

No. 99-1204. *RAUTENBERG v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 191 F. 3d 459.

No. 99-1205. *OWSLEY ET AL. v. SAN ANTONIO INDEPENDENT SCHOOL DISTRICT.* C. A. 5th Cir. Certiorari denied. Reported below: 187 F. 3d 521.

No. 99-1206. *HAHN ET UX. v. STAR BANK ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 190 F. 3d 708.

No. 99-1207. *OLIN CORP. v. CULLEN.* C. A. 7th Cir. Certiorari denied. Reported below: 195 F. 3d 317.

No. 99-1211. *BOSS CAPITAL, INC. v. CITY OF CASSELBERRY.* C. A. 11th Cir. Certiorari denied. Reported below: 187 F. 3d 1251.

No. 99-1213. *WILLIAMS ET AL. v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 182 F. 3d 920.

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No. 99–1214. *CATERPILLAR INC. ET AL. v. NEW HAMPSHIRE DEPARTMENT OF REVENUE ET AL.* Sup. Ct. N. H. Certiorari denied. Reported below: 144 N. H. 253, 741 A. 2d 56.

No. 99–1215. *BATTS ET AL. v. CLINTON ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99–1221. *FORD MOTOR CO. v. AMMERMAN, GUARDIAN OF AMMERMAN, ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 705 N. E. 2d 539.

No. 99–1226. *WILSON ET AL. v. MILLER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 190 F. 3d 537.

No. 99–1228. *HOWE v. RICHARDSON ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 193 F. 3d 60.

No. 99–1237. *ZAHARAN ET UX. v. CLEARY BUILDING CORP. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 182 F. 3d 923.

No. 99–1241. *CHILDREN’S HOSPITAL OF PHILADELPHIA ET AL. v. CUNNINGHAM ET AL.* Ct. Common Pleas of Philadelphia County, Pa. Certiorari denied.

No. 99–1251. *BEACHY v. BOISE CASCADE CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 191 F. 3d 1010.

No. 99–1254. *THOMAS v. DISTRICT OF COLUMBIA COURT OF APPEALS BOARD ON PROFESSIONAL RESPONSIBILITY.* Ct. App. D. C. Certiorari denied. Reported below: 740 A. 2d 538.

No. 99–1260. *WELDON ET UX. v. FARM CREDIT SERVICES OF MICHIGAN’S HEARTLAND, PCA.* Ct. App. Mich. Certiorari denied. Reported below: 232 Mich. App. 662, 591 N. W. 2d 438.

No. 99–1269. *TAYLOR v. IOWA.* Ct. App. Iowa. Certiorari denied.

No. 99–1282. *WILLMAN v. STRAUB, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 99–1290. *NORWOOD v. WESTERN FEDERAL CREDIT UNION ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99–1299. *ALHILAWI v. ALASKA.* Super. Ct. Alaska, 1st Jud. Dist. Certiorari denied.

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No. 99-1303. *WILLIAMS v. HENDERSON*, POSTMASTER GENERAL. C. A. 11th Cir. Certiorari denied. Reported below: 194 F. 3d 1324.

No. 99-1312. *VALHALLA CEMETERY CO., INC. v. MONROE*, COMMISSIONER, ALABAMA DEPARTMENT OF REVENUE. Ct. Civ. App. Ala. Certiorari denied. Reported below: 749 So. 2d 470.

No. 99-1315. *FIZZANO BROTHERS CONCRETE PRODUCTS, INC. v. SANTERIAN ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 737 A. 2d 1283.

No. 99-1323. *HAWKINS v. TEXAS COMMISSION FOR LAWYER DISCIPLINE.* Ct. App. Tex., 8th Dist. Certiorari denied. Reported below: 988 S. W. 2d 927.

No. 99-1341. *VAN NESS ASSOCIATES, LTD. v. MITSUBISHI BANK, LTD., ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 99-1357. *HUGHES ET AL. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 191 F. 3d 1317.

No. 99-1365. *NICOLAS v. PANAMA CANAL COMMISSION.* C. A. D. C. Cir. Certiorari denied.

No. 99-1366. *KAPLAN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 99-1382. *THORNTON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 197 F. 3d 241.

No. 99-1384. *CASTRO v. EDWARDS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 99-1400. *CRANFORD v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 191 F. 3d 453.

No. 99-1405. *KUHN v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 99-6558. *BATTLE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 173 F. 3d 1343.

No. 99-6684. *DONES v. JOHNSON*, SUPERINTENDENT, ORLEANS CORRECTIONAL FACILITY; and *GLAUDE v. ARTUZ*, SUPERINTEND-

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ENT, GREEN HAVEN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. Reported below: 182 F. 3d 899 (first judgment); 189 F. 3d 460 (second judgment).

No. 99-7101. *HOLLOWAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 156 F. 3d 1240.

No. 99-7127. *FARHAD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 190 F. 3d 1097.

No. 99-7129. *FRATTA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 99-7178. *TSU ET UX. v. TRACY FEDERAL BANK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 172 F. 3d 59.

No. 99-7183. *WOODS ET AL. v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 21 Cal. 4th 668, 981 P. 2d 1019.

No. 99-7349. *LOY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 191 F. 3d 360.

No. 99-7409. *LANE v. NATIONAL DATA CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 180 F. 3d 272.

No. 99-7475. *PATTERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 196 F. 3d 1256.

No. 99-7505. *LUCKY v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 755 So. 2d 845.

No. 99-7554. *MORGAN v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 187 Ill. 2d 500, 719 N. E. 2d 681.

No. 99-7720. *RETTIG v. KENT CITY SCHOOL DISTRICT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 187 F. 3d 637.

No. 99-7728. *ORTIZ v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-7738. *RODRIGUEZ v. LITSCHER, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS*. C. A. 7th Cir. Certiorari denied.

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No. 99-7739. *SMITH v. BARRIOS*. C. A. 5th Cir. Certiorari denied.

No. 99-7743. *BAQUE v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 99-7751. *TUESNO v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 198 F. 3d 242.

No. 99-7752. *THOMAS v. LARNED STATE HOSPITAL ET AL.* Ct. App. Kan. Certiorari denied. Reported below: 26 Kan. App. 2d —, 983 P. 2d 288.

No. 99-7753. *BAYON v. CISEK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 99-7755. *COLARTE v. LEBLANC, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 99-7756. *STEPHENS v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 93 Wash. App. 1055.

No. 99-7762. *ROBINSON v. LUKER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 437.

No. 99-7763. *JOHNSON v. LUMBERMENS MUTUAL CASUALTY CO. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 175 F. 3d 1014.

No. 99-7766. *MORTON v. TESSMER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99-7767. *KANAZEH v. LOCKHEED MARTIN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 502.

No. 99-7768. *MCNEIL v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 350 N. C. 657, 518 S. E. 2d 486.

No. 99-7769. *MORGANHERRING v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 350 N. C. 701, 517 S. E. 2d 622.

No. 99-7775. *ALVARADO v. MCKAY ET AL.* Ct. App. Minn. Certiorari denied.

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No. 99-7778. *CRAWFORD v. YUKINS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99-7783. *UNDERWOOD v. JEFFCOAT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 437.

No. 99-7784. *TRICE v. SIKES, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 99-7785. *THOMAS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-7786. *ZOGLAUER v. ZOGLAUER ET AL.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 302 Ill. App. 3d 1101, 746 N. E. 2d 914.

No. 99-7787. *WALKER v. DINNING*. C. A. 7th Cir. Certiorari denied.

No. 99-7795. *NUBINE v. MARTIN, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 478.

No. 99-7797. *LEWIS v. JONES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-7799. *CARTER v. CITY OF RAYVILLE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 193 F. 3d 520.

No. 99-7800. *SMITH v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 199 F. 3d 1333.

No. 99-7803. *GONZALES v. NEW MEXICO*. Sup. Ct. N. M. Certiorari denied. Reported below: 128 N. M. 44, 989 P. 2d 419.

No. 99-7804. *HAKIM v. JACOB ET AL.* Sup. Ct. Mich. Certiorari denied. Reported below: 459 Mich. 992, 595 N. W. 2d 846.

No. 99-7805. *FOSTER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 99-7806. *HUGHES v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 336 S. C. 585, 521 S. E. 2d 500.

No. 99-7812. *DECLLOUD v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 99-7816. *HAMILTON v. STEGALL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99-7820. *GROVER v. BOYD ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 182 F. 3d 921.

No. 99-7821. *HORNSBY v. EVANS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 188 F. 3d 518.

No. 99-7829. *SMITHEY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 20 Cal. 4th 936, 978 P. 2d 1171.

No. 99-7832. *WILLIAMS v. NORWEST MORTGAGE, INC.* Sup. Ct. Fla. Certiorari denied. Reported below: 743 So. 2d 16.

No. 99-7834. *MANZANARES v. OHIO*. Ct. App. Ohio, Wood County. Certiorari denied.

No. 99-7835. *MCLEAN v. OSBORNE, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 502.

No. 99-7841. *LEAL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 99-7846. *MENDOZA v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-7850. *WILLIAMS v. CORRECTIONS CORPORATION OF AMERICA ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 439.

No. 99-7851. *AMADO LAJARA v. MORGAN, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 99-7853. *BEESON v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 115 Nev. 537, 24 P. 3d 229.

No. 99-7854. *TRAVAGLIA v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 723 A. 2d 190.

No. 99-7857. *AYELE v. ALLRIGHT BOSTON PARKING, INC., ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 201 F. 3d 426.

No. 99-7858. *CHENARD v. NEVADA DEPARTMENT OF HUMAN RESOURCES, WELFARE DIVISION*. Sup. Ct. Nev. Certiorari denied. Reported below: 115 Nev. 574, 24 P. 3d 269.

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No. 99-7882. *KING v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 99-7893. *HALL v. UNITED STATES*; and

No. 99-7897. *HALL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 171 F. 3d 1133.

No. 99-7930. *MACEMON v. MORGAN*, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 202 F. 3d 274.

No. 99-7934. *JACKSON v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 194 F. 3d 641.

No. 99-7942. *BARNES v. KEANE*, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 99-7949. *STROUTH v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 999 S. W. 2d 759.

No. 99-7954. *ROBEDEAUX v. GIBSON*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 478.

No. 99-7956. *MCCALLUM v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 194 F. 3d 1323.

No. 99-7976. *FOSTER v. GIBSON*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 182 F. 3d 1177.

No. 99-7995. *MACKAY v. COMMISSIONER OF PATENTS AND TRADEMARKS*. C. A. Fed. Cir. Certiorari denied. Reported below: 217 F. 3d 856.

No. 99-8014. *KIRKSEY v. UNITED STATES*; and

No. 99-8159. *HALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 200 F. 3d 820.

No. 99-8037. *BUMGARDNER v. NORRIS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied.

No. 99-8055. *KEMPER v. DORMIRE*, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 250.

No. 99-8079. *CHANEY v. NEW ORLEANS PUBLIC FACILITY MANAGEMENT, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 179 F. 3d 164.

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No. 99–8085. *BARKLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8090. *SMITH v. TALLY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 99–8107. *CLABOURNE v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 194 Ariz. 379, 983 P. 2d 748.

No. 99–8117. *SANTOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 99–8120. *MIDGETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 143.

No. 99–8126. *RAINEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 824.

No. 99–8127. *SANDERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 187 F. 3d 637.

No. 99–8129. *COBBS v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 99–8130. *CANCASSI v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 99–8133. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 196 F. 3d 1034.

No. 99–8135. *TURNLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 190 F. 3d 483.

No. 99–8138. *STEVENS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 505.

No. 99–8142. *MONACO ET UX. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 194 F. 3d 381 and 199 F. 3d 1324.

No. 99–8148. *HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 189 F. 3d 785.

No. 99–8152. *DALY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99–8154. *EXCINIA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1306.

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No. 99–8155. *FLOYD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 202 F. 3d 270.

No. 99–8164. *UTHMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 439.

No. 99–8166. *EMMANUEL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 438.

No. 99–8167. *HAMLIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 202 F. 3d 255.

No. 99–8168. *HORN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 187 F. 3d 781.

No. 99–8173. *STEVENSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 438.

No. 99–8174. *QUINTANILLA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 193 F. 3d 1139.

No. 99–8175. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 195 F. 3d 205.

No. 99–8177. *LAYNE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 192 F. 3d 556.

No. 99–8178. *MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 200 F. 3d 820.

No. 99–8180. *STULL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 203 F. 3d 818.

No. 99–8182. *BENDER v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 737 So. 2d 1181.

No. 99–8183. *ADAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 179 F. 3d 793.

No. 99–8185. *BAKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 203 F. 3d 840.

No. 99–8187. *ONARO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 202 F. 3d 275.

No. 99–8188. *SPRINGFIELD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 196 F. 3d 1180.

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No. 99–8189. *ORTEGA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8190. *CHRISTIAN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 187 F. 3d 663.

No. 99–8194. *DOVE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 182 F. 3d 901.

No. 99–8198. *DAVENPORT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 204 F. 3d 1120.

No. 99–8199. *HARRISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 187 F. 3d 632.

No. 99–8202. *VILLA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 433.

No. 99–8204. *DUSENBERY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 244.

No. 99–8205. *HERNANDEZ-MIRANDA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8211. *GRACIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99–8214. *SYDNOR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 190 F. 3d 188.

No. 99–8216. *SIMPSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 194 F. 3d 1321.

No. 99–8219. *ADKINS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 196 F. 3d 1112.

No. 99–8221. *EMERSON v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 430 Mass. 378, 719 N. E. 2d 494.

No. 99–8223. *ZEPEDA-AGUIRRE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 199 F. 3d 1334.

No. 99–8226. *WALLACE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 744 So. 2d 459.

No. 99–8227. *TORRES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 190 F. 3d 542.

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No. 99-8234. *McRAE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 504.

No. 99-8235. *MOORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 191 F. 3d 456.

No. 99-8238. *LITTEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 438.

No. 99-8241. *BOSTEDT v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 230 Wis. 2d 747, 604 N.W. 2d 34.

No. 99-8248. *HARLEY v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 99-8256. *HAMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99-8266. *HUTSON v. FANELLO, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 191 F. 3d 445.

No. 99-8273. *BELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 198 F. 3d 261.

No. 99-8280. *FELIX-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 833.

No. 99-8281. *DIAZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 1239.

No. 99-8284. *GUY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 201 F. 3d 441.

No. 99-8293. *MYERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 248.

No. 99-8295. *BYRD v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 744 So. 2d 996.

No. 99-8296. *LEWIS, AKA HARRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1329.

No. 99-8300. *BORELLI v. TRUE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 447.

No. 99-8304. *PENA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 201 F. 3d 429.

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No. 99-8307. *BURGESS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 202 F. 3d 286.

No. 99-8308. *BENALLY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 187 F. 3d 649.

No. 99-8309. *WATSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1307.

No. 99-8310. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 182 F. 3d 910.

No. 99-8313. *MONTOYA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 202 F. 3d 286.

No. 99-8316. *MACDONALD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 196 F. 3d 1260.

No. 99-8325. *CABRERA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 198 F. 3d 262.

No. 99-8326. *BELCHER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 437.

No. 99-8327. *BANNERMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 503.

No. 99-8328. *CRISCIONE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 201 F. 3d 445.

No. 99-8331. *CARRILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 279.

No. 99-8332. *ALLEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 208 F. 3d 206.

No. 99-8333. *ARROYO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 195 F. 3d 54.

No. 99-8340. *PALMER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 833.

No. 99-8346. *VERNON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 187 F. 3d 884.

No. 99-8370. *RIDENBAUGH v. OHIO*. Ct. App. Ohio, Licking County. Certiorari denied.

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No. 99–1000. *ARMSTRONG v. UNITED STATES*. C. A. 8th Cir. Motion of Arrowhead Counties Association et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 186 F. 3d 1055.

No. 99–1009. *DEBAUCHE v. TRANI ET AL.* C. A. 4th Cir. Motion of Appleseed Electoral Reform Law Project et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 191 F. 3d 499.

No. 99–1011. *KNIGHT PUBLISHING CO., DBA THE CHARLOTTE OBSERVER, ET AL. v. PRESBYTERIAN HEALTH SERVICES CORP.* Sup. Ct. N. C. Motions of News & Observer Publishing Co., Inc., and Reporters Committee for Freedom of the Press et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 350 N. C. 449, 515 S. E. 2d 675.

No. 99–1140. *TALLAKSON ET AL. v. BAXTER HEALTHCARE CORP. ET AL.* C. A. 7th Cir. Motion of respondents for leave to lodge Court of Appeals’ appendix under seal granted. Motion of respondents for leave to file Rule 29.6 listing under seal granted. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of these motions and this petition. Reported below: 202 F. 3d 273.

No. 99–7718. *SMITH v. AMOCO OIL Co.* C. A. 7th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 191 F. 3d 456.

Rehearing Denied

No. 99–819. *HOWARD v. NEW YORK TIMES Co.*, 528 U.S. 1080;
No. 99–872. *HILL v. KANSAS CITY AREA TRANSPORTATION AUTHORITY*, 528 U.S. 1137;

No. 99–1023. *KALAN v. BOCKHORST, EHRLICH & KAMINSKEE*, 528 U.S. 1139;

No. 99–5191. *GULLEY v. DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL.*, 528 U.S. 890;

No. 99–6392. *SMITH v. JOHNSON, WARDEN*, 528 U.S. 1026;

No. 99–6641. *LUKENS v. OREGON STATE OFFICE FOR SERVICES TO CHILDREN AND FAMILIES*, 528 U.S. 1052;

No. 99–6659. *WINSLOW v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*, 528 U.S. 1084;

No. 99–6680. *CUOZZO v. WAYNICK ET AL.*, 528 U.S. 1085;

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No. 99-6743. DEANGELIS *v.* WIDENER UNIVERSITY SCHOOL OF LAW ET AL., 528 U. S. 1053;

No. 99-6768. WILKINS *v.* OKLAHOMA, 528 U. S. 1086;

No. 99-6783. HEMMERLE *v.* BAKST, 528 U. S. 1087;

No. 99-6825. CANTERBURY *v.* WEST, SECRETARY OF VETERANS AFFAIRS, 528 U. S. 1088;

No. 99-6939. TIBBS *v.* CORCORAN, WARDEN, 528 U. S. 1120;

No. 99-6964. LARRY *v.* TEXAS, 528 U. S. 1120;

No. 99-7051. DAVAGE *v.* UNITED STATES, 528 U. S. 1093;

No. 99-7119. PORTS *v.* DEAN, SUPERINTENDENT, LAKE CORRECTIONAL INSTITUTION, ET AL., 528 U. S. 1140;

No. 99-7184. WUCHANG ET AL. *v.* CITY OF REDWOOD CITY ET AL., 528 U. S. 1141;

No. 99-7285. LERRO *v.* BOARD OF REVIEW, DEPARTMENT OF LABOR, ET AL., 528 U. S. 1126;

No. 99-7350. VAILE *v.* WALTER, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONS CENTER, 528 U. S. 1142; and

No. 99-7512. IN RE LEGRANDE, 528 U. S. 1113. Petitions for rehearing denied.

No. 99-5682. MACK *v.* UNITED STATES POSTAL SERVICE, 528 U. S. 914. Motion for leave to file petition for rehearing denied.

MARCH 21, 2000

Miscellaneous Order

No. 99A783. HAMPTON, BY AND THROUGH PINCUS, AS NEXT FRIEND *v.* LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied.

MARCH 22, 2000

Miscellaneous Order

No. 99A786. BELL, WARDEN *v.* COE. Application to vacate stay of execution of sentence of death entered by the United States District Court for the Middle District of Tennessee on March 22, 2000, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

Certiorari Denied

No. 99-8681 (99A767). COE *v.* TENNESSEE. Sup. Ct. Tenn. Application for stay of execution of sentence of death, presented

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to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 17 S. W. 3d 193.

MARCH 24, 2000

Miscellaneous Order

No. 99M80. HUNT, GOVERNOR OF NORTH CAROLINA, ET AL. *v.* CROMARTIE ET AL. Motion of appellees to expedite schedule for appeal denied.

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Affirmed on Appeal

No. 99-1212. LAROCHE ET AL. *v.* FOWLER ET AL. Appeal from D. C. D. C. Motion of Democratic Party officials and members for leave to file a brief as *amici curiae* granted. Judgment affirmed. Reported below: 77 F. Supp. 2d 80.

Certiorari Dismissed

No. 99-8233. KIMBERLIN *v.* UNITED STATES. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. D-2148. IN RE DISBARMENT OF STONE. William T. Stone, of Williamsburg, Va., 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-2149. IN RE DISBARMENT OF RASKIN. Stephen L. Raskin, of South 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-2150. IN RE DISBARMENT OF KORONES. N. David Korones, of St. Petersburg, 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-2151. IN RE DISBARMENT OF TRAVIS. Robert L. Travis, Jr., of Tallahassee, Fla., is suspended from the practice of

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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-2152. *IN RE DISBARMENT OF HALEY*. Timothy S. Haley, of Caldwell, 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. 99M75. *CASTILLO v. ALABAMA*. Motion to direct the Clerk to file petition for writ of certiorari denied.

No. 99-1396. *CHANDLER ET AL. v. HARRIS, SECRETARY OF STATE OF FLORIDA, ET AL.* Appeal from D. C. S. D. Fla. Motion of appellants to expedite consideration of jurisdictional statement prior to May 8, 2000, denied.

No. 99-7817. *IN RE FALCON*. Petition for writ of habeas corpus denied.

No. 99-8249. *IN RE HEWLETT*. Petition for writ of mandamus denied.

No. 99-7932. *IN RE WEBB*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 99-879. *MOGHADAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 175 F. 3d 1269.

No. 99-887. *RICHARDSON v. RENO, ATTORNEY GENERAL, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 180 F. 3d 1311.

No. 99-898. *CITY OF CHICAGO ET AL. v. SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 189 F. 3d 598.

No. 99-949. *DAHLSTROM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 180 F. 3d 677.

No. 99-993. *ARKANSAS v. FARM CREDIT SERVICES OF CENTRAL ARKANSAS ET AL.* Sup. Ct. Ark. Certiorari denied. Reported below: 338 Ark. 322, 994 S. W. 2d 453.

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No. 99-1045. BEAR LODGE MULTIPLE USE ASSN. ET AL. *v.* BABBITT, SECRETARY OF THE INTERIOR, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 175 F. 3d 814.

No. 99-1048. KANSAS STATE UNIVERSITY *v.* INNES ET UX. C. A. 10th Cir. Certiorari denied. Reported below: 184 F. 3d 1275.

No. 99-1049. DATALECT COMPUTER SERVICES, LTD. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 215 F. 3d 1344.

No. 99-1062. ARIZONA *v.* LEYVA ET UX. Ct. App. Ariz. Certiorari denied. Reported below: 195 Ariz. 13, 985 P. 2d 498.

No. 99-1217. A-1 AMBULANCE SERVICE, INC. *v.* MELTON ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 199 F. 3d 1331.

No. 99-1218. GANGI BROS. PACKING CO. ET AL. *v.* CARGILL, INC. C. A. 9th Cir. Certiorari denied. Reported below: 191 F. 3d 1090.

No. 99-1220. NOVECON, LTD., ET AL. *v.* BULGARIAN-AMERICAN ENTERPRISE FUND ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 190 F. 3d 556.

No. 99-1232. GRAND RAPIDS PLASTICS, INC. *v.* LAKIAN ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 188 F. 3d 401.

No. 99-1236. HYDRECLAIM CORP. *v.* PROCESS CONTROL CORP. C. A. Fed. Cir. Certiorari denied. Reported below: 190 F. 3d 1350.

No. 99-1242. CENTRAL WEST VIRGINIA DEVELOPMENT CORP. *v.* FRY. C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1326.

No. 99-1245. SHERMAN *v.* AMERICAN CYANAMID Co. C. A. 6th Cir. Certiorari denied. Reported below: 188 F. 3d 509.

No. 99-1256. SEQUOYAH COUNTY RURAL WATER DISTRICT NO. 7 *v.* TOWN OF MULDROW ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 191 F. 3d 1192.

No. 99-1270. SPRINGER *v.* HUSTLER MAGAZINE ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 198 F. 3d 258.

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No. 99-1273. *AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION AND INDEMNITY ASSN., INC., ET AL. v. UNITED STATES LINES, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 197 F. 3d 631.

No. 99-1276. *GREENE v. DOUGLAS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 199 F. 3d 1322.

No. 99-1280. *FISHER v. MICHIGAN.* Cir. Ct. Oakland County, Mich. Certiorari denied.

No. 99-1297. *MENSAH v. ST. JOSEPH COUNTY FAMILY INDEPENDENCE AGENCY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 187 F. 3d 636.

No. 99-1298. *WARE v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 99-1300. *COLEMAN v. STEWART ET AL.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 777 So. 2d 329.

No. 99-1302. *TUCKNESS v. HENDERSON, POSTMASTER GENERAL, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 194 F. 3d 1321.

No. 99-1318. *SIMMONS v. WETHERALL ET AL.* Sup. Ct. Conn. Certiorari denied.

No. 99-1338. *SMITH ET AL. v. HARRIS COUNTY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 198 F. 3d 241.

No. 99-1359. *FERREIRA v. IDAHO.* Ct. App. Idaho. Certiorari denied. Reported below: 133 Idaho 474, 988 P. 2d 700.

No. 99-1364. *RAINY LAKE ONE STOP, INC., ET AL. v. MARI-GOLD FOODS, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 195 F. 3d 430.

No. 99-1409. *CITY OF KANSAS CITY v. HARMON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 197 F. 3d 321.

No. 99-7489. *PARKER v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 188 F. 3d 923.

No. 99-7537. *FEAGIN, AKA AMON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 190 F. 3d 543.

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No. 99-7547. *GAYDOS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 99-7560. *BROOKS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 187 Ill. 2d 91, 718 N. E. 2d 88.

No. 99-7627. *FRANKLIN v. GILMORE, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 188 F. 3d 877.

No. 99-7802. *DAVIS v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 740 So. 2d 1135.

No. 99-7826. *FEARS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 86 Ohio St. 3d 329, 715 N. E. 2d 136.

No. 99-7860. *KLUMPP v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. Sup. Ct. Mo. Certiorari denied.

No. 99-7861. *IBARRA v. TRUE*. C. A. 11th Cir. Certiorari denied.

No. 99-7866. *O'NEAL v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 238 Ga. App. 446, 519 S. E. 2d 244.

No. 99-7869. *ATKINS v. MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 99-7872. *LINGAR v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 176 F. 3d 453.

No. 99-7873. *MOJICA v. GOORD, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 262 App. Div. 2d 1002, 693 N. Y. S. 2d 365.

No. 99-7875. *BRIGGS v. BOYS AND GIRLS CLUB OF CHARLOTTEVILLE/ALBEMARLE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 187 F. 3d 628.

No. 99-7876. *CHANDLER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-7877. *SUGHRUE v. BUTLER, SUPERINTENDENT, POLK CORRECTIONAL INSTITUTE*. C. A. 11th Cir. Certiorari denied. Reported below: 190 F. 3d 542.

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No. 99-7879. *CARTER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 99-7885. *GRANT v. RIVERS*. C. A. 6th Cir. Certiorari denied.

No. 99-7894. *DAVIS v. MISSOURI ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 249.

No. 99-7898. *BARNETT v. OKLAHOMA ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 99-7900. *AGUIRRE v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 99-7901. *BRATTAIN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-7912. *JENSEN v. LAWSETH ET AL.* C. A. 9th Cir. Certiorari denied.

No. 99-7914. *LEE v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 99-7927. *McKIRE v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 192 F. 3d 131.

No. 99-7928. *WILLIAMS v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 743 So. 2d 511.

No. 99-7935. *COATES v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 99-7939. *MITCHELL v. MANTELLO, SUPERINTENDENT, COXSACKIE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 99-7940. *YAHWEH v. SUTHERS, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 188 F. 3d 520.

No. 99-7951. *KEMNITZ v. A. G. EDWARDS & SONS, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 165 F. 3d 14.

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No. 99-7952. *KING v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 190 F. 3d 479.

No. 99-7959. *ANDERSON v. MCCLELLAN, SUPERINTENDENT, SOUTHPORT CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 172 F. 3d 37.

No. 99-7960. *STEVENS v. TEXAS* (two judgments). Ct. Crim. App. Tex. Certiorari denied.

No. 99-7964. *PALAGANAS-SUAREZ v. GREENE, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 190 F. 3d 1135.

No. 99-7971. *PALOMINO v. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 99-7977. *GOLLEHON v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 296 Mont. 6, 986 P. 2d 395.

No. 99-7978. *ESPINOZA RODRIGUEZ v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-7988. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 99-8020. *KING v. WALTER, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied. Reported below: 187 F. 3d 647.

No. 99-8021. *MARCUM v. OSCAR MAYER FOODS CORP. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 187 F. 3d 636.

No. 99-8040. *LATTANY v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 99-8057. *CRAYON v. ROE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 99-8070. *STEELE v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 99-8072. *MENDOZA ET AL. v. PENNINGTON ET AL.* Ct. App. Ga. Certiorari denied. Reported below: 239 Ga. App. 300, 519 S. E. 2d 715.

No. 99-8073. *MENCHACA v. OLIVAREZ, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 194 F. 3d 1317.

No. 99-8098. *KINGSTON v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 99-8110. *ZAIN v. WEST VIRGINIA.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 207 W. Va. 54, 528 S. E. 2d 748.

No. 99-8132. *WILLIAMS v. CALIFORNIA ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 73 Cal. App. 4th 710, 86 Cal. Rptr. 2d 665.

No. 99-8136. *BERGET v. GIBSON, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 188 F. 3d 518.

No. 99-8143. *MONTANYA v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99-8144. *MICHELFELDER v. GAY & CHACKER, P. C.* Super. Ct. Pa. Certiorari denied.

No. 99-8146. *FRANCIS v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99-8147. *DIXON v. STATE BAR OF CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 99-8149. *HAWKINS v. MAINE BUREAU OF INSURANCE.* Sup. Jud. Ct. Me. Certiorari denied.

No. 99-8179. *McKINNEY v. HANKS, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY.* C. A. 7th Cir. Certiorari denied.

No. 99-8201. *TERRELL v. GILES, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 99-8215. *SNIPES v. COOK ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 194 F. 3d 1309.

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No. 99-8217. *OLIVER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 191 F. 3d 449.

No. 99-8222. *WHITE v. EBIE*. C. A. 6th Cir. Certiorari denied. Reported below: 191 F. 3d 454.

No. 99-8258. *VANDENBURGH v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 99-8259. *HOLGUIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 166 F. 3d 1211.

No. 99-8269. *HARTMAN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-8279. *ELIZONDO ALVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 193 F. 3d 518.

No. 99-8301. *CAMERON v. FERRARA ET AL.* Sup. Ct. Va. Certiorari denied.

No. 99-8323. *BRUMETT v. OHIO*. Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 99-8343. *RAMON-PEREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 202 F. 3d 286.

No. 99-8355. *HASHISAKI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 833.

No. 99-8359. *FERRER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 180 F. 3d 274.

No. 99-8362. *FLOREZ HERNANDEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 261.

No. 99-8363. *GRAVES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 203 F. 3d 827.

No. 99-8364. *HAYNES v. ILLINOIS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 202 F. 3d 273.

No. 99-8368. *O'TOOLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 833.

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No. 99-8371. *OLVERA-TREJO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 280.

No. 99-8372. *MALGOZA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99-8377. *GRAHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 189 F. 3d 480.

No. 99-8383. *CHRISTMANN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 193 F. 3d 1023.

No. 99-8386. *GREEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 255.

No. 99-8390. *GRIFFIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 194 F. 3d 808.

No. 99-8391. *HARRISON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 247.

No. 99-8392. *HARRIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 197 F. 3d 870.

No. 99-8398. *MILLER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 199 F. 3d 416.

No. 99-8402. *PASCHALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 193 F. 3d 523.

No. 99-8405. *CLARK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 210 F. 3d 376.

No. 99-8410. *WEBB v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 197 F. 3d 879.

No. 99-8415. *RODRIGUEZ-MATOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 188 F. 3d 1300.

No. 99-8416. *DOWELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 205 F. 3d 1342.

No. 99-8417. *RYAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99-8418. *FIORANI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 504.

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No. 99–8430. *BROWNE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 247.

No. 99–8431. *ZAPATA v. PURDY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1116.

No. 99–8434. *CHAMBERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 197 F. 3d 465.

No. 99–8443. *ROSAS-DAVILA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 191 F. 3d 462.

No. 99–8448. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1307.

No. 99–697. *LAMBERT ET UX. v. CITY AND COUNTY OF SAN FRANCISCO ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

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

Petitioners Claude and Micheline Lambert own the Cornell Hotel in San Francisco. The hotel has 24 residential units and 34 tourist units. After experiencing difficulty renting the hotel's residential units, petitioners applied to the San Francisco Planning Commission for a conditional use permit to convert those units to tourist use.* That request implicated two bodies of San Francisco's land-use law: the Planning Code and the Residential Hotel Unit Conversion and Demolition Ordinance (HCO). The Planning Code provides that a tourist hotel may not be "significantly altered, enlarged, or intensified, except upon approval of a new conditional use application." S. F. Planning Code, Art. 1.7, §178(c) (2000). The HCO prohibits the issuance of a permit for the conversion of units from residential to tourist use unless the proprietor agrees to provide either one-to-one replacement for those units or to pay a portion of the replacement costs. See S. F. Admin. Code, ch. 41, §41.13 (2000).

*When petitioners first sought to convert their residential units to tourist use, the hotel contained 31 residential units. Petitioners were successful, however, in convincing the San Francisco Board of Permit Appeals to reclassify seven of those as tourist units, producing the hotel's configuration noted in the text.

Pursuant to the HCO, the city obtained two appraisals of the replacement costs for the units petitioners wished to convert. See 67 Cal. Rptr. 2d 562, 570 (1997) (Strankman, P. J., dissenting). The first appraisal was \$488,584 and the second was \$612,887; the city settled on \$600,000. See *ibid.* Petitioners, however, offered only \$100,000. See *ibid.* After the Planning Commission denied the permit application, petitioners brought the present suit. They contended that the replacement fee is unconstitutional under this Court's decisions in *Nollan v. California Coastal Comm'n*, 483 U. S. 825 (1987), and *Dolan v. City of Tigard*, 512 U. S. 374 (1994), which held that a burden imposed as a condition of permit approval must be related to the public harm that would justify denying the permit, and must be roughly proportional to what is needed to eliminate that harm. The California Court of Appeal affirmed the trial court's rejection of petitioners' claim. It held that the HCO played no part in the commission's decision, and therefore "San Francisco did not demand anything from [petitioners] as a condition of a use permit." 67 Cal. Rptr. 2d, at 569. Instead, the court maintained, the commission relied solely on the Planning Code and, basing its decision upon such traditional zoning concerns as compatibility with surrounding development, effect on traffic patterns, and availability of housing stock, "simply denied the permit outright." *Ibid.* Because, the court continued, "neither a property right nor money was in fact taken from [petitioners], there [was] no reason to determine if a taking would have occurred had [petitioners] been required to pay \$600,000 as a condition of a use permit, and thus there [was] nothing requiring review under" *Nollan* and *Dolan*. 67 Cal. Rptr. 2d, at 569.

The record belies the Court of Appeal's claim that the commission ignored petitioners' refusal to meet its demand for a \$600,000 payment. After acknowledging petitioners' offer of \$100,000, the commission compared this figure with the amounts offered by two other hotels that had successfully requested similar conversions. 1 Appellants' App. in No. A076116 (Cal. Ct. App.), pp. 100, 102. It noted that in those two applications, the fee amounted to \$10,000 and \$15,000 per room, respectively. See *id.*, at 102. (The fee in petitioners' case, by contrast, amounted to only \$3,226 per room. See 67 Cal. Rptr. 2d, at 571.) The commission then found that petitioners' application was "not comparable to those previously granted . . .," because petitioners "failed to demonstrate that the amount offered" was "sufficient to mitigate the loss of

housing stock.” 1 Appellants’ App., at 102. It is simply and obviously not true that the commission ignored petitioners’ refusal to satisfy its fee demand.

The Court of Appeal itself, after asserting that “San Francisco did not demand anything” from petitioners, 67 Cal. Rptr. 2d, at 569, in the next breath found it “somewhat disturbing that San Francisco’s concerns about congestion, parking and preservation of a neighborhood *might have been overcome* by payment of [a] significant sum of money,” *ibid.* (emphasis added). This observation makes no sense, of course, unless the court concluded from the record that the commission might have rendered a different decision if petitioners had been more generous. It sought to evade the natural consequence of that conclusion with the following unelaborated assertion: “That the Planning Commission *might have granted the permit* upon payment of \$600,000 does not make its refusal to issue the permit into a taking.” *Ibid.* (emphasis added).

There are three possible readings of the Court of Appeal’s opinion. First, and most obviously, one might take at face value the court’s factual finding that the fee played *no* role in the decision. That would be a gross distortion of the record.

Secondly, one might ignore the court’s initial see-no-evil disclaimer, and assume that it accepted what the record undeniably showed, that petitioners’ refusal to meet the fee demand was a motivating force behind the commission’s decision. On that assumption, the court’s refusal to apply *Nollan* and *Dolan* might be thought to rest upon its determination that that factor was irrelevant, since the commission *also* relied upon ordinary criteria under the Planning Code. But it is *always* the case that if the permit applicant does not yield to the extortionate demand, the *ordinary* criteria will be invoked to deny his permit. If indeed unjustified denial can constitute a taking (the question presented by the third basis for the decision, discussed below), *Nollan* and *Dolan* can surely not be evaded by simply adding boilerplate “ordinary criteria” language to the denial. The increasing complexity of land-use permitting processes, and of the criteria by which permit applications are judged, makes an “ordinary criteria” claim almost always plausible. When there is uncontested evidence of a demand for money or other property—and still assuming that denial of a permit because of failure to meet such a demand constitutes a taking—it should be up to the permitting

authority to establish *either* (1) that the demand met the requirements of *Nollan* and *Dolan*, or (2) that denial would have ensued even if the demand had been met. Cf. *Mt. Healthy City Bd. of Ed. v. Doyle*, 429 U. S. 274 (1977). The record (and the Court of Appeal's opinion) make clear that the latter cannot be established here.

Finally, and still on the assumption that the Court of Appeal acknowledged that petitioners' failure to accede to the fee demand was a motivating factor in the commission's denial, the court's refusal to apply *Nollan* and *Dolan* might rest upon the distinction that it drew between the grant of a permit subject to an unlawful condition and the denial of a permit when an unlawful condition is not met. See Cal. Rptr. 2d, at 569 (Strankman, P. J., dissenting) (characterizing the majority's opinion in this fashion). From one standpoint, of course, such a distinction makes no sense. The object of the Court's holding in *Nollan* and *Dolan* was to protect against the State's cloaking within the permit process "an out-and-out plan of extortion," *Nollan*, 483 U. S., at 837 (quoting *J. E. D. Associates, Inc. v. Atkinson*, 121 N. H. 581, 584, 432 A. 2d 12, 14–15 (1981)). There is no apparent reason why the phrasing of an extortionate demand as a condition precedent rather than as a condition subsequent should make a difference. It is undeniable, on the other hand, that the subject of any supposed taking in the present case is far from clear. Whereas in *Nollan* there was arguably a completed taking of an easement (the homeowner had completed construction that had been conditioned upon conveyance of the easement), and in *Dolan* there was at least a threatened taking of an easement (if the landowner *had* gone ahead with her contemplated expansion plans the easement would have attached), in the present case there is neither a taking nor a threatened taking of any money. If petitioners go ahead with the conversion of their apartments, the city will not sue for \$600,000 imposed as a condition of the conversion; it will sue to enjoin and punish a conversion that has been prohibited.

The first two of the conceivable bases for the Court of Appeal's decision are so implausible as to call into question the state court's willingness to hold state administrators to the Fifth Amendment standards set forth by this tribunal. There is reason to believe that this may be more than a local and isolated phenomenon. See, *e. g.*, Delaney, Development Agreements: The Road from Prohibition to "Let's Make a Deal!" 25 Urb. Law. 49, 52 (1993) ("In

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addition to anti-development attitudes and vesting problems, property owners and developers are confronting decisions of state courts which either ignore or do not follow the ‘essential nexus’ standard set forth in *Nollan v. California Coastal Comm’n* to validate development exactions” (footnote omitted)); M. Berger, Recent Developments in the Law of Inverse Condemnation, Q203 ALI-ABA Video Law Review Study 1, 4 (1991) (“Last year, we noted that the California appellate courts had reacted to the Supreme Court’s decisions in *First English Evangelical Lutheran Church v. County of Los Angeles*, (1987) 482 U.S. 304 and *Nollan v. California Coastal Comm’n* (1987) 483 U.S. 825 by seeking ways to evade their evident mandate, either procedurally or substantively”). Were they the only arguable bases for the decision I would favor summary reversal, and remand for conduct of the *Nollan-Dolan* analysis. The third basis, however, is at least a plausible one, and raises a question that will doubtless be presented in many cases. Though I am unaware of a conflict of authority on the precise point, the other grounds upon which the court relied entitle this case to our attention, and should overcome our usual preference for cases that present actual conflicts. I would therefore grant certiorari and schedule the case for argument.

No. 99–1081. *TOWN OF MULDROW ET AL. v. SEQUOYAH COUNTY RURAL WATER DISTRICT NO. 7*. C. A. 10th Cir. Motions of Alabama Water and Wastewater Institute et al., Water Works and Sewer Board of Birmingham, Texas Municipal League et al., City of Broken Arrow et al., and Greenville Utilities Commission for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 191 F. 3d 1192.

No. 99–1324. *JAY v. AT&T CORP. ET AL.* C. A. 8th Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 187 F. 3d 641.

Rehearing Denied

No. 98–9959. *GULLEY v. CIRCUIT COURT FOR MILWAUKEE COUNTY*, 528 U.S. 862;

No. 99–7028. *FISHER v. VARNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT RETREAT*, 528 U.S. 1092;

No. 99–7375. *CHAMPION v. UNITED STATES*, 528 U.S. 1128; and

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No. 99-7789. VAN HOORELBEKE *v.* UNITED STATES, 528 U. S. 1179. Petitions for rehearing denied.

MARCH 28, 2000

Dismissal Under Rule 46

No. 99-1274. ARLINGTON COUNTY SCHOOL BOARD ET AL. *v.* TUTTLE ET AL. C. A. 4th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 195 F. 3d 698.

APRIL 3, 2000

Certiorari Granted—Vacated and Remanded

No. 99-5436. WILLIAMS *v.* WISCONSIN. Sup. Ct. Wis. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Florida v. J. L.*, *ante*, p. 266. Reported below: 225 Wis. 2d 159, 591 N. W. 2d 823.

No. 99-7592. MORRISON *v.* OHIO. Ct. App. Ohio, Cuyahoga County. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Florida v. J. L.*, *ante*, p. 266.

Certiorari Dismissed

No. 99-7970. SYVERTSON *v.* FARGO FORUM ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 99-8025. BIERLEY *v.* CONNELLY, JUDGE, COURT OF COMMON PLEAS OF PENNSYLVANIA, ERIE COUNTY, ET AL. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 185 F. 3d 861.

Miscellaneous Orders

No. D-2153. IN RE DISBARMENT OF SCALF. William M. Scalf, of Corbin, Ky., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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No. D-2154. IN RE DISBARMENT OF ADAMS. James Llewellyn Adams, of Breckenridge, Colo., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2156. IN RE DISBARMENT OF MITCHELL. Ekita Leverette Mitchell, 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. 99M76. PAYNE *v.* JENNINGS ET AL.;

No. 99M78. PARTRIDGE *v.* DEPARTMENT OF DEFENSE; and

No. 99M79. NORIEGA-PEREZ *v.* UNITED STATES. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 99-224. MILLER, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY, ET AL. *v.* FRENCH ET AL. C. A. 7th Cir. [Certiorari granted *sub nom.* *Duckworth v. French*, 528 U.S. 1045]; and

No. 99-582. UNITED STATES *v.* FRENCH ET AL. C. A. 7th Cir. [Certiorari granted, 528 U.S. 1045.] Motion of petitioners for divided argument granted, and the time is divided as follows: 20 minutes for the Solicitor General, 20 minutes for petitioners Miller et al., and 20 minutes for respondents.

No. 99-387. RALEIGH, CHAPTER 7 TRUSTEE FOR THE ESTATE OF STOECKER *v.* ILLINOIS DEPARTMENT OF REVENUE. C. A. 7th Cir. [Certiorari granted, 528 U.S. 1068.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 99-579. HARRIS TRUST AND SAVINGS BANK, AS TRUSTEE FOR THE AMERITECH PENSION TRUST, ET AL. *v.* SALOMON SMITH BARNEY INC. ET AL. C. A. 7th Cir. [Certiorari granted, 528 U.S. 1068.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 99-830. STENBERG, ATTORNEY GENERAL OF NEBRASKA, ET AL. *v.* CARHART. C. A. 8th Cir. [Certiorari granted, 528 U.S.

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1110.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 99–5525. *DICKERSON v. UNITED STATES*. C. A. 4th Cir. [Certiorari granted, 528 U. S. 1045.] Motion of the Solicitor General for divided argument granted.

No. 99–8016. *ABRAM v. LAXTON ET AL.* C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until April 24, 2000, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 99–8516. *IN RE TOWNE*; and

No. 99–8593. *IN RE SILAS*. Petitions for writs of habeas corpus denied.

No. 99–8353. *IN RE DEPREE*. Petition for writ of mandamus denied.

No. 99–7987. *IN RE LUKENS*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 99–1235. *GREEN TREE FINANCIAL CORP.-ALABAMA ET AL. v. RANDOLPH*. C. A. 11th Cir. Certiorari granted. Reported below: 178 F. 3d 1149.

No. 99–603. *LEGAL SERVICES CORPORATION v. VELAZQUEZ ET AL.*; and

No. 99–960. *UNITED STATES v. VELAZQUEZ ET AL.* C. A. 2d Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 164 F. 3d 757.

Certiorari Denied

No. 98–994. *SAMMY’S OF MOBILE, LTD., ET AL. v. CITY OF MOBILE*. C. A. 11th Cir. Certiorari denied. Reported below: 140 F. 3d 993.

No. 98–1935. *DEJA VU OF NASHVILLE, INC., ET AL. v. METROPOLITAN GOVERNMENT OF NASHVILLE ET AL.*; and

No. 98–2021. *D. L. S., INC., DBA DIAMONDS AND LACE SHOWBAR, ET AL. v. CITY OF CHATTANOOGA ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 172 F. 3d 873.

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No. 98–2053. *COLACURCIO ET AL. v. CITY OF KENT*. C. A. 9th Cir. Certiorari denied. Reported below: 163 F. 3d 545.

No. 99–220. *DCR, INC., ET AL. v. PIERCE COUNTY*. Ct. App. Wash. Certiorari denied. Reported below: 92 Wash. App. 660, 964 P. 2d 380.

No. 99–356. *CITY OF JACKSONVILLE v. LADY J. LINGERIE, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 176 F. 3d 1358.

No. 99–881. *GOOD v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 189 F. 3d 1355.

No. 99–941. *FORTE v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 194 F. 3d 1338.

No. 99–1089. *DEW ET AL. v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 192 F. 3d 366.

No. 99–1110. *MAFRIGE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 189 F. 3d 466.

No. 99–1123. *CUTSHALL v. SUNDQUIST, GOVERNOR OF TENNESSEE*. C. A. 6th Cir. Certiorari denied. Reported below: 193 F. 3d 466.

No. 99–1134. *MELKA MARINE, INC. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 187 F. 3d 1370.

No. 99–1143. *SOFAER v. DISTRICT OF COLUMBIA COURT OF APPEALS ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 728 A. 2d 625.

No. 99–1210. *NOORILY ET AL. v. THOMAS & BETTS CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 188 F. 3d 153.

No. 99–1247. *STIMPSON v. CITY OF TUSCALOOSA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 186 F. 3d 1328.

No. 99–1250. *HARRIS ET UX. v. JACKSON ROAD Co.* Sup. Ct. Ohio. Certiorari denied. Reported below: 86 Ohio St. 3d 203, 714 N. E. 2d 377.

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No. 99-1275. SCHEIDLY *v.* TRAVELERS INSURANCE CO. C. A. 3d Cir. Certiorari denied. Reported below: 191 F. 3d 445.

No. 99-1287. MITSUBISHI ELECTRIC CORP. *v.* AMPEX CORP. C. A. Fed. Cir. Certiorari denied. Reported below: 190 F. 3d 1300.

No. 99-1289. UNITED STATES EX REL. AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC. *v.* THE LIMITED, INC., ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 190 F. 3d 729.

No. 99-1291. JF HOTEL MANAGEMENT *v.* FLYNN. C. A. 11th Cir. Certiorari denied. Reported below: 198 F. 3d 261.

No. 99-1296. MURRAY *v.* SMILTNEEK. 95B Jud. Dist. Ct., Dickinson County, Mich. Certiorari denied.

No. 99-1304. ALLEN-SESKER ET AL. *v.* BELL ATLANTIC GLOBAL WIRELESS, INC., T/A CHESAPEAKE DIRECTORY SALES CO., ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 435.

No. 99-1306. HERSHFIELD *v.* BOARD OF ZONING APPEALS, KING GEORGE COUNTY. Sup. Ct. Va. Certiorari denied.

No. 99-1309. CHANDLER *v.* CHANDLER ET AL. Ct. App. Tex., 8th Dist. Certiorari denied. Reported below: 991 S. W. 2d 367.

No. 99-1317. MUKA *v.* RUTHERFORD INSTITUTE ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 194 F. 3d 174.

No. 99-1333. DISTELRATH, CHIEF OF POLICE, WEST COVINA POLICE DEPARTMENT, ET AL. *v.* HONEY. C. A. 9th Cir. Certiorari denied. Reported below: 195 F. 3d 531.

No. 99-1335. SECURITY FINANCE CORP. ET AL. *v.* CLARK, ACTING ADMINISTRATOR, OKLAHOMA DEPARTMENT OF CONSUMER CREDIT, ET AL. Sup. Ct. Okla. Certiorari denied. Reported below: 990 P. 2d 845.

No. 99-1337. DOUTHITT *v.* MAY DEPARTMENT STORES, DBA FAMOUS BARR. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 303 Ill. App. 3d 1124, 747 N. E. 2d 1117.

No. 99-1339. BURKHART *v.* QUILICI. Ct. App. Cal., 3d App. Dist. Certiorari denied.

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No. 99–1356. *LEVY ET UX. v. SWIFT TRANSPORTATION CO. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 194 F. 3d 1320.

No. 99–1373. *FOWLER v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 339 Ark. 207, 5 S. W. 3d 10.

No. 99–1381. *KOBAYASHI v. SPENCER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 278.

No. 99–1385. *LODERMEIER v. DOOLEY, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 250.

No. 99–1398. *MALOWNEY v. BUTTERWORTH, ATTORNEY GENERAL OF FLORIDA.* C. A. 11th Cir. Certiorari denied. Reported below: 193 F. 3d 1342.

No. 99–1402. *ROBINSON ET AL. v. DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT ET AL.* Ct. App. D. C. Certiorari denied.

No. 99–1432. *ORTIZ-MIRANDA ET AL. v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 166 F. 3d 19.

No. 99–1433. *COLON-MUNOZ v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 192 F. 3d 210.

No. 99–1452. *DANIELE v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 249.

No. 99–1454. *SAVAGE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 191 F. 3d 454.

No. 99–1458. *GLASSMAN ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 253.

No. 99–1461. *BLAKENEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 191 F. 3d 451.

No. 99–1467. *BROWN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 201 F. 3d 440.

No. 99–7177. *WARD v. TRENT, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 505.

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No. 99-7205. *MEDINA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 181 F. 3d 1078.

No. 99-7398. *CERVANTES-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 188 F. 3d 515.

No. 99-7406. *WILLIAMS v. CITY OF ATLANTA*. C. A. 11th Cir. Certiorari denied. Reported below: 189 F. 3d 486.

No. 99-7545. *HINTON, AKA BALDWIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 191 F. 3d 461.

No. 99-7620. *KALUNA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 192 F. 3d 1188.

No. 99-7825. *SOLIS SOSA v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 198 F. 3d 240.

No. 99-7962. *PATEL v. PMA INSURANCE CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 182 F. 3d 904.

No. 99-7963. *OATES v. ENGLUND ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 194 F. 3d 1321.

No. 99-7969. *PFEIL v. EVERETT, WARDEN*. Sup. Ct. Wyo. Certiorari denied.

No. 99-7972. *SCHRODER v. BIENVENU ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 478.

No. 99-7973. *SAMUELS v. HENRY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 99-7974. *WORDLAW v. BOWLES, SHERIFF, DALLAS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 1337.

No. 99-7982. *TAYLOR v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 99-7983. *BROADWAY v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 753 So. 2d 801.

No. 99-7986. *CHAE HO LEE v. RAMIREZ-PALMER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 99-7990. *CHAMPION v. RIVERS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99-7991. *THOMAS-EL v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-7992. *SKETOE v. EXXON Co., USA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 188 F. 3d 596.

No. 99-7993. *ROBINSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 761 So. 2d 269.

No. 99-7994. *WOODBERRY v. DAY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 99-8004. *FOSTER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 99-8015. *BELL v. NERO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 176 F. 3d 481.

No. 99-8018. *SANCHEZ v. AYERS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 99-8028. *CASTRO v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 99-8029. *KIPKIRWA v. SANTA CLARA COUNTY, CALIFORNIA, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 99-8030. *MEEKS v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 115 Nev. 576, 24 P. 3d 271.

No. 99-8031. *KNIGHT v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 99-8035. *COBBIN v. SUTHERS, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 198 F. 3d 257.

No. 99-8036. *COLEMAN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 184 F. 3d 398.

No. 99-8039. *BOLLING v. CIRCUIT COURT OF VIRGINIA, CITY OF RICHMOND*. Sup. Ct. Va. Certiorari denied.

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No. 99-8042. *JOHNSTONE v. BAYER, DIRECTOR, NEVADA DEPARTMENT OF PRISONS*. C. A. 9th Cir. Certiorari denied. Reported below: 188 F. 3d 513.

No. 99-8046. *COHEN v. BLANCHET ET AL.* C. A. 2d Cir. Certiorari denied.

No. 99-8047. *BURK v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 26 Kan. App. 2d —, 983 P. 2d 286.

No. 99-8048. *ARRINGTON v. BROWARD COMMUNITY COLLEGE, SOUTH CAMPUS*. C. A. 11th Cir. Certiorari denied. Reported below: 178 F. 3d 1303.

No. 99-8049. *BUNNEY v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-8053. *WHITE v. DOWNES*. C. A. 6th Cir. Certiorari denied. Reported below: 191 F. 3d 454.

No. 99-8060. *CAREY v. SMITH ET AL.* C. A. 5th Cir. Certiorari denied.

No. 99-8061. *COOK v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-8063. *COLLINS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-8066. *SAIYED v. WASHINGTON*. C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 254.

No. 99-8084. *TAYLOR v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 746 So. 2d 463.

No. 99-8086. *BRYSON v. GIBSON, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 187 F. 3d 1193.

No. 99-8112. *WOJTASZEK v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 739 A. 2d 593.

No. 99-8122. *OGUNDE v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

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No. 99–8141. *SPAIN v. WEST, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 217 F. 3d 858.

No. 99–8163. *DERDEN v. HARGETT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 192 F. 3d 126.

No. 99–8193. *GREEN v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 99–8195. *DOBY v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99–8197. *HARRIMAN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99–8225. *WESTFALL v. UNDERWOOD, GOVERNOR OF WEST VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 439.

No. 99–8237. *JORDAN v. HAUNANI-HENRY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 199 F. 3d 1332.

No. 99–8272. *WABASHA v. WEBER, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 99–8274. *BROADES v. TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 99–8277. *WILLIAMS v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 439.

No. 99–8291. *STEWART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99–8297. *CLAYTON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 198 F. 3d 241.

No. 99–8298. *ATRAQCHI ET UX. v. CLINTON, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 51.

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No. 99-8320. *MUSTAFA v. ROBACZEWSKI ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 203 F. 3d 817.

No. 99-8329. *BROWN v. CONNECTICUT.* Sup. Ct. Conn. Certiorari denied. Reported below: 250 Conn. 611, 737 A. 2d 404.

No. 99-8358. *GALLO v. UNITED STATES ATTORNEY'S OFFICE, EASTERN DISTRICT OF NEW YORK.* C. A. 2d Cir. Certiorari denied. Reported below: 182 F. 3d 899.

No. 99-8366. *HILL v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99-8393. *ROANE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99-8397. *JONES v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 99-8414. *DIAZ v. COLORADO.* Ct. App. Colo. Certiorari denied. Reported below: 985 P. 2d 83.

No. 99-8423. *MANGIARDI v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 202 F. 3d 255.

No. 99-8424. *JOINER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99-8426. *SPELLS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 193 F. 3d 515.

No. 99-8439. *RAU v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1327.

No. 99-8442. *SNEAD v. CORCORAN, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 503.

No. 99-8452. *ORTEGA-GOMEZ v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 449.

No. 99-8453. *BADGER v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 658.

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No. 99-8454. *COLEMAN v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 251 Conn. 249, 741 A. 2d 1.

No. 99-8455. *RUSSO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 283.

No. 99-8464. *MELING v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 99-8475. *OBODOAGHA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 188 F. 3d 516.

No. 99-8476. *SKYERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99-8480. *PAYNE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 99-8483. *SEELEY v. MCCAUGHTRY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 99-8487. *COWAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 196 F. 3d 646.

No. 99-8490. *BAYLESS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 116.

No. 99-8491. *BOZON PAPPAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 193 F. 3d 522.

No. 99-8492. *MALDONADO-OLIVAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1114.

No. 99-8494. *KING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1306.

No. 99-8495. *NAM NHAT NGO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 833.

No. 99-8501. *LIQUORI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 188 F. 3d 516.

No. 99-8509. *MENDOZA-IRIBE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 742.

No. 99-8513. *TURNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 425.

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No. 99–1046. *SMITH v. UNITED STATES*. C. A. 5th Cir. Motion of petitioner for leave to file petition for writ of certiorari under seal with redacted copies for the public granted. Certiorari denied. Reported below: 190 F. 3d 375.

No. 99–1074. *SAMAROO v. AT&T MANAGEMENT PENSION PLAN*. C. A. 3d Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 193 F. 3d 185.

No. 99–1272. *INVESTORS GUARANTY FUND LTD. v. MORGAN STANLEY & CO., INC., ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 199 F. 3d 1322.

No. 99–1292. *UNITED STATES BAKERY, INC., DBA SNYDER’S BAKERY, INC. v. SCHNEIDER ET AL.* Ct. App. Wash. Motion of American Bakers Association et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 95 Wash. App. 399, 976 A. 2d 134.

Rehearing Denied

No. 99–6708. *O’NEILL v. COHN, COMMISSIONER, INDIANA DEPARTMENT OF CORRECTION*, 528 U. S. 1085;

No. 99–6792. *RELIFORD v. SOUTH CAROLINA*, 528 U. S. 1087;

No. 99–6885. *PAGANO v. MASSACHUSETTS*, 528 U. S. 1089;

No. 99–7053. *HOWELL v. HELMAN, WARDEN*, 528 U. S. 1093;

No. 99–7054. *VALENZUELA FLORES v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 528 U. S. 1122;

No. 99–7060. *MCGUIRE v. ARKANSAS ET AL.*, 528 U. S. 1123;

No. 99–7180. *STEVENS v. MICHIGAN*, 528 U. S. 1164;

No. 99–7777. *TRAPP v. SUPREME COURT OF WASHINGTON*, 528 U. S. 1179; and

No. 99–7822. *JIMENEZ v. UNITED STATES*, 528 U. S. 1183. Petitions for rehearing denied.

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Dismissals Under Rule 46

No. 99–5. *UNITED STATES v. MORRISON ET AL.*; and

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No. 99–29. BRZONKALA *v.* MORRISON ET AL. C. A. 4th Cir. [Certiorari granted, 527 U.S. 1068.] Writ of certiorari only as to Virginia Polytechnic Institute and State University and William Landslide dismissed under this Court’s Rule 46.1.

No. 99–1096. UNITED STATES *v.* REED. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46.2. Reported below: 177 F. 3d 824.

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Certiorari Denied

No. 99–9077 (99A843). TARVER *v.* ALABAMA. Sup. Ct. Ala. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

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Certiorari Dismissed

No. 99–8068. SAUNDERS *v.* KEARNEY, WARDEN, ET AL. Sup. Ct. Del. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 746 A. 2d 277.

No. 99–8096. KUKES *v.* CALIFORNIA. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 99–8264. DELESPINE *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

*Miscellaneous Orders**

No. D–2155. IN RE DISBARMENT OR OTHER DISCIPLINE OF MOORE. Teddy I. Moore, of Flushing, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable

*For the Court’s orders prescribing amendments to the Federal Rules of Bankruptcy Procedure, see, *post*, p. 1149; amendments to the Federal Rules of Civil Procedure, see *post*, p. 1157; amendments to the Federal Rules of Criminal Procedure, see *post*, p. 1181; and amendments to the Federal Rules of Evidence, see *post*, p. 1191.

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

Dissenting statement by JUSTICE STEVENS, with whom JUSTICE BREYER joins.

In my opinion Teddy I. Moore should be reprimanded for his unprofessional conduct and also admonished that future misconduct of the same sort will be sanctioned more severely.

No. 99M81. KUTSCHKE *v.* COMMISSIONER OF SOCIAL SECURITY; and

No. 99M82. GREEN *v.* UNITED STATES. Motions to direct the Clerk to file petitions for writs of certiorari out of time under this Court's Rule 14.5 denied.

No. 99M83. PRIDE *v.* MOSES ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 99-658. CASTILLO ET AL. *v.* UNITED STATES. C. A. 5th Cir. [Certiorari granted, 528 U.S. 1109.] Motion of petitioner Graeme Leonard Craddock for leave to proceed further herein *in forma pauperis* granted.

No. 99-696. AMERICAN GRAIN TRIMMERS, INC., ET AL. *v.* OFFICE OF WORKERS' COMPENSATION PROGRAMS ET AL., 528 U.S. 1187. Motion of respondent Marian Janich for attorney's fees denied without prejudice to filing in the United States Court of Appeals for the Seventh Circuit.

No. 99-7476. STEELE *v.* CALIFORNIA DEPARTMENT OF SOCIAL SERVICES ET AL. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [528 U.S. 1148] denied.

No. 99-7492. ABIDEKUN *v.* DEPARTMENT OF EDUCATION. C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [528 U.S. 1148] denied.

No. 99-8171. IN RE ROLAND;

No. 99-8683. IN RE CLAY; and

No. 99-8792. IN RE PATTERSON. Petitions for writs of habeas corpus denied.

No. 99-8151. IN RE FELDER;

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No. 99–8278. IN RE BARDELLA;
No. 99–8305. IN RE RUSSEL; and
No. 99–8338. IN RE DELOS REYES. Petitions for writs of mandamus denied.

No. 99–8470. IN RE NAGY. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

No. 99–7961. IN RE SCOTT. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 99–929. COOK *v.* GRALIKE ET AL. C. A. 8th Cir. Certiorari granted. Reported below: 191 F. 3d 911.

No. 99–1238. ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY *v.* BENNETT. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 199 F. 3d 116.

No. 99–1240. BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA ET AL. *v.* GARRETT ET AL. C. A. 11th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 193 F. 3d 1214.

Certiorari Denied

No. 99–971. CHERNA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 184 F. 3d 403.

No. 99–977. SEBASTIAN ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 185 F. 3d 1368.

No. 99–1014. JONES ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 99–1029. DARBY *v.* INGALLS SHIPBUILDING, INC., ET AL. C. A. 5th Cir. Certiorari denied.

No. 99–1052. VERKIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 193 F. 3d 517.

No. 99–1133. ILLINOIS *v.* BOYER. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 305 Ill. App. 3d 374, 713 N. E. 2d 655.

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No. 99-1144. *McDOUGAL-SADDLER v. HERMAN, SECRETARY OF LABOR*. C. A. 3d Cir. Certiorari denied. Reported below: 184 F. 3d 207.

No. 99-1162. *ABDULLAH ET AL. v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. Reported below: 184 F. 3d 158.

No. 99-1163. *FERRELL ET AL. v. CUOMO, SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 186 F. 3d 805.

No. 99-1169. *NEW PRIME, DBA PRIME, INC., ET AL. v. OWNER OPERATORS INDEPENDENT DRIVERS ASSN., INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 192 F. 3d 778.

No. 99-1171. *GREATER NEW YORK METROPOLITAN FOOD COUNCIL, INC., ET AL. v. GIULIANI, MAYOR OF THE CITY OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 195 F. 3d 100.

No. 99-1172. *FEDERATION OF ADVERTISING INDUSTRY REPRESENTATIVES, INC. v. CITY OF CHICAGO*. C. A. 7th Cir. Certiorari denied. Reported below: 189 F. 3d 633.

No. 99-1173. *CECIL v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 194 F. 3d 1311.

No. 99-1181. *ZUCKER ET AL. v. OCCIDENTAL PETROLEUM CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 192 F. 3d 1323.

No. 99-1183. *SHULTZ v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 138 Wash. 2d 638, 980 P. 2d 1265.

No. 99-1192. *BULLOCK v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 982 S. W. 2d 579.

No. 99-1196. *TRANSAMERICA ASSURANCE CO. ET AL. v. TILLEY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 198 F. 3d 259.

No. 99-1305. *ELKAY MANUFACTURING CO. v. EBCO MANUFACTURING CO. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 192 F. 3d 973.

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No. 99–1313. *LONGMAN ET AL. v. FOOD LION, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 197 F. 3d 675.

No. 99–1319. *UNITED STATES EX REL. WEDDINGTON v. SCOTT & WHITE MEMORIAL HOSPITAL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 202 F. 3d 264.

No. 99–1320. *CAMPBELL v. SLETTEN ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 249.

No. 99–1328. *DiMA CORP. v. TOWN OF HALLIE.* C. A. 7th Cir. Certiorari denied. Reported below: 185 F. 3d 823.

No. 99–1329. *GRAYSON, ADMINISTRATOR OF THE ESTATE OF COLLINS, DECEASED v. ROYER.* C. A. 4th Cir. Certiorari denied. Reported below: 195 F. 3d 692.

No. 99–1334. *FOREMAN ET AL. v. DALLAS COUNTY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 193 F. 3d 314.

No. 99–1336. *JONES v. LINCOLN ELECTRIC CO. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 188 F. 3d 709.

No. 99–1340. *WHELCHER v. CITY OF COVINGTON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 194 F. 3d 1324.

No. 99–1345. *DiLORETO v. BOARD OF EDUCATION, DOWNEY UNIFIED SCHOOL DISTRICT, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 196 F. 3d 958.

No. 99–1346. *KRIM ET AL. v. ABBOUD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 202 F. 3d 264.

No. 99–1348. *BVR LIQUIDATING, INC., FKA BEAVER PRECISION PRODUCTS, INC., ET AL. v. INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 190 F. 3d 768.

No. 99–1350. *SOUDERS v. LUCERO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 196 F. 3d 1040.

No. 99–1352. *BROWN v. NEW YORK CITY POLICE DEPARTMENT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 430.

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No. 99-1354. *MENDOZA v. BORDEN, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 195 F. 3d 1238.

No. 99-1358. *GIBSON GUITAR CORP. v. MEC IMPORT HANDELSGESELLSCHAFT GMBH.* C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 245.

No. 99-1360. *MELLON v. CASSIDY.* C. A. 11th Cir. Certiorari denied. Reported below: 192 F. 3d 131.

No. 99-1362. *KILLINO ET AL. v. RIVERSIDE SCHOOL DISTRICT ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 191 F. 3d 445.

No. 99-1363. *CARR v. GATES HEALTH CARE PLAN.* C. A. 7th Cir. Certiorari denied. Reported below: 195 F. 3d 292.

No. 99-1372. *GOLD v. DALKON SHIELD CLAIMANTS TRUST.* C. A. 2d Cir. Certiorari denied. Reported below: 189 F. 3d 460.

No. 99-1375. *MCENROY v. ST. MEINRAD SCHOOL OF THEOLOGY ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 713 N. E. 2d 334.

No. 99-1376. *SEDDIO v. MICHAELS.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 99-1377. *HUTCHINSON, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATES OF HUTCHINSON ET AL., DECEASED v. SPANIERMAN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 190 F. 3d 815.

No. 99-1390. *HAYDEN v. ARKANSAS.* C. A. 8th Cir. Certiorari denied.

No. 99-1391. *PACKARD v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 198 F. 3d 234.

No. 99-1392. *TAMBOLLEO v. MAINE STATE HARNESS RACING COMMISSION ET AL.* Sup. Jud. Ct. Me. Certiorari denied.

No. 99-1394. *SMITH v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 196 F. 3d 774.

No. 99-1404. *MOORE v. CITY OF CALUMET CITY.* App. Ct. Ill., 1st Dist. Certiorari denied.

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No. 99-1411. *VAN SICKLE v. FORD MOTOR CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 188 F. 3d 516.

No. 99-1414. *HOLMES ET UX. v. DAYBROOK FISHERIES, INC.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 730 So. 2d 1006.

No. 99-1423. *STILLO ET UX. v. ILLINOIS STATE RETIREMENT SYSTEMS, JUDGES' RETIREMENT SYSTEM.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 305 Ill. App. 3d 1003, 714 N. E. 2d 11.

No. 99-1441. *GUTENKAUF ET AL. v. MARICOPA COUNTY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 277.

No. 99-1444. *BROWN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 830.

No. 99-1446. *MCCLELLAN v. NORTHERN TRUST CO.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 99-1448. *MILLER v. UNITED STATES*; and

No. 99-1518. *WOHLLEBER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 188 F. 3d 1312.

No. 99-1451. *GUESMAN v. DISTRICT COURT OF NEVADA, CLARK COUNTY (NEVADA, REAL PARTY IN INTEREST).* Sup. Ct. Nev. Certiorari denied.

No. 99-1463. *JUNIOR v. WEST VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 237.

No. 99-1469. *BROST v. ILLINOIS ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 99-1472. *RENAHAN v. ALLEGHENY POWER SYSTEM, DBA MONONGAHELA POWER CO., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1305.

No. 99-1487. *FIDELITY WARRANTY SERVICES, INC. v. KIDD.* C. A. 11th Cir. Certiorari denied. Reported below: 196 F. 3d 1262.

No. 99-1491. *MALLADI v. WEST, SECRETARY OF VETERANS AFFAIRS.* C. A. 11th Cir. Certiorari denied. Reported below: 193 F. 3d 524.

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No. 99-1509. *GARDNER v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 99-1532. *HARTSEL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 199 F. 3d 812.

No. 99-1535. *SCHARRINGHAUSEN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 256.

No. 99-1540. *WHITE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1353.

No. 99-7188. *POLK ET AL. v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 182 F. 3d 919.

No. 99-7316. *MENDEZ v. COLORADO.* Sup. Ct. Colo. Certiorari denied. Reported below: 986 P. 2d 275.

No. 99-7472. *LADD v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 3 S. W. 3d 547.

No. 99-7511. *STEPHNEY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 440.

No. 99-7780. *SCOTT v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 99-7781. *WISNIEWSKI v. CONTI ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 187 F. 3d 651.

No. 99-7839. *CROOK v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 238.

No. 99-8064. *CHAIDEZ v. SCRIBNER ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 99-8076. *JOHNSON v. ESSEX COUNTY HOSPITAL CENTER.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 99-8088. *BOCELLI v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 202 F. 3d 253.

No. 99-8092. *RILEY v. LOCK, SUPERINTENDENT, CENTRAL MISSOURI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

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No. 99-8095. *KING v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 743 So. 2d 1097.

No. 99-8097. *MITCHELL v. ROACH ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 99-8100. *MCDOWALL v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 99-8102. *MUHAMMAD v. STORR ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 192 F. 3d 129.

No. 99-8104. *JOHNSON v. LOUISIANA*. C. A. 5th Cir. Certiorari denied.

No. 99-8106. *CURTIS v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 249.

No. 99-8108. *HENDERSON v. VIRGINIA EMPLOYMENT COMMISSION ET AL.* Sup. Ct. Va. Certiorari denied.

No. 99-8111. *WASHINGTON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99-8113. *WILLIAMS v. PITCHER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99-8114. *WARE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 189 F. 3d 467.

No. 99-8123. *PERRY v. FILES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-8128. *A'KU v. MOTOROLA, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 202 F. 3d 272.

No. 99-8131. *SKYERS v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 99-8134. *WALKER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-8137. *COLEMAN v. JOHN THOMAS BATTS, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 188 F. 3d 506.

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No. 99–8140. *PEACHLUM v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 742 A. 2d 1149.

No. 99–8145. *KREPS v. PESINA ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 202 F. 3d 268.

No. 99–8150. *FEATHERSTONE v. EUFINGER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 202 F. 3d 268.

No. 99–8153. *FLOURNOY v. MOSKOWITZ, JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 99–8156. *FORD v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99–8157. *ELLIS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 296 Ill. App. 3d 862, 696 N. E. 2d 1.

No. 99–8160. *EVANS v. LOCK, SUPERINTENDENT, CENTRAL MISSOURI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 193 F. 3d 1000.

No. 99–8161. *GILL v. NEW YORK STATE BOARD OF LAW EXAMINERS*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 257 App. Div. 2d 659, 682 N. Y. S. 2d 909.

No. 99–8170. *STEELE v. MOORMAN*. C. A. 11th Cir. Certiorari denied. Reported below: 202 F. 3d 289.

No. 99–8192. *GAINOR v. DOUGLAS COUNTY, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 189 F. 3d 486.

No. 99–8196. *FOYE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 335 S. C. 586, 518 S. E. 2d 265.

No. 99–8200. *GRANT v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 99–8207. *SALCEDO GONZALES v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 99–8208. *HEBERT v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari denied. Reported below: 716 So. 2d 63.

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No. 99-8209. *DAVIDSON v. NEW HAMPSHIRE*. C. A. 1st Cir. Certiorari denied.

No. 99-8210. *GAINES v. DALLAS COUNTY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 193 F. 3d 519.

No. 99-8212. *DELEON v. GARCIA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 99-8218. *BARGAS v. BURNS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 179 F. 3d 1207.

No. 99-8220. *CRAWFORD v. HILL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 187 F. 3d 629.

No. 99-8228. *UTLEY v. BELL, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 187 F. 3d 639.

No. 99-8229. *THOMAS v. BROWN & WILLIAMSON TOBACCO CORP. ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-8230. *VANDORSTEN v. LECUREUX, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99-8232. *MURRAY v. VARNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT RETREAT*. C. A. 3d Cir. Certiorari denied.

No. 99-8236. *LEWIS v. BOOKER, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied.

No. 99-8239. *MCGREGOR v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 99-8240. *COLE v. CITY OF TAMPA, FLORIDA*. C. A. 11th Cir. Certiorari denied. Reported below: 194 F. 3d 1322.

No. 99-8250. *FRAZIER v. LEA COUNTY DISTRICT COURT*. Sup. Ct. N. M. Certiorari denied.

No. 99-8251. *HARTLINE v. STEWART ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-8252. *DIXON v. HEARD, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 182 F. 3d 899.

No. 99-8253. *DANIELS v. GALAZA, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 99–8254. *HARRIS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 99–8255. *PIMENTEL FELIZ v. ELO, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99–8257. *GULLEDGE v. DEES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99–8260. *GROSSO v. ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 99–8261. *DUER v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 744 So. 2d 992.

No. 99–8262. *HUDSON v. LAMARTINIERE*. C. A. 5th Cir. Certiorari denied. Reported below: 184 F. 3d 819.

No. 99–8263. *HARRELL v. MITCHEM, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99–8265. *DIEHL v. NELSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 244.

No. 99–8268. *ELLISON v. CYCMANICK, JUDGE, FLORIDA CIRCUIT COURT, 9TH JUDICIAL CIRCUIT, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99–8270. *CHAMBERS v. COOK, DIRECTOR, OREGON DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 201 F. 3d 443.

No. 99–8276. *BLUE v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 741 So. 2d 1134.

No. 99–8283. *FAUSTO v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 99–8286. *DENICTOLIS ET AL. v. MALONEY, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION*. C. A. 1st Cir. Certiorari denied.

No. 99–8289. *PEABODY v. ZLAKET, CHIEF JUSTICE, SUPREME COURT OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 194 F. 3d 1317.

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No. 99-8299. CAMERON *v.* SAMARRA, CHIEF OF POLICE, CITY OF ALEXANDRIA, ET AL. Sup. Ct. Va. Certiorari denied.

No. 99-8302. TAYLOR *v.* PAINTER, WARDEN. Cir. Ct. Berkeley County, W. Va. Certiorari denied.

No. 99-8303. WELLS *v.* PHILLIPS, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 99-8306. SMITH *v.* KENTUCKY. Sup. Ct. Ky. Certiorari denied.

No. 99-8311. ADAMS *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 99-8336. MORAN RAMOS ET UX. *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 5th Cir. Certiorari denied.

No. 99-8339. RAJKOVIC *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 3d Cir. Certiorari denied.

No. 99-8345. BARNES *v.* MALONEY, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION. C. A. 1st Cir. Certiorari denied.

No. 99-8347. WHITFORD *v.* BOGLINO ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 202 F. 3d 276.

No. 99-8379. HUDSON *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 99-8384. BYERS *v.* MAHONEY, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 830.

No. 99-8388. CANCESSI *v.* ROBINSON. Super. Ct. N. J., App. Div. Certiorari denied.

No. 99-8399. NASIM *v.* MEISNER ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 184 F. 3d 815.

No. 99-8403. SCOTT *v.* UNITED STATES. C. A. Armed Forces. Certiorari denied. Reported below: 51 M. J. 326.

No. 99-8404. COCHRAN *v.* VIRGINIA. Sup. Ct. Va. Certiorari denied. Reported below: 258 Va. 604, 521 S. E. 2d 287.

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No. 99-8408. *LEONE v. KERLEY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-8412. *MARKAY v. FARMER, ATTORNEY GENERAL OF NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 99-8422. *MILLER v. DAVIS-MORRELL, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 99-8446. *TRUDEAU v. CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 99-8460. *CINTRON v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 351 N. C. 39, 519 S. E. 2d 523.

No. 99-8462. *WILLIAMS v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

No. 99-8469. *JACKSON v. MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 127 Md. App. 785.

No. 99-8478. *POLK v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 203 F. 3d 841.

No. 99-8510. *MOORE v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 198 F. 3d 793.

No. 99-8515. *THOMAS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 204 F. 3d 1121.

No. 99-8517. *WALTON v. TAYLOR, WARDEN.* Sup. Ct. Va. Certiorari denied.

No. 99-8518. *WILSON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 467.

No. 99-8522. *WESLOWSKI v. DEPARTMENT OF THE ARMY.* C. A. Fed. Cir. Certiorari denied. Reported below: 217 F. 3d 854.

No. 99-8525. *STEADMAN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 187 F. 3d 643.

No. 99-8529. *BENSON v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 265 App. Div. 2d 814, 697 N. Y. S. 2d 222.

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No. 99–8530. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 190 F. 3d 542.

No. 99–8534. *CLARK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 205 F. 3d 1354.

No. 99–8536. *PARKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 440.

No. 99–8537. *BANKS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 205 F. 3d 1342.

No. 99–8542. *BONOWITZ ET AL. v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 741 A. 2d 18.

No. 99–8544. *ABRAM v. DEPARTMENT OF AGRICULTURE*. C. A. 8th Cir. Certiorari denied.

No. 99–8547. *PULIDO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8550. *LAWSON v. OHIO*. Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 99–8558. *PETERSON ET UX. v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 306 Ill. App. 3d 1091, 715 N. E. 2d 1221.

No. 99–8559. *HOLLAND v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 195 F. 3d 415.

No. 99–8561. *EIDSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 207 F. 3d 661.

No. 99–8562. *MONACO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 194 F. 3d 381 and 199 F. 3d 1324.

No. 99–8563. *BEERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 1297.

No. 99–8567. *FRIPP v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8568. *HALL v. CALBONE, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 182 F. 3d 913.

No. 99–8569. *GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 210 F. 3d 366.

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No. 99-8571. *HATALA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 191 F. 3d 449.

No. 99-8574. *HADDAD v. MICHIGAN NATIONAL CORP. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 245.

No. 99-8575. *DIKE v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 990 P. 2d 1012.

No. 99-8578. *PEACOCK v. DAVIS ET UX*. Sup. Ct. Idaho. Certiorari denied. Reported below: 133 Idaho 637, 991 P. 2d 362.

No. 99-8586. *GOODWIN v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 230 Wis. 2d 749, 604 N.W. 2d 35.

No. 99-8591. *CALLICUTT v. PANOLA COUNTY JAIL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 200 F. 3d 816.

No. 99-8596. *ODOM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 199 F. 3d 321.

No. 99-8598. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 194 F. 3d 886.

No. 99-8600. *CASTILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1115.

No. 99-8601. *CHAIDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1352.

No. 99-8603. *YOUNG v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 99-8607. *STEWART v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 99-8608. *STERLING v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 198 F. 3d 260.

No. 99-8609. *PIMENTEL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 99-8612. *AVILA-RAMIREZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 205 F. 3d 1325.

No. 99-8613. *ARESTIGUETA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 201 F. 3d 429.

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No. 99–8617. *MORA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 205 F. 3d 1330.

No. 99–8623. *MCNEW v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1116.

No. 99–8624. *LISASUAIN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 99–8628. *ANDRUS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1116.

No. 99–8632. *GARDNER v. NEAL, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 199 F. 3d 915.

No. 99–8633. *GOMEZ v. UNITED STATES*; and
No. 99–8658. *FALQUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 204 F. 3d 1120.

No. 99–8638. *DOE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 205 F. 3d 1330.

No. 99–8644. *MADDEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 205 F. 3d 1335.

No. 99–8647. *MONTES-RANGEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1116.

No. 99–8649. *DECARO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 99–8652. *GESSA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 99–8653. *GREEN, AKA BENNS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 181 F. 3d 92.

No. 99–8654. *HAMMOND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 99–8655. *FULTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 99–8656. *FAROOQ, AKA GRINNELL v. RUSSELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99–8657. *HALLSTEAD, AKA HALLSTED v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 189 F. 3d 468.

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No. 99-8659. *TAYLOR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 248.

No. 99-8661. *WALKER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 191 F. 3d 326.

No. 99-8663. *REMACHE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 433.

No. 99-8666. *BRYANT ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 261.

No. 99-8676. *ZEPEDA-CONTRERAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1118.

No. 99-8677. *MARTINEZ-RUIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1116.

No. 99-8682. *BAISDEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 193 F. 3d 523.

No. 99-8685. *COLEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 99-8688. *ATWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 200 F. 3d 819.

No. 99-8691. *CROSBY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 215 F. 3d 1322.

No. 99-8692. *CHAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 99-8697. *RUIZ-SUAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 280.

No. 99-8699. *SOLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 433.

No. 99-8702. *KELLUM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 213 F. 3d 302.

No. 99-8704. *LOUGHRIDGE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 255.

No. 99-8705. *JENNINGS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1117.

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No. 99–8706. *YOUNG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 262.

No. 99–8707. *JAVIER CORDOBA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 194 F. 3d 1053.

No. 99–8710. *STONE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 202 F. 3d 270.

No. 99–8711. *MENDOZA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1329.

No. 99–8712. *KAPAEV v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 199 F. 3d 596.

No. 99–8714. *ALCANTAR-VALENZUELA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 191 F. 3d 461.

No. 99–8715. *TORRES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 203 F. 3d 840.

No. 99–8716. *WOOLFOLK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 197 F. 3d 900.

No. 99–8717. *TAYLOR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 196 F. 3d 854.

No. 99–8718. *VALDEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 99–8720. *CASIANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 433.

No. 99–8721. *NIXON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 209 F. 3d 719.

No. 99–8725. *BELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 205 F. 3d 1347.

No. 99–8741. *DIXON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 200 F. 3d 700.

No. 99–8742. *DURAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 189 F. 3d 1071.

No. 99–8745. *GRANT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 204 F. 3d 1122.

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No. 99–8746. *HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 658.

No. 99–8747. *EARLS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 283.

No. 99–8748. *GARCIA-HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1353.

No. 99–8753. *FILLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 210 F. 3d 386.

No. 99–8754. *GONZALEZ-MIRANDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1117.

No. 99–8755. *HOOK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 195 F. 3d 299.

No. 99–8758. *BURKHALTER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 203 F. 3d 1096.

No. 99–8759. *CADENA-GUERRERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 1337.

No. 99–8774. *DOMINGUEZ-CARMONA v. UNITED STATES*; and
No. 99–8775. *HERNANDEZ-VILLANUEVA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 283.

No. 99–1248. *COOK GROUP, INC., ET AL. v. WILSON ET AL.* C. A. 4th Cir. Motion of petitioners for leave to file sealed and trade secret materials from proceedings below under seal granted. Certiorari denied. Reported below: 199 F. 3d 1329.

No. 99–1368. *CITY OF AUSTIN v. SOUTHWESTERN BELL VIDEO SERVICES, INC.* C. A. 5th Cir. Motion of National Association of Telecommunications Officers and Advisors et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 193 F. 3d 309.

No. 99–1500. *CALDERON, WARDEN v. MCDOWELL*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 197 F. 3d 1253.

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Rehearing Denied

No. 99-913. ARCTIC ALASKA FISHERIES CORP. *v.* HODDEVIK, 528 U.S. 1155;

No. 99-963. BELLO *v.* UNIVERSITY OF DAYTON SCHOOL OF LAW ET AL., 528 U.S. 1156;

No. 99-1103. MANN *v.* CITY OF CHICAGO ET AL., 528 U.S. 1160;

No. 99-1128. TOMEO *v.* HONEYWELL INTERNATIONAL, INC., ET AL., 528 U.S. 1161;

No. 99-1138. ROSENBAUM *v.* ROSENBAUM, 528 U.S. 1161;

No. 99-1188. GARRISON *v.* UNITED STATES, 528 U.S. 1162;

No. 99-6905. FRIEND *v.* RENO, ATTORNEY GENERAL, ET AL., 528 U.S. 1163;

No. 99-7062. COLEMAN *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 528 U.S. 1164;

No. 99-7067. PEACHLUM *v.* PENNSYLVANIA, 528 U.S. 1123;

No. 99-7165. BENN *v.* LOUISIANA, 528 U.S. 1140;

No. 99-7166. BROWN *v.* CAREY, WARDEN, ET AL., 528 U.S. 1141;

No. 99-7197. MEKALONIS *v.* WORKERS' COMPENSATION APPEAL BOARD ET AL., 528 U.S. 1164;

No. 99-7200. MILLS *v.* KENTUCKY, 528 U.S. 1164;

No. 99-7302. SILER *v.* DILLINGHAM SHIP REPAIR ET AL., 528 U.S. 1166;

No. 99-7360. PRATT *v.* TEXAS, 528 U.S. 1167;

No. 99-7405. IN RE TRAYLOR, 528 U.S. 1152;

No. 99-7417. PEDRAGLIO LOLI *v.* CITIBANK, INC., 528 U.S. 1168;

No. 99-7465. MITCHELL *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 528 U.S. 1170;

No. 99-7518. IN RE SIEGEL, 528 U.S. 1152;

No. 99-7532. JOHNSON *v.* GEORGIA, 528 U.S. 1172;

No. 99-7577. BONNER *v.* DEPARTMENT OF THE AIR FORCE, 528 U.S. 1173;

No. 99-7625. IOANE ET AL. *v.* B. A. PROPERTIES, INC., 528 U.S. 1174;

No. 99-7640. HARRIS *v.* COUNTY OF COOK ET AL., 528 U.S. 1175;

No. 99-7654. MCKINNEY *v.* STATE EMPLOYEES' RETIREMENT SYSTEM, 528 U.S. 1175;

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No. 99-7678. SMITH *v.* CADWELL, 528 U. S. 1176;
No. 99-7694. BRADFORD *v.* BARRETT ET AL., 528 U. S. 1176;
No. 99-7706. TUNSTALL *v.* KAVANAGH, WARDEN, ET AL.,
ante, p. 1008;
No. 99-7707. AKINKOYE *v.* UNITED STATES, 528 U. S. 1177;
No. 99-7776. WINSETT *v.* WEST, SECRETARY OF VETERANS
AFFAIRS, 528 U. S. 1193;
No. 99-7784. TRICE *v.* SIKES, WARDEN, *ante*, p. 1025;
No. 99-7796. NAGY *v.* LAPPIN, 528 U. S. 1193;
No. 99-7842. IN RE MCSHEFFREY, 528 U. S. 1152;
No. 99-7931. NAGY *v.* GOLDSTEIN ET AL., 528 U. S. 1195; and
No. 99-7996. MOSBY *v.* UNITED STATES, 528 U. S. 1196. Peti-
tions for rehearing denied.

APRIL 18, 2000

Certiorari Denied

No. 99-9127 (99A859). COE *v.* BELL, WARDEN. 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: 209 F. 3d 815.

Rehearing Denied

No. 99-8681 (99A851). COE *v.* TENNESSEE, *ante*, p. 1034. 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.

APRIL 24, 2000

Affirmed on Appeal

No. 99-1396. CHANDLER ET AL. *v.* HARRIS, SECRETARY OF STATE OF FLORIDA, ET AL. Affirmed on appeal from D. C. S. D. Fla. Reported below: 88 F. Supp. 2d 1351.

Certiorari Granted—Vacated and Remanded

No. 99-1401. HOPKINS, WARDEN *v.* NEWMAN. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Williams v. Taylor*, *ante*, p. 362. Reported below: 192 F. 3d 1132.

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No. 99-5670. COLEMAN *v.* INDIANA. Sup. Ct. Ind. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Williams v. Taylor*, *ante*, p. 362. Reported below: 703 N. E. 2d 1022.

No. 99-6862. THOMAS *v.* EARLEY, ATTORNEY GENERAL OF VIRGINIA, ET AL. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Williams v. Taylor*, *ante*, p. 362. Reported below: 182 F. 3d 909.

Miscellaneous Orders

No. D-2141. IN RE DISBARMENT OF MCGILL. Disbarment entered. [For earlier order herein, see 528 U.S. 1150.]

No. D-2142. IN RE DISBARMENT OF GLAZER. Disbarment entered. [For earlier order herein, see 528 U.S. 1150.]

No. D-2144. IN RE DISBARMENT OF BERMAN. Disbarment entered. [For earlier order herein, see 528 U.S. 1150.]

No. D-2145. IN RE DISBARMENT OF MAININI. Disbarment entered. [For earlier order herein, see 528 U.S. 1150.]

No. D-2157. IN RE DISBARMENT OF BAKER. Charles Carter Baker, Jr., of Nashville, Tenn., 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-2158. IN RE DISBARMENT OF FRESE. Eugene M. Frese, of Minersville, 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-2159. IN RE DISBARMENT OF BLACK. Geoffrey Scott Black, of Hampstead, 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. 99-658. CASTILLO ET AL. *v.* UNITED STATES. C. A. 5th Cir. [Certiorari granted, 528 U.S. 1109.] Motion for appointment of counsel granted, and it is ordered that Stanley Rentz, Esq., of Waco, Tex., be appointed to serve as counsel for petitioner Graeme Leonard Craddock in this case. Request for expenses and attorney's fees denied without prejudice.

No. 99-830. STENBERG, ATTORNEY GENERAL OF NEBRASKA, ET AL. *v.* CARHART. C. A. 8th Cir. [Certiorari granted, 528 U.S. 1110.] Motion of Rutherford Institute for leave to file a brief as *amicus curiae* granted.

No. 99-8861. IN RE DEVORE;

No. 99-8869. IN RE DUMORNAY; and

No. 99-8918. IN RE JONES. Petitions for writs of habeas corpus denied.

Certiorari Granted

No. 99-7504. LOPEZ *v.* DAVIS, WARDEN, ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 186 F. 3d 1092.

Certiorari Denied

No. 98-9563. ASHFORD *v.* GILMORE, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 167 F. 3d 1130.

No. 98-9840. BUI *v.* DiPAOLO, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION, ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 170 F. 3d 232.

No. 99-538. BOCK, ADMINISTRATOR OF THE ESTATE OF BOCK, DECEASED *v.* ST. LOUIS SOUTHWESTERN RAILWAY CO. C. A. 8th Cir. Certiorari denied. Reported below: 181 F. 3d 920.

No. 99-863. PRINCE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 187 F. 3d 632.

No. 99-1040. PORT OF PORTLAND *v.* RONNE ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 192 F. 3d 933.

No. 99-1179. POWER ENGINEERING CO. ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 191 F. 3d 1224.

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No. 99-1294. FOSTER, SUPERINTENDENT OF BANKING AND ADMINISTRATOR OF ELECTRONIC TRANSFER FUNDS, IOWA DIVISION OF BANKING, IOWA DEPARTMENT OF COMMERCE *v.* BANK ONE, UTAH, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 190 F. 3d 844.

No. 99-1330. EDMONDS, APPEARING AS TUTRIX OF HER MINOR SON, BELL *v.* LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS ET AL. Ct. App. La., 2d Cir. Certiorari denied. Reported below: 732 So. 2d 645.

No. 99-1343. MOENNING *v.* ILLINOIS COMMERCE COMMISSION ET AL. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 99-1386. QUALLS ET AL. *v.* CITY OF DETROIT ET AL. Ct. App. Mich. Certiorari denied.

No. 99-1387. LANGLEIE *v.* ONAN CORP. C. A. 8th Cir. Certiorari denied. Reported below: 192 F. 3d 1137.

No. 99-1395. MOTLEY *v.* NEW JERSEY STATE POLICE ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 196 F. 3d 160.

No. 99-1397. CBT GROUP PLC ET AL. *v.* SAN MATEO COUNTY SUPERIOR COURT. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 99-1406. JOYTIME DISTRIBUTORS & AMUSEMENT CO., INC. *v.* SOUTH CAROLINA. Sup. Ct. S. C. Certiorari denied. Reported below: 338 S. C. 634, 528 S. E. 2d 647.

No. 99-1410. FIRST MOUNT VERNON, I. L. A. *v.* PRINCE GEORGE'S COUNTY. C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1304.

No. 99-1412. CHEROKEE CORPORATION OF LINDEN, VIRGINIA, INC. *v.* CAPITAL SKIING CORP. C. A. 4th Cir. Certiorari denied. Reported below: 191 F. 3d 447.

No. 99-1420. ELLIS ET AL. *v.* WASHINGTON COUNTY ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 225.

No. 99-1435. GRAVES *v.* BOONE, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 447.

No. 99-1436. LIN *v.* LIN (two judgments). Ct. App. N. C. Certiorari denied.

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No. 99-1445. *SPETH v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 6 S. W. 3d 530.

No. 99-1447. *JONES v. FRANK ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 202 F. 3d 254.

No. 99-1455. *ATWELL v. ATWELL*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 730 So. 2d 858.

No. 99-1459. *DEPLUZER v. ILLINOIS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 202 F. 3d 272.

No. 99-1460. *WATTS v. NETWORK SOLUTIONS, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 202 F. 3d 276.

No. 99-1492. *GARRISON v. CITY OF WICHITA FALLS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1114.

No. 99-1513. *IN RE KAVALARIS*. Sup. Ct. Cal. Certiorari denied.

No. 99-1525. *MIZANI, AKA SLATER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 261.

No. 99-1531. *HYLAND v. CLINTON, PRESIDENT OF THE UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 208 F. 3d 213.

No. 99-5793. *HARRISON v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 707 N. E. 2d 767.

No. 99-6035. *TAYLOR v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 190 F. 3d 538.

No. 99-6199. *COLVIN-EL v. NUTH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 205 F. 3d 1332.

No. 99-6738. *VANN v. SMALL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 187 F. 3d 650.

No. 99-7299. *WHITE v. UNITED STATES*; and

No. 99-7523. *WHITE ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1307.

No. 99-7407. *DANIELS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 187 Ill. 2d 301, 718 N. E. 2d 149.

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No. 99-7487. SALAZAR-OLIVARES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 179 F. 3d 228.

No. 99-7588. JONES *v.* APFEL, COMMISSIONER OF SOCIAL SECURITY. C. A. 11th Cir. Certiorari denied. Reported below: 190 F. 3d 1224.

No. 99-7594. BUSS *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. Reported below: 187 Ill. 2d 144, 718 N. E. 2d 1.

No. 99-7623. NIELSON *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. Reported below: 187 Ill. 2d 271, 718 N. E. 2d 131.

No. 99-7808. FALSETTA *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. Reported below: 21 Cal. 4th 903, 986 P. 2d 182.

No. 99-7863. POSPISIL *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 186 F. 3d 1023.

No. 99-7878. SANCHEZ *v.* SCHOMIG, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 189 F. 3d 619.

No. 99-7920. DUNAWAY *v.* ALABAMA. Sup. Ct. Ala. Certiorari denied. Reported below: 746 So. 2d 1042.

No. 99-8317. MURPHY *v.* CITY OF SMITHVILLE, TENNESSEE, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 198 F. 3d 246.

No. 99-8318. LATORRE *v.* PENNSYLVANIA. Super. Ct. Pa. Certiorari denied. Reported below: 742 A. 2d 1146.

No. 99-8319. JOHNSON *v.* JEFFERSON. Ct. App. D. C. Certiorari denied.

No. 99-8334. TRICE *v.* MCNEAL. C. A. 11th Cir. Certiorari denied.

No. 99-8337. RIVAS SUNIGA *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied.

No. 99-8341. ROGERS *v.* ILLINOIS. App. Ct. Ill., 5th Dist. Certiorari denied.

No. 99-8342. SIMMONS *v.* LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

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No. 99–8344. *TOWNSEND v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 99–8349. *WINGATE v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 99–8350. *WILSON v. RATELLE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 99–8354. *DAVIS v. UNITED PARCEL SERVICE, INC., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 99–8356. *GANN v. ALABAMA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99–8357. *GEARY v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 115 Nev. 79, 977 P. 2d 344.

No. 99–8360. *GREENE v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 139 Wash. 2d 64, 984 P. 2d 1024.

No. 99–8365. *FIELDS v. JACKSON*. Sup. Ct. Va. Certiorari denied.

No. 99–8367. *HOGUE v. AYERS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 99–8369. *ROCHON v. EXXON CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 203 F. 3d 827.

No. 99–8373. *JOHNSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99–8374. *GARCIA LARRINAGA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 99–8375. *MCWEENEY v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 156 Ore. App. 397, 972 P. 2d 1228.

No. 99–8376. *BAYS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 87 Ohio St. 3d 15, 716 N. E. 2d 1126.

No. 99–8378. *DEL VALLE HERNANDEZ v. NEW YORK CITY LAW DEPARTMENT CORPORATION COUNSEL ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 258 App. Div. 2d 390, 685 N. Y. S. 2d 674.

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No. 99-8381. *FLOOD v. FRANK*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 203 F. 3d 816.

No. 99-8382. *FARRELL v. PATAKI*, GOVERNOR OF NEW YORK, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 205 F. 3d 1322.

No. 99-8385. *GRAHAM v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 99-8387. *HARRIS v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 202 F. 3d 287.

No. 99-8389. *VAN TRAN v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 6 S. W. 3d 257.

No. 99-8394. *MCCRAY v. HINE ET AL.* Ct. App. Tex., 3d Dist. Certiorari denied.

No. 99-8400. *LEININGER v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 99-8401. *KUBICA v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 99-8409. *WILLIAMS v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Certiorari denied. Reported below: 743 So. 2d 16.

No. 99-8411. *LARSON v. TRIPPETT*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 188 F. 3d 508.

No. 99-8413. *ATWOOD v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 602 N. W. 2d 775.

No. 99-8436. *CASELLAS v. MCGINNIS*, SUPERINTENDENT, SOUTHPORT CORRECTIONAL FACILITY, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 199 F. 3d 1321.

No. 99-8444. *REDEAGLE-BELGARDE v. LAMBERT*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. C. A. 9th Cir. Certiorari denied. Reported below: 199 F. 3d 1333.

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No. 99-8459. *NICKERSON v. LUEBBERS*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 99-8467. *CLARK v. ANGELONE*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. Sup. Ct. Va. Certiorari denied.

No. 99-8468. *CHRISTIAN v. HENDERSON*, POSTMASTER GENERAL. C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 477.

No. 99-8496. *LAMPSON v. WEST*, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 217 F. 3d 858.

No. 99-8519. *WOODS v. VAUGHN*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied.

No. 99-8531. *JOHNSON, AKA CAMPBELL v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 742 A. 2d 205.

No. 99-8546. *REYNOLDS v. ROONEY ET UX*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 99-8549. *ROBINSON v. NORRIS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied.

No. 99-8556. *WOODWARD v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 996 S. W. 2d 925.

No. 99-8584. *CABLA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 6 S. W. 3d 543.

No. 99-8590. *JACKSON v. LUEBBERS*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 99-8614. *ARMSTRONG v. GAMMON*, SUPERINTENDENT, MOBERLY CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 195 F. 3d 441.

No. 99-8619. *LOCKABY v. UNITED STATES*; and
No. 99-8791. *MCLEOD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1115.

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No. 99-8621. *ISAACS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 99-8627. *CHESTER v. LOCK, SUPERINTENDENT, CENTRAL MISSOURI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 205 F. 3d 1345.

No. 99-8631. *RICCHIO NAVARRO v. POOLE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 99-8642. *LEGETTE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 99-8650. *DAVIDSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 195 F. 3d 402.

No. 99-8651. *GRAVES v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 52 M. J. 375.

No. 99-8668. *AYTCH v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 303 Ill. App. 3d 1096, 747 N. E. 2d 1104.

No. 99-8694. *BUCHANAN v. TATE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99-8695. *CARTER v. MORGAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99-8700. *NAUGLE v. OHIO*. Ct. App. Ohio, Stark County. Certiorari denied.

No. 99-8750. *FAULCON v. CITY OF PHILADELPHIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 185 F. 3d 861.

No. 99-8767. *PALACIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 202 F. 3d 286.

No. 99-8769. *MONROE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 205 F. 3d 1330.

No. 99-8777. *ANTHONY v. OHIO*. C. A. 6th Cir. Certiorari denied.

No. 99-8780. *COHEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

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No. 99-8781. *WEAVER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 195 F. 3d 123.

No. 99-8782. *WASHINGTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 262.

No. 99-8783. *TENAUD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99-8789. *LOWE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 188 F. 3d 516.

No. 99-8793. *SHASHATY v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 251 Conn. 768, 742 A. 2d 786.

No. 99-8795. *JAVIER NAVARRO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 1337.

No. 99-8798. *BAKER v. OHIO*. Ct. App. Ohio, Clermont County. Certiorari denied.

No. 99-8800. *WILLIAMS ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 252.

No. 99-8807. *TRIPLETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 195 F. 3d 990.

No. 99-8815. *ROTHENBACH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 198 F. 3d 241.

No. 99-8818. *WHITE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1353.

No. 99-8824. *ALLEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 205 F. 3d 1354.

No. 99-1399. *BONNIE BRIAR SYNDICATE, INC. v. TOWN OF MAMARONECK ET AL.* Ct. App. N. Y. Motions of Pacific Legal Foundation and National Association of Home Builders for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 94 N. Y. 2d 96, 721 N. E. 2d 971.

No. 99-1484. *POLYAK v. SUMMERS, ATTORNEY GENERAL OF TENNESSEE, ET AL.* C. A. 6th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

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Rehearing Denied

No. 99–1004. MICHELFELDER *v.* THOMAS JEFFERSON UNIVERSITY ET AL., 528 U.S. 1158;

No. 99–1104. WHITE ET UX. *v.* SECURITY PACIFIC FINANCIAL SERVICES, INC., 528 U.S. 1160;

No. 99–1121. LUNA *v.* COUNTY OF SAN BERNARDINO ET AL., 528 U.S. 1161;

No. 99–1130. CLANTON *v.* TOWNSHIP OF REDFORD, *ante*, p. 1004;

No. 99–1135. CHAPPELL, IN INTEREST OF A. M. K. *v.* MEESE ET AL., 528 U.S. 1189;

No. 99–1322. COWHIG *v.* CALDERA, SECRETARY OF THE ARMY, *ante*, p. 1005;

No. 99–5279. SMITH *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 528 U.S. 896;

No. 99–7307. BECKHAM *v.* CAIN, WARDEN, 528 U.S. 1166;

No. 99–7329. SILO *v.* SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES, 528 U.S. 1128;

No. 99–7700. COOMBS *v.* PENNSYLVANIA, *ante*, p. 1008;

No. 99–7737. CALHOUN *v.* DETELLA, WARDEN, ET AL., *ante*, p. 1009; and

No. 99–7754. ABBEY *v.* ROBERT BOSCH GMBH ET AL., *ante*, p. 1009. Petitions for rehearing denied.

No. 98–1109. SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. *v.* ILLINOIS COUNCIL ON LONG TERM CARE, INC., *ante*, p. 1. Petition for rehearing or, in the alternative, to modify the opinion denied.

APRIL 26, 2000

Miscellaneous Order

No. 99–9212 (99A874). IN RE BOYD. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

APRIL 27, 2000

Dismissal Under Rule 46

No. 99–1508. RAYONIER INC. *v.* BEAVER; and RAYONIER INC. *v.* BLANTON. C. A. 11th Cir. Certiorari dismissed under this

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Court's Rule 46. Reported below: 200 F. 3d 723 (first judgment); 199 F. 3d 443 (second judgment).

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Certiorari Dismissed

No. 99-8348. WILKERSON *v.* NIELSEN, CHAIRMAN, CALIFORNIA BOARD OF PRISON TERMS. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 99-8465. NAGY *v.* LAPPIN ET AL. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 199 F. 3d 1327.

Miscellaneous Orders

No. 99A829. WILLIAMS *v.* TEXAS. 242d Jud. Dist. Ct. Tex., Hale County. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. 99M84. SALANIK, A MINOR BY HIS MOTHER, SALANIK *v.* BOARD OF EDUCATION OF ANNE ARUNDEL COUNTY ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 99-1496. JANAKAKIS-KOSTUN *v.* JANAKAKIS. Ct. App. Ky. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 99-8929. IN RE JOHNSON;

No. 99-8957. IN RE YOUNGBEAR; and

No. 99-8974. IN RE WEST. Petitions for writs of habeas corpus denied.

No. 99-9005. IN RE ABIDEKUN. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506

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U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 99–8206. IN RE HOLLOMAN. Petition for writ of mandamus denied.

Certiorari Granted

No. 99–1132. ILLINOIS *v.* MCARTHUR. App. Ct. Ill., 4th Dist. Certiorari granted. Reported below: 304 Ill. App. 3d 395, 713 N. E. 2d 93.

No. 99–1295. GITLITZ ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 10th Cir. Certiorari granted. Reported below: 182 F. 3d 1143.

Certiorari Denied

No. 98–10002. GRAHAM, AKA SANKOFA *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 168 F. 3d 762.

No. 99–268. MIDDLETON *v.* KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 99–1246. DOLE FOOD CO., INC., ET AL. *v.* UNITED STATES ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 187 F. 3d 1362.

No. 99–1258. McDONNELL DOUGLAS CORP. ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 182 F. 3d 1319.

No. 99–1281. O. S. C. & ASSOCIATES, INC. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 187 F. 3d 1116.

No. 99–1332. BROKAMP ET UX. *v.* MERCY HOSPITAL ANDERSON ET AL. Ct. App. Ohio, Hamilton County. Certiorari denied. Reported below: 132 Ohio App. 3d 850, 726 N. E. 2d 594.

No. 99–1371. GAL-OLIVER ET UX. *v.* COUTTS BANK (SWITZERLAND) LTD., FKA COUTTS & CO. AG. C. A. 2d Cir. Certiorari denied. Reported below: 193 F. 3d 85.

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No. 99-1407. FRANK'S CASING CREW & RENTAL TOOLS, INC. *v.* MARINE DRILLING MANAGEMENT Co. C. A. 5th Cir. Certiorari denied. Reported below: 193 F. 3d 873.

No. 99-1413. CALKINS ET UX., DBA INDIO GROCERY OUTLET *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. Reported below: 187 F. 3d 1080.

No. 99-1418. TER MAAT ET AL. *v.* BROWNING-FERRIS INDUSTRIES OF ILLINOIS, INC., ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 195 F. 3d 953.

No. 99-1419. CITY OF NEW YORK ET AL. *v.* TENENBAUM ET UX., INDIVIDUALLY AND ON BEHALF OF TENENBAUM, AN INFANT. C. A. 2d Cir. Certiorari denied. Reported below: 193 F. 3d 581.

No. 99-1424. WILSON, DIRECTOR, MISSOURI DEPARTMENT OF REVENUE *v.* BURLINGTON NORTHERN SANTA FE RAILWAY Co. C. A. 8th Cir. Certiorari denied. Reported below: 193 F. 3d 984.

No. 99-1425. BORODATY ET AL. *v.* WEST PENN POWER Co., INC. C. A. 3d Cir. Certiorari denied. Reported below: 203 F. 3d 816.

No. 99-1428. WESTENDORP, A MINOR, BY AND THROUGH HIS PARENTS AND NATURAL GUARDIANS, WESTENDORP ET VIR, ET AL. *v.* VENTURA, GOVERNOR OF MINNESOTA, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 187 F. 3d 829.

No. 99-1430. LUNNEY, AN INFANT, BY HIS FATHER AND NATURAL GUARDIAN, LUNNEY *v.* PRODIGY SERVICES Co. Ct. App. N. Y. Certiorari denied. Reported below: 94 N. Y. 2d 242, 723 N. E. 2d 539.

No. 99-1437. CUMBERLAND FARMS, INC. *v.* NORTHEAST DAIRY COMPACT COMMISSION ET AL.; and

No. 99-1438. NEW YORK STATE DAIRY FOODS, INC., ET AL. *v.* NORTHEAST DAIRY COMPACT COMMISSION ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 198 F. 3d 1.

No. 99-1450. GREEN, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF GREEN, DECEASED, ET AL. *v.* STELLY ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 437.

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No. 99-1453. UNITED STATES EX REL. A-1 AMBULANCE SERVICE, INC., ET AL. *v.* COUNTY OF MONTEREY ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 1238.

No. 99-1465. BAZZETTA *v.* YUKINS, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 201 F. 3d 440.

No. 99-1474. WILLIAMS *v.* CIGNA FINANCIAL ADVISORS INC. ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 197 F. 3d 752.

No. 99-1476. OTT *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 192 F. 3d 510.

No. 99-1479. HADDAD *v.* LIEBERMAN. C. A. 2d Cir. Certiorari denied. Reported below: 199 F. 3d 1322.

No. 99-1493. BURGESS *v.* PELKEY ET AL. Ct. App. D. C. Certiorari denied. Reported below: 738 A. 2d 783.

No. 99-1494. LERMAN *v.* TOWNSHIP OF RANDOLPH ET AL. Super. Ct. N. J., App. Div. Certiorari denied.

No. 99-1495. DUNN *v.* INSTALLATION TECHNICIANS, INC., ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 205 F. 3d 1345.

No. 99-1498. DAVIS *v.* MILLE LACS BAND OF CHIPPEWA INDIANS ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 193 F. 3d 990.

No. 99-1505. FERGASON *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 99-1558. BEHDANI ET AL. *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 11th Cir. Certiorari denied. Reported below: 196 F. 3d 1262.

No. 99-1573. LAI *v.* DICKINSON ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1351.

No. 99-1585. ORR *v.* INTERNAL REVENUE SERVICE. C. A. 5th Cir. Certiorari denied. Reported below: 180 F. 3d 656.

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No. 99-1586. *HOLT v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 52 M. J. 173.

No. 99-7110. *RICHARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 99-7207. *SHEPPARD v. PAINTER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 182 F. 3d 909.

No. 99-7239. *FISCHLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 193 F. 3d 522.

No. 99-7716. *CODY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 99-7968. *RICHARDSON v. SAY ET AL.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 740 So. 2d 771.

No. 99-8050. *STEELE v. ALLISON, DIRECTOR, ORANGE COUNTY CORRECTIONAL FACILITY*. C. A. 11th Cir. Certiorari denied.

No. 99-8162. *GUZMAN v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 99-8290. *RYAN v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 257 Neb. 635, 601 N. W. 2d 473.

No. 99-8406. *KESSLER v. BROWN & WILLIAMSON TOBACCO CORP. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 182 F. 3d 932.

No. 99-8407. *LIGGINS v. B. T. OFFICE PRODUCTS*. C. A. 8th Cir. Certiorari denied.

No. 99-8419. *MILES v. DUNNIGAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 99-8420. *LINTON v. SULLIVAN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 182 F. 3d 917.

No. 99-8428. *SCOTT v. MILLER, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 99-8432. *WINKLE v. OAKLAND JOCKEY CLUB*. C. A. 8th Cir. Certiorari denied.

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No. 99-8433. *BLITCHINGTON v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Certiorari denied. Reported below: 749 So. 2d 502.

No. 99-8435. *ATRAQCHI v. MURPHY ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 99-8437. *VALDEZ ORTIZ v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1115.

No. 99-8438. *SELMAN v. SANDERS*, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 99-8440. *STELL v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 99-8445. *TRINIDAD v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 99-8450. *WAGONER v. STUBBLEFIELD*, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER, ET AL. C. A. 8th Cir. Certiorari denied.

No. 99-8451. *WRONKE v. STEIGMANN*, JUSTICE, APPELLATE COURT OF ILLINOIS, FOURTH DISTRICT. Sup. Ct. Ill. Certiorari denied.

No. 99-8456. *McGOVERN v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 99-8461. *CURRY v. WALKER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 435.

No. 99-8466. *CHANDLER v. KENNEDY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-8471. *LARCH v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 99-8479. *ODEN v. PRUNTY*, WARDEN. C. A. 9th Cir. Certiorari denied.

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No. 99-8488. *COWANS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 87 Ohio St. 3d 68, 717 N. E. 2d 298.

No. 99-8503. *PRYSTASH v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 3 S. W. 3d 522.

No. 99-8532. *MEDINA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 7 S. W. 3d 633.

No. 99-8541. *MARTINEZ v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 984 P. 2d 813.

No. 99-8580. *BELL v. THOMAS, SHERIFF, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 501.

No. 99-8583. *REBOLLAR-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 833.

No. 99-8587. *FEURTADO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 191 F. 3d 420.

No. 99-8595. *RAULERSON v. RENO, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 99-8636. *DIN v. SUMMERS, SECRETARY OF THE TREASURY*. C. A. D. C. Cir. Certiorari denied.

No. 99-8672. *HAMILTON v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 351 N. C. 14, 519 S. E. 2d 514.

No. 99-8766. *RICHARDS v. SONDALE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 99-8770. *NYHUIS v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 99-8820. *ROSS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 99-8823. *MARCELLO v. MAINE DEPARTMENT OF HUMAN SERVICES*. Sup. Jud. Ct. Me. Certiorari denied.

No. 99-8836. *ALBERTO-GENAO v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 203 F. 3d 53.

No. 99-8846. *MONK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 261.

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No. 99–8849. *WEBB v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 449.

No. 99–8850. *EVEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 213 F. 3d 644.

No. 99–8851. *ABOUHALIMA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 432.

No. 99–8852. *FAIZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8853. *EVANS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 191 F. 3d 451.

No. 99–8855. *HERNANDEZ-CORONA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1353.

No. 99–8858. *FOWLER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 210 F. 3d 357.

No. 99–8860. *DRAPER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 185 F. 3d 870.

No. 99–8863. *TANG XUE DAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 205 F. 3d 1325.

No. 99–8867. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99–8873. *HOPPER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 189 F. 3d 475.

No. 99–8874. *GREEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99–8875. *GREENWOOD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 189 F. 3d 479.

No. 99–8876. *GRIST v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 198 F. 3d 259.

No. 99–8877. *CUSTODIO-ROSSI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 201 F. 3d 429.

No. 99–8879. *PASSARO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 207 F. 3d 661.

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No. 99-8887. MURCHINSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 438.

No. 99-8890. AIELLO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 255.

No. 99-8891. ANDERSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 260.

No. 99-8900. LOZANO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 1338.

No. 99-8901. LOPEZ-AYALA, AKA PRADO-PERALES *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 99-8902. KING *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1353.

No. 99-8903. MOORE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 1338.

No. 99-8907. VINSON *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 200 F. 3d 820.

No. 99-8908. MITCHUM *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 208 F. 3d 216.

No. 99-8917. McMILLIAN *v.* ENDICOTT, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 99-899. GALAZA, WARDEN, ET AL. *v.* NINO. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 183 F. 3d 1003.

No. 99-1159. McDANIEL, WARDEN, ET AL. *v.* WILLS. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 188 F. 3d 517.

No. 99-1184. MACK, WARDEN *v.* PARIS. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 187 F. 3d 637.

No. 99-1070. PEOPLE'S MOJAHEDIN ORGANIZATION OF IRAN *v.* DEPARTMENT OF STATE ET AL. C. A. D. C. Cir. Motion of the

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Solicitor General for leave to lodge under seal a copy of the sealed version of the brief for appellees filed in the United States Court of Appeals granted. Certiorari denied. Reported below: 182 F. 3d 17.

No. 99-1449. MASSACHUSETTS FOOD ASSN. ET AL. *v.* MASSACHUSETTS ALCOHOLIC BEVERAGE CONTROL COMMISSION ET AL. C. A. 1st Cir. Motion of Beer Distributors of Massachusetts, Inc., et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 197 F. 3d 560.

No. 99-1464. E. I. DU PONT DE NEMOURS & CO. ET AL. *v.* MURAKAMI ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 191 F. 3d 460.

Rehearing Denied

No. 99-1166. CREWS *v.* DEPARTMENT OF THE ARMY, 528 U.S. 1182;

No. 99-6776. ZHARN *v.* UNITED STATES FIDELITY & GUARANTY CO. ET AL., 528 U.S. 1086;

No. 99-7222. IN RE MAYES, 528 U.S. 1073;

No. 99-7437. JOSEPH *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL., 528 U.S. 1169;

No. 99-7536. GULLEY *v.* GEORGIA, 528 U.S. 1172;

No. 99-7720. RETTIG *v.* KENT CITY SCHOOL DISTRICT ET AL., *ante*, p. 1023;

No. 99-7726. WISE *v.* CADDELL CONSTRUCTION Co., INC., *ante*, p. 1009; and

No. 99-8129. COBBS *v.* UNITED STATES POSTAL SERVICE ET AL., *ante*, p. 1028. Petitions for rehearing denied.

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Miscellaneous Order

No. 99-9207 (99A873). IN RE JACKSON. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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Certiorari Denied

No. 99-9483 (99A929). *MCBRIDE 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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Dismissal Under Rule 46

No. 99-1025. *BANKBOSTON, N. A. v. SUAREZ ET UX*. C. A. 2d Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 198 F. 3d 234.

Certiorari Granted—Vacated and Remanded

No. 99-437. *LEHMAN, SECRETARY, WASHINGTON DEPARTMENT OF CORRECTIONS v. MACFARLANE ET AL.* C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded to the Court of Appeals with instructions to dismiss the case as moot. Reported below: 179 F. 3d 1131.

Certiorari Dismissed

No. 99-8528. *SIKORA v. BOHN*. Ct. App. Neb. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 8 Neb. App. lvii.

No. 99-8548. *PATTERSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 204 F. 3d 1118.

No. 99-8983. *SALLEE v. UNITED STATES PAROLE COMMISSION*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 187 F. 3d 631.

No. 99-8898. *NAGY v. UNITED STATES*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal mat-

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ters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 201 F.3d 438.

Miscellaneous Orders

No. 99M85. *SANWICK v. CARVER, WARDEN*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 99-1489. *RAQUEL v. EDUCATION MANAGEMENT CORP. ET AL.* C. A. 3d Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 99-8025. *BIERLEY v. CONNELLY, JUDGE, COURT OF COMMON PLEAS OF PENNSYLVANIA, ERIE COUNTY, ET AL.* C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1050] denied.

No. 99-8457. *IN RE LILLIBRIDGE*; and

No. 99-9035. *IN RE FARLEY*. Petitions for writs of habeas corpus denied.

No. 99-1673. *IN RE HIRSCHFELD*. Motion of petitioner to defer consideration of petition for writ of habeas corpus denied. Petition for writ of habeas corpus denied.

No. 99-1652. *IN RE RUIZ RIVERA*;

No. 99-8498. *IN RE MELONCON*;

No. 99-8512. *IN RE TASBY*;

No. 99-8545. *IN RE PYTEL*; and

No. 99-9026. *IN RE JARVIS*. Petitions for writs of mandamus denied.

Certiorari Denied

No. 99-592. *COLLINS ET AL. v. SPOKANE VALLEY FIRE PROTECTION DISTRICT No. 1*; and

No. 99-788. *SPOKANE VALLEY FIRE PROTECTION DISTRICT No. 1 v. COLLINS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 188 F.3d 1124.

No. 99-1084. *METRO-NORTH COMMUTER RAILROAD CO. v. NORRIS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 191 F.3d 283.

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No. 99-1165. *LAFARGUE ET AL. v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 193 F. 3d 516.

No. 99-1170. *YOST v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 185 F. 3d 1178.

No. 99-1174. *ROBERTS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 185 F. 3d 1125.

No. 99-1191. *GLOVER v. WEST, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 185 F. 3d 1328.

No. 99-1193. *FRAZER v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 21 Cal. 4th 737, 982 P. 2d 180.

No. 99-1259. *ARIZAGA RAMOS v. DISTRICT DIRECTOR, EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, OFFICE OF IMMIGRATION JUDGE.* C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 279.

No. 99-1279. *SWENSON ET UX. v. WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES.* Ct. App. Wash. Certiorari denied. Reported below: 94 Wash. App. 511, 973 P. 2d 474.

No. 99-1321. *AMERICAN SOCIETY OF ASSOCIATION EXECUTIVES v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 195 F. 3d 47.

No. 99-1325. *ENVIRON PRODUCTS, INC. v. INTELPRO CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 217 F. 3d 852.

No. 99-1344. *LIVOTI v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 196 F. 3d 322.

No. 99-1361. *CAPROTTI, FOR HERSELF AND ON BEHALF OF HER THREE MINOR SONS, CAPROTTI ET AL. v. TOWN OF WOODSTOCK ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 94 N. Y. 2d 73, 721 N. E. 2d 957.

No. 99-1374. *WATKINS v. PROFESSIONAL SECURITY BUREAU, LTD.* C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 439.

No. 99-1415. *ADAMS v. DRISCOLL ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 181 F. 3d 1285.

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No. 99-1456. *FLEMING SUPERMARKETS OF FLORIDA, INC. v. DAMON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 196 F. 3d 1354.

No. 99-1466. *GRASSINI v. DUPAGE TOWNSHIP ET AL.* App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 304 Ill. App. 3d 1092, — N. E. 2d —.

No. 99-1473. *LOUISIANA, THROUGH FOSTER, GOVERNOR, ET AL. v. PENN ET AL.* Sup. Ct. La. Certiorari denied. Reported below: 751 So. 2d 823.

No. 99-1475. *STONIER ET AL. v. DIGITAL EQUIPMENT CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 198 F. 3d 234.

No. 99-1477. *HEARN v. BOARD OF PUBLIC EDUCATION FOR THE CITY OF SAVANNAH AND THE COUNTY OF CHATHAM.* C. A. 11th Cir. Certiorari denied. Reported below: 191 F. 3d 1329.

No. 99-1485. *CORCORAN, EXECUTRIX OF THE ESTATE OF CORCORAN, DECEASED v. NEW YORK POWER AUTHORITY ET AL.; and CORCORAN, EXECUTRIX OF THE ESTATE OF CORCORAN, DECEASED v. SINCLAIR ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 202 F. 3d 530 (first judgment); 201 F. 3d 430 (second judgment).

No. 99-1488. *PACIFIC ETERNITY, S. A., ET AL. v. DEIULEMAR COMPAGNIA DI NAVIGAZIONE, S. P. A.* C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 473.

No. 99-1499. *BAUMGARD ET UX. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 217 F. 3d 853.

No. 99-1503. *NELSON v. UNUM LIFE INSURANCE COMPANY OF AMERICA, INC.* C. A. 9th Cir. Certiorari denied.

No. 99-1506. *CERIDIAN CORP., INDIVIDUALLY AND AS SUCCESSOR IN INTEREST TO CONTROL DATA CORP. v. BARKER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 193 F. 3d 976.

No. 99-1510. *McLAREN v. TEXAS.* Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 996 S. W. 2d 404.

No. 99-1512. *ANGELO, PERSONAL REPRESENTATIVE OF THE ESTATE OF GEE, DEBTOR, DECEASED v. GEE.* C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1115.

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No. 99-1514. *JONES v. WAREMART FOODS, INC.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 99-1516. *FRY'S FOOD STORES OF ARIZONA, INC. v. SNYDER.* C. A. 9th Cir. Certiorari denied. Reported below: 201 F. 3d 445.

No. 99-1519. *NORFOLK SOUTHERN RAILWAY Co. v. BAILEY ET AL.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 206 W. Va. 654, 527 S. E. 2d 516.

No. 99-1521. *ESTATES OF RED WOLF AND BULL TAIL ET AL. v. BURLINGTON NORTHERN RAILROAD Co.* C. A. 9th Cir. Certiorari denied. Reported below: 196 F. 3d 1059.

No. 99-1522. *WHITE v. REGENTS OF THE UNIVERSITY OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 188 F. 3d 516.

No. 99-1523. *UNITED STATES EX REL. A-1 AMBULANCE SERVICE, INC. v. COUNTY OF LOS ANGELES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 210 F. 3d 381.

No. 99-1524. *LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT v. LONG, ON BEHALF OF HIS MINOR SON, LONG, ET AL.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 743 So. 2d 743.

No. 99-1527. *WOODWARD, INDIVIDUALLY AND AS BERNALILLO COUNTY CLERK, ET AL. v. PERRY.* C. A. 10th Cir. Certiorari denied. Reported below: 199 F. 3d 1126.

No. 99-1528. *MOORE v. MOLINA ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 182 F. 3d 922.

No. 99-1536. *D. H. L. ASSOCIATES, INC. v. O'GORMAN ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 199 F. 3d 50.

No. 99-1539. *MCCLEARY ET AL. v. MIRZA, DISTRICT MINING MANAGER, PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 205 F. 3d 1329.

No. 99-1542. *LYNAS v. LYNAS.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 99-1543. *JOHNSON v. JOHNSON ET AL.* C. A. 6th Cir. Certiorari denied.

No. 99-1547. *NISCO v. TOWN OF PERINTON.* Ct. App. N. Y. Certiorari denied. Reported below: 93 N. Y. 2d 1040, 719 N. E. 2d 928.

No. 99-1550. *CORREIA v. MEACHUM, CONNECTICUT COMMISSIONER OF CORRECTIONS, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 430.

No. 99-1576. *BARNETT v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 197 F. 3d 138.

No. 99-1578. *ACCURACY IN MEDIA, INC. v. NATIONAL PARK SERVICE.* C. A. D. C. Cir. Certiorari denied. Reported below: 194 F. 3d 120.

No. 99-1587. *EVANS v. HOBBS, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 202 F. 3d 288.

No. 99-1589. *RAMEY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 438.

No. 99-1593. *JACKSON v. GAMMON, SUPERINTENDENT, MOBERLY CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 195 F. 3d 349.

No. 99-1598. *HORTON v. NORFOLK SOUTHERN RAILWAY CO.* C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1327.

No. 99-1601. *DAVIS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 200 F. 3d 820.

No. 99-1606. *PIERCE v. LUCERO, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 282.

No. 99-1608. *YSLETA DEL SUR PUEBLO v. TEXAS.* C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 658.

No. 99-1622. *ARNOLD ET AL. v. MERIT SYSTEMS PROTECTION BOARD ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 230 F. 3d 1377.

No. 99-1628. *MONTANA v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 199 F. 3d 947.

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No. 99-1631. ICELAND STEAMSHIP CO., LTD.-EIMSKIP *v.* DEPARTMENT OF THE ARMY ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 201 F. 3d 451.

No. 99-1645. KRILICH *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 99-1654. WOODS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 439.

No. 99-1664. STEWART, AKA SEALED DEFENDANT 2 *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 840.

No. 99-1668. KLISSER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 189 F. 3d 462 and 190 F. 3d 34.

No. 99-1669. ACOSTA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 200 F. 3d 820.

No. 99-7715. BRUCE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 181 F. 3d 92.

No. 99-7896. HUGGINS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 191 F. 3d 532.

No. 99-7916. KULCZAK *v.* KONTEH, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 99-7938. MOORE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 283.

No. 99-8158. DEEDRICK *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 202 F. 3d 286.

No. 99-8181. BOLDEN *v.* HESSON, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 194 F. 3d 579.

No. 99-8224. THIBODEAUX *v.* LOUISIANA. Sup. Ct. La. Certiorari denied. Reported below: 750 So. 2d 916.

No. 99-8474. SAFOUANE ET UX. *v.* WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES. Ct. App. Wash. Certiorari denied. Reported below: 95 Wash. App. 1049.

No. 99-8481. O'NEAL *v.* SINNREICH & FRANCISCO ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 203 F. 3d 841.

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No. 99-8482. *PENNINGTON v. CAGGIANO ET AL.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 723 So. 2d 931.

No. 99-8484. *ORBE v. VIRGINIA.* Sup. Ct. Va. Certiorari denied. Reported below: 258 Va. 390, 519 S. E. 2d 808.

No. 99-8485. *WILLIAMS v. INDIANA.* Sup. Ct. Ind. Certiorari denied. Reported below: 706 N. E. 2d 149.

No. 99-8486. *WEBB v. EVANS, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 284.

No. 99-8493. *THORNBURG v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 985 P. 2d 1234.

No. 99-8497. *MCDONALD v. MEYERS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 99-8499. *MARTIN v. PEREZ ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 204 F. 3d 1114.

No. 99-8500. *LEWIS v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 301 Ill. App. 3d 1087, 746 N. E. 2d 338.

No. 99-8502. *POOLE v. MITCHEM, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99-8504. *SHABAZZ v. WEST VIRGINIA.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 206 W. Va. 555, 526 S. E. 2d 521.

No. 99-8506. *RICHARDSON v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 188 F. 3d 973.

No. 99-8507. *LEON v. ESTRADA ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 205 F. 3d 1340.

No. 99-8511. *TOLBERT v. KPHN RADIO ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 194 F. 3d 1321.

No. 99-8514. *THIBEAUX v. JACKSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 1338.

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No. 99–8520. *WILSON v. JONES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99–8521. *WATERS v. HESSON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 99–8523. *WRIGHT v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 753 So. 2d 211.

No. 99–8524. *QUINONES v. GREINER, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 99–8526. *BITTERMAN v. HARDING, CHIEF JUSTICE, SUPREME COURT OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 184 F. 3d 822.

No. 99–8533. *JOHNSON v. LOUISIANA.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 747 So. 2d 61.

No. 99–8535. *GASKINS v. O'MALLEY, MAYOR OF THE CITY OF BALTIMORE.* C. A. 4th Cir. Certiorari denied.

No. 99–8538. *BREMER v. HOUSING AUTHORITY OF NEW ORLEANS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 99–8539. *MCBAY v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99–8540. *NICKERSON v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 767 So. 2d 419.

No. 99–8543. *ALLEN v. TIME WARNER CABLE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 819.

No. 99–8551. *MARCHAN MORENO v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99–8552. *BRAUN v. GIBSON, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 190 F. 3d 1181.

No. 99–8553. *ANDERSON v. LINAHAN, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 198 F. 3d 264.

No. 99–8554. *BRAZZELL v. SMITH, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 201 F. 3d 440.

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No. 99–8555. *WAYNE v. JARVIS, SHERIFF, DEKALB COUNTY, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 197 F. 3d 1098.

No. 99–8564. *COKER v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 99–8565. *DOUGLAS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99–8566. *HAYNES v. FEDERAL AVIATION ADMINISTRATION.* C. A. 10th Cir. Certiorari denied. Reported below: 198 F. 3d 258.

No. 99–8570. *FRANK v. NEBRASKA.* Ct. App. Neb. Certiorari denied. Reported below: 8 Neb. App. xcvi.

No. 99–8573. *GONZALEZ v. ASKINS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 178 F. 3d 1283.

No. 99–8577. *HABELMAN v. GARVEY, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION.* C. A. 5th Cir. Certiorari denied. Reported below: 190 F. 3d 537.

No. 99–8579. *ROBERTS v. LANGLEY, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 99–8582. *CANDELARIA v. LEMASTER, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 447.

No. 99–8588. *BATES v. BOONE, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 447.

No. 99–8589. *ALVAREZ v. WASHINGTON.* Sup. Ct. Wash. Certiorari denied.

No. 99–8592. *CARPENTER v. GREINER, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 99–8594. *OWENS v. PITCHER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 99–8599. *WOLFE v. LOUISIANA.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 738 So. 2d 1093.

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No. 99-8602. *COX v. HOOKS, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 99-8604. *POWELL v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied. Reported below: 5 S.W. 3d 369.

No. 99-8605. *SCOTT v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied.

No. 99-8606. *REYNOLDS v. GALAZA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 198 F. 3d 254.

No. 99-8610. *THOMPSON v. HICKS, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 99-8611. *THOMPSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99-8620. *MOORE v. RELIN*. C. A. 2d Cir. Certiorari denied.

No. 99-8622. *LOVE v. CUYAHOGA COUNTY PROSECUTOR'S OFFICE ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 87 Ohio St. 3d 158, 718 N. E. 2d 426.

No. 99-8626. *COLLINS v. G/H CONTRACTING CO. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 201 F. 3d 440.

No. 99-8640. *HUKILL v. AUTO CARE, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 192 F. 3d 437.

No. 99-8660. *WHITING v. SCOTT, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 99-8662. *WORTHINGTON v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 8 S.W. 3d 83.

No. 99-8665. *BIGGS v. BORG, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 205 F. 3d 1350.

No. 99-8674. *POE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 99–8678. *MIRANDA v. WORKERS’ COMPENSATION APPEALS BOARD OF CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 99–8713. *LEWIS v. DONNELLY*. C. A. 5th Cir. Certiorari denied.

No. 99–8727. *OLIVO RODRIGUEZ v. WALKER, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 99–8734. *CARTER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 200 F. 3d 815.

No. 99–8737. *BENSON v. ROBINSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99–8743. *FLANAGAN v. ARNAIZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 830.

No. 99–8749. *WESTENBURG v. CONSOLIDATED FREIGHTWAYS, INC.* Ct. App. Ore. Certiorari denied.

No. 99–8757. *FINK v. SHEDLER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 192 F. 3d 911.

No. 99–8765. *CLEMENTS v. FLORIDA PAROLE AND PROBATION COMMISSION*. C. A. 11th Cir. Certiorari denied.

No. 99–8778. *BYBEE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 99–8790. *JACKSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 202 F. 3d 264.

No. 99–8805. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 449.

No. 99–8806. *YOUNG v. SMEEKS*. C. A. 6th Cir. Certiorari denied. Reported below: 205 F. 3d 1343.

No. 99–8808. *SMITH v. GILMORE, WARDEN*. C. A. 7th Cir. Certiorari denied.

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No. 99–8821. *WOODARD v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 99–8822. *JERRY M. v. DISTRICT OF COLUMBIA ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 738 A. 2d 1206.

No. 99–8826. *PRIHODA v. SONDALLE*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 99–8828. *PRATT v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 742 A. 2d 209.

No. 99–8831. *TRUITT v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 99–8835. *JOHNSON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 99–8844. *COROPUNA v. VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 182 F. 3d 907.

No. 99–8847. *ALFONSO JAIME v. MCDANIEL*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 99–8856. *DEESE v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 753 So. 2d 94.

No. 99–8859. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 178 F. 3d 1286.

No. 99–8864. *FIDALGO v. UNITED STATES*; and
No. 99–8981. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 184 F. 3d 821.

No. 99–8871. *BELLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8872. *COLLIER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 99–8878. *MUNOZ-AMADO, AKA MUNOZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 182 F. 3d 57.

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No. 99–8893. *PERKINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 205 F. 3d 1355.

No. 99–8894. *SIMMONS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8897. *MCCOY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 188 F. 3d 504.

No. 99–8916. *MONTGOMERY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 99–8919. *BUITRAGO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 183 F. 3d 1315.

No. 99–8920. *CLARK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 195 F. 3d 446.

No. 99–8922. *TOWNSEND v. BOOKER, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 200 F. 3d 816.

No. 99–8923. *WRIGHT v. ROWLEY, SUPERINTENDENT, NORTH-EAST CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 99–8926. *DOUGHERTY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 200 F. 3d 819.

No. 99–8928. *LANKFORD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 196 F. 3d 563.

No. 99–8932. *AUSTIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 202 F. 3d 270.

No. 99–8933. *AUBORG ET AL. v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 48 Mass. App. 1106, 718 N. E. 2d 896.

No. 99–8934. *ANDREWS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 201 F. 3d 429.

No. 99–8936. *ASCURA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 99–8937. *OLDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 238.

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No. 99–8938. *DE LA LUZ SALDANA ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 202 F. 3d 265.

No. 99–8940. *SCARBOROUGH v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 99–8944. *WHEELS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 99–8946. *ARMENTROUT v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 8 S. W. 3d 99.

No. 99–8949. *IREZIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 203 F. 3d 828.

No. 99–8952. *STRADWICK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1329.

No. 99–8959. *BRYANT v. IRVIN, SUPERINTENDENT, WENDE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 99–8964. *WAI CHONG LEUNG v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 99–8966. *WILLIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8967. *WILSON v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 201 F. 3d 439.

No. 99–8969. *CLYBURN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 260.

No. 99–8970. *COLLIERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 823.

No. 99–8971. *JEMISON v. UNITED STATES*; and
No. 99–9024. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 823.

No. 99–8972. *WOMACK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 283.

No. 99–8979. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 199 F. 3d 1279.

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No. 99–8984. *REED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–8986. *BOSTON v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 202 F. 3d 1001.

No. 99–8987. *CARTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 659.

No. 99–8990. *COVINGTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 823.

No. 99–8991. *MILLOWAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 261.

No. 99–8993. *MONTOYA v. LEMASTER, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 282.

No. 99–8996. *OLGUIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 833.

No. 99–8997. *NARIO SOTO ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 261.

No. 99–8998. *PRINCE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 204 F. 3d 1021.

No. 99–9004. *BEAVERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 206 F. 3d 706.

No. 99–9011. *DAWKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 711.

No. 99–9015. *FARAH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 207 F. 3d 661.

No. 99–9018. *WHITE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 99–9019. *TAWALBEH v. UNITED STATES*;
No. 99–9071. *ABED v. UNITED STATES*;
No. 99–9072. *ABED v. UNITED STATES*; and
No. 99–9074. *ABED v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 822.

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No. 99-9021. *WHITFIELD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 657.

No. 99-9023. *YOUNG-BEY v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 127 Md. App. 797.

No. 99-9027. *PARROTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 824.

No. 99-9028. *COBB v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1328.

No. 99-9032. *BENTLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 207 F. 3d 663.

No. 99-9034. *ORCUTT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 208 F. 3d 204.

No. 99-9036. *DUNCAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 191 F. 3d 569.

No. 99-9041. *GUTIERREZ-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 438.

No. 99-9051. *CORLEY v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 741 A. 2d 1029.

No. 99-9053. *ROSEBORO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1329.

No. 99-9054. *WALKER v. CONROY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 825.

No. 99-9055. *VARELA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 207 F. 3d 661.

No. 99-9060. *RAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 173 F. 3d 853.

No. 99-9064. *MAGUIRE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 739 A. 2d 589.

No. 99-9065. *MONTILLO-ONTIVEROS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 658.

No. 99-9076. *CALAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 200 F. 3d 819.

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No. 99–9080. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–9083. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 205 F. 3d 1348.

No. 99–9086. *NAMEY ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 205 F. 3d 1330.

No. 99–9088. *ADAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 207 F. 3d 661.

No. 99–9089. *CASTANEDA-CEJA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 99–9090. *BUSTAMANTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 659.

No. 99–9101. *NATHAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 230.

No. 99–9102. *JACKSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 99–9103. *MUNGAL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 99–9111. *MARTIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 203 F. 3d 836.

No. 99–9120. *VILLAGRAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 208 F. 3d 207.

No. 99–9178. *CONWAY v. GAMBLE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 99–9194. *JONES v. COLORADO*. Ct. App. Colo. Certiorari denied. Reported below: 990 P. 2d 1098.

No. 99–1176. *MCI COMMUNICATIONS CORP. AND SUBSIDIARIES ET AL. v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 192 F. 3d 1068.

No. 99–1478. *LABORA v. MCI TELECOMMUNICATIONS CORP.* C. A. 11th Cir. Certiorari denied. JUSTICE O’CONNOR took no

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part in the consideration or decision of this petition. Reported below: 204 F. 3d 1121.

No. 99-1480. MRO COMMUNICATIONS, INC. *v.* AT&T CORP. C. A. 9th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 205 F. 3d 1351.

No. 99-1515. MRO COMMUNICATIONS, INC. *v.* AT&T CORP. C. A. 9th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 197 F. 3d 1276.

No. 99-1468. FLORIDA *v.* WILSON. Dist. Ct. App. Fla., 4th Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 734 So. 2d 1107.

No. 99-1470. SUBLETT ET AL. *v.* SWOOPES. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 196 F. 3d 1008.

No. 99-1564. MAHONEY, WARDEN *v.* GOLLEHON. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 99-1502. AMOCO PRODUCTION CO. *v.* LOBO EXPLORATION CO. Ct. Civ. App. Okla. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 991 P. 2d 1048.

No. 99-1591. GOODE, DBA MR. BONES BBQ *v.* CITY OF AUSTIN ET AL. C. A. 5th Cir. Motion of Americans for the Defense of Constitutional Rights for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 202 F. 3d 265.

Rehearing Denied

No. 98-9727. BISBY *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 528 U. S. 849;

No. 99-220. DCR, INC., ET AL. *v.* PIERCE COUNTY, *ante*, p. 1053;

No. 99-949. DAHLSTROM *v.* UNITED STATES, *ante*, p. 1036;

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No. 99–1013. MICCOSUKEE TRIBE OF INDIANS OF FLORIDA ET AL. *v.* TAMIAMI PARTNERS, LTD, BY AND THROUGH ITS GENERAL PARTNER, TAMIAMI DEVELOPMENT CORP., *ante*, p. 1018;

No. 99–1260. WELDON ET UX. *v.* FARM CREDIT SERVICES OF MICHIGAN’S HEARTLAND, PCA, *ante*, p. 1021;

No. 99–1297. MENSAH *v.* ST. JOSEPH COUNTY FAMILY INDEPENDENCE AGENCY ET AL., *ante*, p. 1038;

No. 99–5134. HOWLAND *v.* TEXAS, 528 U.S. 887;

No. 99–7157. RASTEN *v.* DEPARTMENT OF LABOR, 528 U.S. 1124;

No. 99–7179. ZIMBOVSKY *v.* MASSACHUSETTS, 528 U.S. 1125;

No. 99–7282. SIRBAUGH *v.* ELO, WARDEN, 528 U.S. 1165;

No. 99–7363. RANDON *v.* HUBBARD, WARDEN, 528 U.S. 1167;

No. 99–7409. LANE *v.* NATIONAL DATA CORP., *ante*, p. 1023;

No. 99–7525. WEEKS *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 528 U.S. 1171;

No. 99–7572. MCFADDEN *v.* FORD MOTOR CO. ET AL., 528 U.S. 1192;

No. 99–7717. CROSBY *v.* LAMBERT ET AL., *ante*, p. 1009;

No. 99–7762. ROBINSON *v.* LUKER ET AL., *ante*, p. 1024;

No. 99–7775. ALVARADO *v.* MCKAY ET AL., *ante*, p. 1024;

No. 99–7798. BRADLEY *v.* UNITED STATES, 528 U.S. 1193;

No. 99–7814. IN RE DAVAGE, 528 U.S. 1187;

No. 99–7927. MCKIRE *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 1040;

No. 99–8021. MARCUM *v.* OSCAR MAYER FOODS CORP. ET AL., *ante*, p. 1041;

No. 99–8143. MONTANYA *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 1042;

No. 99–8226. WALLACE *v.* FLORIDA, *ante*, p. 1030; and

No. 99–8241. BOSTEDT *v.* WISCONSIN, *ante*, p. 1031. Petitions for rehearing denied.

No. 99–835. STEWART *v.* UNITED STATES, 528 U.S. 1063;

No. 99–1213. WILLIAMS ET AL. *v.* MICHIGAN ET AL., *ante*, p. 1020; and

No. 99–5771. HART ET UX. *v.* ELDER ET AL., 528 U.S. 953. Motions for leave to file petitions for rehearing denied.

No. 99–1224. LEFKOWITZ *v.* UNITED STATES, 528 U.S. 1190. Motion of petitioner for leave to proceed further herein *in forma*

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pauperis granted. Motion for leave to file petition for rehearing denied.

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Dismissal Under Rule 46

No. 99–9008. GOLLEHON *v.* MAHONEY, WARDEN. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46.1.

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Certiorari Granted—Vacated and Remanded

No. 99–1227. BRYON L. ROSQUIST, D. C., P. C., ET AL. *v.* MCCANN ET AL. C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Morrison*, *ante*, p. 598. Reported below: 185 F. 3d 1113.

No. 99–1583. PENNSYLVANIA *v.* D. M. Sup. Ct. Pa. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Illinois v. Wardlow*, 528 U.S. 119 (2000). Reported below: 560 Pa. 166, 743 A. 2d 422.

Certiorari Dismissed

No. 99–8696. BUCHANAN *v.* DOE. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 198 F. 3d 244.

No. 99–8752. GIBSON *v.* SUSQUEHANNA TOWNSHIP COMMISSIONERS. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 203 F. 3d 816.

Miscellaneous Orders

No. D–2137. IN RE DISBARMENT OF GEREIGHTY. Disbarment entered. [For earlier order herein, see 528 U.S. 1112.]

No. D–2140. IN RE DISBARMENT OF MOORE. Disbarment entered. [For earlier order herein, see 528 U.S. 1150.]

No. D–2143. IN RE DISBARMENT OF SPINA. Disbarment entered. [For earlier order herein, see 528 U.S. 1150.]

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No. D-2146. IN RE DISBARMENT OF SCULLY. Disbarment entered. [For earlier order herein, see 528 U.S. 1150.]

No. D-2147. IN RE DISBARMENT OF CARLSON. Disbarment entered. [For earlier order herein, see 528 U.S. 1151.]

No. D-2151. IN RE DISBARMENT OF TRAVIS. Disbarment entered. [For earlier order herein, see *ante*, p. 1035.]

No. D-2155. IN RE DISBARMENT OF MOORE. Disbarment entered. JUSTICE STEVENS, JUSTICE KENNEDY, JUSTICE SOUTER, and JUSTICE GINSBURG dissent. [For earlier order herein, see *ante*, p. 1063.]

No. D-2160. IN RE DISBARMENT OF TIERNEY. James Patrick Tierney, of Malibu, 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-2161. IN RE DISBARMENT OF SOKOLOW. Lloyd B. Sokolow, of Schenectady, 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-2162. IN RE DISBARMENT OF MURCHISON. Alton G. Murchison III, of Charlotte, N. 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-2163. IN RE DISBARMENT OF FRIEDLER. Sydney Friedler, of Hempstead, 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-2164. IN RE DISBARMENT OF CARLSON. Robert Bent Carlson, of North Port, 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-2165. IN RE DISBARMENT OF TAMER. David Ferris Tamer, of Winston-Salem, N. C., is suspended from the practice

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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. 99M87. *ZIMBOVSKY v. MASSACHUSETTS*. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 99M88. *TILLIS TRUCKING CO., INC. v. MOSES ET AL.*; and No. 99M89. *HUERTAS BARBOSA ET AL. v. ALEJANDRO BUITRAGO HOSPITAL ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 99-1295. *GITLITZ ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. [Certiorari granted, *ante*, p. 1097.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 99-8264. *DELESPINE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1063] denied.

No. 99-9052. *SAMUEL v. NATHAN'S FAMOUS OPERATING CORP.* C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until June 12, 2000, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 99-9267. *IN RE CAVANAUGH*. Petition for writ of habeas corpus denied.

No. 99-9294. *IN RE GALLOWAY*. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

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No. 99–8724. IN RE KING;
No. 99–8751. IN RE HARRIS; and
No. 99–8829. IN RE SHORT. Petitions for writs of mandamus denied.

Certiorari Granted

No. 99–1257. BROWNER, ADMINISTRATOR OF ENVIRONMENTAL PROTECTION AGENCY, ET AL. *v.* AMERICAN TRUCKING ASSNS., INC., ET AL. C. A. D. C. Cir. Certiorari granted. Reported below: 175 F. 3d 1027 and 195 F. 3d 4.

No. 99–1178. SOLID WASTE AGENCY OF NORTHERN COOK COUNTY *v.* UNITED STATES ARMY CORPS OF ENGINEERS ET AL. C. A. 7th Cir. Motions of Pacific Legal Foundation and Randy Peterson, National Association of Home Builders, and American Farm Bureau Federation for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 191 F. 3d 845.

No. 99–1379. CIRCUIT CITY STORES, INC. *v.* ADAMS. C. A. 9th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 194 F. 3d 1070.

No. 99–6218. ROGERS *v.* TENNESSEE. Sup. Ct. Tenn. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 992 S. W. 2d 393.

Certiorari Denied

No. 98–1996. PELCHAT *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 175 F. 3d 1025.

No. 98–9402. DAVIS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 173 F. 3d 430.

No. 98–9601. BEARDEN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 178 F. 3d 1296.

No. 99–1203. THERIOT ET AL. *v.* PARISH OF JEFFERSON ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 185 F. 3d 477.

No. 99–1209. NOVATO FIRE PROTECTION DISTRICT *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 181 F. 3d 1135.

No. 99–1283. KUMAR *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 187 F. 3d 639.

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No. 99-1367. *ABBOTT ET AL. v. MEDGAR EVERS HOUSES ASSOCIATES, L. P., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 201 F. 3d 430.

No. 99-1370. *NEW YORK ET AL. v. YONKERS BOARD OF EDUCATION ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 197 F. 3d 41.

No. 99-1439. *ANDEREGG v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 96 Wash. App. 167, 978 P. 2d 1121.

No. 99-1526. *UNIVERSITY OF COLORADO FOUNDATION, INC., ET AL. v. AMERICAN CYANAMID CO.* C. A. Fed. Cir. Certiorari denied. Reported below: 196 F. 3d 1366.

No. 99-1537. *BORDEN, INC., ET AL. v. MORTON'S MARKET, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 198 F. 3d 823.

No. 99-1538. *TARANTO, DBA TUNDRA TAXI v. NORTH SLOPE BOROUGH.* Sup. Ct. Alaska. Certiorari denied. Reported below: 992 P. 2d 1111.

No. 99-1545. *GONZALES ET UX., INDIVIDUALLY AND AS PERSONAL REPRESENTATIVES OF THE ESTATE OF GONZALES, DECEASED v. CITY OF KERRVILLE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 1337.

No. 99-1546. *LAKE CHARLES STEVEDORES, INC. v. PROFESSOR VLADIMIR POPOV MV IN REM.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 220.

No. 99-1561. *OLIVER ET VIR v. SAHA ET AL.* Ct. App. Ky. Certiorari denied.

No. 99-1569. *DAVIS v. HANOVER INSURANCE Co.* App. Ct. Mass. Certiorari denied. Reported below: 48 Mass. App. 1108, 719 N. E. 2d 896.

No. 99-1588. *STANTON v. DISTRICT OF COLUMBIA COURT OF APPEALS.* C. A. D. C. Cir. Certiorari denied.

No. 99-1599. *HOPPER ET AL. v. ROBINSON, ADMINISTRATOR OF THE ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF ILLINOIS.* Sup. Ct. Ill. Certiorari denied.

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No. 99-1610. *YSLETA DEL SUR PUEBLO v. LANEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 281.

No. 99-1617. *MCMASTER v. MICHIGAN NATIONAL CORP. ET AL.* Sup. Ct. Mich. Certiorari denied. Reported below: 459 Mich. 989, 595 N. W. 2d 823.

No. 99-1661. *RENNERT v. UNITED STATES; MILLER v. UNITED STATES; and JENSEN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 202 F. 3d 255.

No. 99-1670. *WEBB ET UX. v. MENDENHALL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 210 F. 3d 388.

No. 99-1703. *CHOE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 203 F. 3d 833.

No. 99-1712. *BENAVIDES v. GERVER ET UX.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 207 W. Va. 228, 530 S. E. 2d 701.

No. 99-6879. *MARLOW v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 187 F. 3d 644.

No. 99-7908. *RODIA v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 194 F. 3d 465.

No. 99-7918. *WILLIAMS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 199 F. 3d 1324.

No. 99-7958. *DEWBERRY v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 4 S. W. 3d 735.

No. 99-8016. *ABRAM v. LAXTON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 249.

No. 99-8244. *RICHARDSON v. RICHARDSON;*

No. 99-8245. *RICHARDSON v. AMERICA ONLINE;*

No. 99-8246. *RICHARDSON v. SPRINT PCS;*

No. 99-8247. *RICHARDSON v. FIRST NATIONAL BANK OF MARYLAND;* and

No. 99-8287. *RICHARDSON v. BELL ATLANTIC CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 199 F. 3d 1327.

No. 99-8271. *BURTON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 191 F. 3d 461.

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No. 99-8639. *DUNCAN v. BARRERAS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 447.

No. 99-8641. *JACKSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99-8643. *MCDOWELL v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 115 Nev. 575, 24 P. 3d 270.

No. 99-8646. *MAHON v. COUNTY OF LOS ANGELES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 210 F. 3d 384.

No. 99-8648. *JONES v. COMMISSIONER OF LABOR OF NEW YORK.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 258 App. Div. 2d 795, 685 N. Y. S. 2d 869.

No. 99-8664. *COFFEE v. DOTH, COMMISSIONER OF HUMAN SERVICES OF MINNESOTA.* Ct. App. Minn. Certiorari denied.

No. 99-8669. *TAYLOR v. DEES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 190 F. 3d 543.

No. 99-8670. *WELCH v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 202 F. 3d 262.

No. 99-8671. *WALKER v. AKERS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 99-8673. *STEMLEY v. FOTI, SHERIFF OF ORLEANS PARISH, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 99-8679. *JEFFERS v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 99-8680. *MANTHEI v. BOGAN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 201 F. 3d 448.

No. 99-8686. *ALDRIDGE v. ZULPO-DANE ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 99-8687. *ANGLETON v. INDIANA.* Sup. Ct. Ind. Certiorari denied. Reported below: 714 N. E. 2d 156.

No. 99-8689. *CLAY v. SANDERS, JUDGE, CIRCUIT COURT OF MISSISSIPPI, WILKINSON COUNTY.* C. A. 5th Cir. Certiorari denied. Reported below: 199 F. 3d 440.

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No. 99–8690. *AYERS v. CITY OF MEMPHIS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 99–8693. *DOMINGUEZ v. KUHLMANN, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 99–8698. *PRUITT v. IRVIN, SUPERINTENDENT, WENDE CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 99–8709. *STEWART v. ILLINOIS.* App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 302 Ill. App. 3d 1102, 746 N. E. 2d 915.

No. 99–8719. *WILLIAMS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 99–8722. *MUHAMMAD v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99–8723. *MORSE v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 99–8726. *RICHARDSON v. BROAD LANE, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 822.

No. 99–8728. *BAPTIST v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 303 Ill. App. 3d 1118, 747 N. E. 2d 1115.

No. 99–8729. *KINCHLOE v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 99–8730. *LASSAN v. CITY OF GULF SHORES.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 778 So. 2d 877.

No. 99–8731. *LEE v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 768 So. 2d 1032.

No. 99–8735. *CITTADINO v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 99–8736. *BUTLER v. PITZER, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 99–8738. *ALFORD v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 208 F. 3d 205.

No. 99–8739. *DUKE v. ABSENTEE SHAWNEE TRIBE OF OKLAHOMA HOUSING AUTHORITY*. C. A. 10th Cir. Certiorari denied. Reported below: 199 F. 3d 1123.

No. 99–8744. *HAIRSTON v. IDAHO*. Sup. Ct. Idaho. Certiorari denied. Reported below: 133 Idaho 496, 988 P. 2d 1170.

No. 99–8756. *PENNS v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 758 So. 2d 776.

No. 99–8760. *MCLEAN v. MEMBERS OF VIRGINIA BOARD OF CORRECTIONS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 821.

No. 99–8761. *MARSH v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 99–8762. *MURDOCK v. WASHINGTON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 193 F. 3d 510.

No. 99–8763. *ATKINS v. TESSMER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 99–8764. *CORONADO v. WALKER, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 99–8773. *HILL v. BRIGANO, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 199 F. 3d 833.

No. 99–8784. *COUTEE v. DORMIRE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 198 F. 3d 249.

No. 99–8834. *KIKUYAMA v. MADDOCK, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 202 F. 3d 278.

No. 99–8845. *CHAPPELL v. DEEDS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 198 F. 3d 236.

No. 99–8857. *FARMER v. TRENT, WARDEN, ET AL.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 206 W. Va. 231, 523 S. E. 2d 547.

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No. 99-8885. *SLEDGE v. NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 822.

No. 99-8960. *ATAMIAN v. GORKIN*. Sup. Ct. Del. Certiorari denied. Reported below: 746 A. 2d 275.

No. 99-9010. *GARCIA v. HENRY*. C. A. 9th Cir. Certiorari denied. Reported below: 210 F. 3d 382.

No. 99-9012. *FLETCHER v. NORTH CAROLINA DEPARTMENT OF REVENUE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 820.

No. 99-9046. *PAUL v. DEPARTMENT OF THE NAVY*. C. A. Fed. Cir. Certiorari denied. Reported below: 217 F. 3d 860.

No. 99-9059. *SHAYESTEH v. UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT*. C. A. 10th Cir. Certiorari denied.

No. 99-9066. *MARTIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 658.

No. 99-9082. *MCNEIL v. CORCORAN, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 821.

No. 99-9093. *PEREZ-DE ANGEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 207 F. 3d 658.

No. 99-9094. *ROMERO-CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 201 F. 3d 374.

No. 99-9106. *ANCISO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 210 F. 3d 385.

No. 99-9109. *BOLLMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99-9125. *NORFLEET v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 202 F. 3d 270.

No. 99-9129. *WALKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99-9132. *BROCAMONTE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 203 F. 3d 836.

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No. 99-9137. *GRIFFIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 208 F. 3d 1006.

No. 99-9138. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 189 F. 3d 483.

No. 99-9142. *FORREST v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 185 F. 3d 870.

No. 99-9145. *GREEN v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 55 Conn. App. 706, 740 A. 2d 450.

No. 99-9147. *HAKOPIAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 210 F. 3d 386.

No. 99-9148. *GEORGE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 201 F. 3d 370.

No. 99-9149. *GIOVANNANGELI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99-9150. *GEDMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 208 F. 3d 1006.

No. 99-9152. *GRAHAM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 99-9153. *DAMERVILLE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 197 F. 3d 287.

No. 99-9155. *HOLMES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 193 F. 3d 200.

No. 99-9156. *ENIGWE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 191 F. 3d 449.

No. 99-9157. *FAIRLY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 99-9159. *DYSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 99-9161. *RASHID v. RENO, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 99-9163. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 198 F. 3d 262.

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No. 99–9167. *COX v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 210 F. 3d 369.

No. 99–9169. *BETEMIT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 99–9173. *SANCHEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 205 F. 3d 1349.

No. 99–9184. *PATTERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 824.

No. 99–9189. *BUCKLEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 192 F. 3d 708.

No. 99–9192. *UPSHAW v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 205 F. 3d 1327.

No. 99–9197. *PENA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 205 F. 3d 1326.

No. 99–9200. *TURNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 194 F. 3d 1307.

No. 99–9203. *MAJORS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 196 F. 3d 1206.

No. 99–9204. *MARINO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 200 F. 3d 6.

No. 99–9211. *STONE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 203 F. 3d 824.

No. 99–9215. *CALDERON-ESPINOZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 210 F. 3d 386.

No. 99–9219. *MANSILLA-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 205 F. 3d 1337.

No. 99–9226. *RODRIGUEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 99–9239. *JONES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 202 F. 3d 283.

No. 99–9240. *LESLIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 211 F. 3d 597.

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No. 99–9241. *STEVENSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 205 F. 3d 1326.

No. 99–9242. *GODWIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 202 F. 3d 969.

No. 99–9243. *DEHANEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 205 F. 3d 1325.

No. 99–9246. *GEERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–9254. *FULLER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 197 F. 3d 271.

No. 99–9261. *COLEMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 99–9262. *ALEXANDER v. FLOWERS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 208 F. 3d 225.

No. 99–9270. *McSWAIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 197 F. 3d 472.

No. 99–781. *AVIS RENT A CAR SYSTEM, INC., ET AL. v. AGUILAR ET AL.* Sup. Ct. Cal. Certiorari denied. Reported below: 21 Cal. 4th 121, 980 P. 2d 846.

JUSTICE THOMAS, dissenting.

“Any system of prior restraints of expression comes to this Court bearing a heavy presumption against its constitutional validity.” *Bantam Books, Inc. v. Sullivan*, 372 U. S. 58, 70 (1963). The presumption is by no means rebutted here. For one, the unprecedented injunction entered by the courts below, which bars petitioner John Lawrence from uttering in the workplace any of a judicially drawn list of words deemed offensive to Latino employees, very likely suppresses fully protected speech. But even if some types of harassing speech in the workplace do not enjoy First Amendment protection, there has been no showing that a prior restraint, rather than the less severe remedy of money damages for any future violations, is necessary to regulate Lawrence’s speech. Further, the injunction here is not narrowly tailored, as it applies even to isolated remarks and to remarks outside the hearing of respondents or any Latino employee. For these reasons, I respectfully dissent from the Court’s denial of certiorari.

I

Respondents, who are Latinos, were employed as drivers at petitioner Avis Rent A Car System, Inc.'s San Francisco airport facility. According to the complaint, Lawrence, another employee of the facility, routinely harassed only the Latino drivers, calling them derogatory names and demeaning them on the basis of their race, national origin, and lack of English language skills. Lawrence also appears to have engaged in uninvited touching of the Latino drivers. Respondents filed suit against Lawrence and Avis in California court under that State's Fair Employment and Housing Act (FEHA), which makes it unlawful "[f]or an employer . . . or any other person, because of race . . . [or] national origin . . . to harass an employee or applicant." Cal. Govt. Code Ann. § 12940(h) (West 1992). A jury returned special verdicts in favor of respondents, finding that Lawrence had engaged in harassment and that Avis knew or should have known of Lawrence's conduct. Respondents were each awarded \$25,000 in damages, except for one who was found by the jury not to have suffered emotional distress.

The trial court then considered respondents' request for injunctive relief. Over the objection of petitioners that there was no evidence of ongoing harm such as would justify an injunction (Lawrence had not harassed anyone at work for two years), the trial court granted the requested injunction. Specifically, it ordered:

"1. Defendant John Lawrence shall cease and desist from using any derogatory racial or ethnic epithets directed at, or descriptive of, Hispanic/Latino employees of Avis Rent A Car System, Inc., and shall further refrain from any uninvited intentional touching of said Hispanic/Latino employees, as long as he is employed by Avis Rent A Car System, Inc. in California.

"2. Defendant Avis Rent A Car System, Inc. shall cease and desist from allowing defendant John Lawrence to commit any of the acts described in paragraph 1 above, under circumstances in which it knew or should have known of such acts" App. to Pet. for Cert. C2.

Lawrence and Avis appealed from the injunction portion of the judgment, claiming it is impermissibly overbroad and vague. The Court of Appeal agreed to an extent, holding that the injunction

must be restricted to Lawrence's speech *in the workplace* and articulated in the form of an exemplary list of forbidden words, but upheld the injunction in all other respects.

A divided California Supreme Court affirmed. 21 Cal. 4th 121 (1999). The plurality opinion, at the outset, declined to entertain petitioners' contention that the First Amendment prohibits application of employment discrimination laws to the sort of harassing speech that creates a "hostile environment," deeming the argument waived by petitioners' decision not to challenge the jury findings of liability and damages for their past conduct. *Id.*, at 131, n. 3, 136–137, n. 5. The plurality then turned to the propriety of the injunctive remedy, accepting at face value the trial court's finding of a "substantial likelihood" that Lawrence would harass again unless restrained. *Id.*, at 132. The plurality rejected petitioners' First Amendment objection, holding that the injunction is not an invalid prior restraint "because the order was issued only after the jury determined that defendants had engaged in employment discrimination, and the order simply precluded defendants from continuing their unlawful activity." *Id.*, at 138. A concurring opinion addressed the threshold question deemed waived by the plurality, concluding that, while FEHA's restrictions are content based when applied to pure speech, the First Amendment does not prohibit such application of FEHA. *Id.*, at 164, 166 (opinion of Werdegar, J.). Justices Mosk, Kennard, and Brown each filed dissenting opinions. See *id.*, at 169 (opinion of Mosk, J.); *id.*, at 176 (opinion of Kennard, J.); *id.*, at 189 (opinion of Brown, J.).

II

I would grant certiorari to address the troubling First Amendment issues raised by this injunction. Attaching liability to the utterance of words in the workplace is likely invalid for the simple reason that this speech is fully protected speech.¹ No one claims

¹ Like the concurring and dissenting justices below, I do not consider this argument waived by virtue of petitioners' decision not to appeal the money damages portion of the judgment. A First Amendment objection is, as a matter of logic, available against the money damages portion, the injunction portion, or both. Petitioners may well have thought their First Amendment claim weaker with respect to the money damages portion because Lawrence's past conduct consisted of speech *and* conduct (whereas the injunction prohibits pure speech independent of any conduct), cf. *NLRB v. Virginia Elec. & Power Co.*, 314 U.S. 469, 478 (1941), and because prior restraints

that the words on the “exemplary list” (to be drafted by the trial court on remand) qualify as fighting words, see *Chaplinsky v. New Hampshire*, 315 U.S. 568, 572 (1942), obscenity, see *Miller v. California*, 413 U.S. 15, 24 (1973), or some other category of speech currently recognized as outside the scope of First Amendment protection. Even if these words do constitute so-called “low-value speech,” the content-based nature of FEHA’s restriction—which bars speech based upon “race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation,” Cal. Govt. Code Ann. §12940(h)(1) (West Supp. 2000) but not because of political affiliation, union membership, or numerous other traits—renders it invalid under our current jurisprudence. *R. A. V. v. St. Paul*, 505 U.S. 377, 391 (1992).

To uphold the application of a content-based antidiscrimination law such as FEHA to pure speech in the workplace, then, we would have to substantially modify our First Amendment jurisprudence. This is not to say that there are no doctrinal bases for such a modification. As the concurring opinion below pointed out, for example, we have held that public employers retain some leeway to regulate their employees’ speech in the workplace, see 21 Cal. 4th, at 156 (Werdegar, J., concurring) (citing *Connick v. Myers*, 461 U.S. 138 (1983)), and have occasionally stated that speech may be more readily restricted when the audience is “captive” and cannot avoid the objectionable speech, see 21 Cal. 4th, at 159 (Werdegar, J., concurring) (citing *Frisby v. Schultz*, 487 U.S. 474 (1988)). On the other hand, these analogies may not quite translate to the instant problem. See, *e.g.*, 21 Cal. 4th, at 184–185 (Kennard, J., dissenting) (discussing captive audience doctrine); Volokh, Freedom of Speech and Workplace Harassment, 39 UCLA L. Rev. 1791, 1821 (1992) (arguing that this Court’s cases on speech in the workplace do not support a “workplace speech exception” broad enough to justify harassment law). In light of the difficulty of these issues, it is not surprising that even those commentators who conclude the First Amendment generally permits application of harassment laws to workplace speech recognize exceptions where First Amendment interests are especially strong. See, *e.g.*, Fallon, Sexual Harassment, Content Neutrality,

are especially suspect under the First Amendment, see, *e.g.*, *Southeastern Promotions, Ltd. v. Conrad*, 420 U.S. 546, 558–559 (1975).

and the First Amendment Dog that Didn't Bark, 1994 S. Ct. Rev. 1, 41, 47 (exception for speech that is reasonably designed or intended to contribute to reasoned debate on issues of public concern).

But even assuming that some pure speech in the workplace may be proscribed consistent with the First Amendment when it violates a workplace harassment law, special First Amendment problems are presented when, as here, the proscription takes the form of a prior restraint. We have, since *Near v. Minnesota ex rel. Olson*, 283 U.S. 697 (1931), evaluated injunctions against speech as prior restraints, which entails the strictest scrutiny known to our First Amendment jurisprudence. As we have explained:

“The presumption against prior restraints is heavier—and the degree of protection broader—than that against limits on expression imposed by criminal penalties. Behind the distinction is a theory deeply etched in our law: a free society prefers to punish the few who abuse rights of speech *after* they break the law than to throttle them and all others beforehand. It is always difficult to know in advance what an individual will say, and the line between legitimate and illegitimate speech is often so finely drawn that the risks of freewheeling censorship are formidable.” *Southeastern Promotions, Ltd. v. Conrad*, 420 U.S. 546, 558–559 (1975).

The instant injunction is insufficiently tailored in at least three respects, raising serious doubts concerning whether “the challenged provisions of the injunction burden no more speech than necessary to serve a significant government interest.” *Madsen v. Women's Health Center, Inc.*, 512 U.S. 753, 765 (1994).²

First, the injunction prohibits even a single utterance of a prohibited word. Yet a hostile environment for purposes of FEHA only arises “[w]hen the workplace is permeated with discrimina-

² Although a content-neutral injunction is not treated as a prior restraint, see *Schenck v. Pro-Choice Network of Western N. Y.*, 519 U.S. 357, 372 (1997); *Madsen*, 512 U.S., at 763–764, n. 2, the instant injunction is indisputably content based. See 21 Cal. 4th 121, 164 (1999) (Werdegar, J., concurring); *id.*, at 172 (Mosk, J., dissenting). I apply the *Madsen* standard here because, if the injunction fails the *Madsen* standard for content-neutral injunctions, *a fortiori* it fails whatever standard applies to content-based injunctions.

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tory intimidation, ridicule, and insult, that is sufficiently severe or pervasive to alter the conditions of the victim's employment and create an abusive working environment." *Harris v. Forklift Systems, Inc.*, 510 U.S. 17, 21 (1993) (internal quotation marks and citation omitted); see 21 Cal. 4th, at 130 (plurality opinion) ("California courts have adopted the [*Harris*] standard in evaluating claims under the FEHA"). It simply cannot be known in advance whether a particular utterance will create (or recreate) a hostile environment under this standard, and speculation simply does not suffice to rebut the heavy presumption against a prior restraint. See *Southeastern Promotions, supra*, at 561; *New York Times Co. v. United States*, 403 U.S. 713, 725–726 (1971) (Brennan, J., concurring) ("[T]he First Amendment tolerates absolutely no prior judicial restraints of the press predicated upon surmise or conjecture that untoward consequences may result"). The alternative remedy of a money damages judgment for future violations would solve the problem. *Second*, there has been no showing that the prospect of a money damages judgment for future violations would fall short of deterring petitioners from recreating a hostile environment, especially when a second money damages judgment might include hefty punitive damages and attorney's fees. See 21 Cal. 4th, at 194 (Brown, J., dissenting). Indeed, it appears from the transcript of the injunction hearing held in 1994 that Lawrence had not engaged in any harassing speech or conduct since 1992. See App. to Brief in Opposition A9. *Third*, the prohibition applies without regard to whether the utterance is directed at, or within earshot of, respondents (or, for that matter, any Latino employee), and contains no exception for speech that might contribute to reasoned debate.

My colleagues are perhaps dissuaded from granting certiorari by the paucity of lower court decisions addressing the First Amendment implications of workplace harassment law, and by the incomplete factual record in this case. Neither is a persuasive reason to deny certiorari. *First*, we must remember that we deal here with a claim at the core of the First Amendment—that the State is suppressing speech that it dislikes. For the same reason that we evaluate prior restraints under a heavy presumption against their validity (the harm from delay), we should decide the issue now. And the thorough treatment of the issues by the several opinions below makes it especially unnecessary to await a split in the lower courts. *Second*, while it is true that the

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record does not reveal the past speech and conduct upon which the jury based its money damages award and the trial court based its grant of injunctive relief, the record does plainly indicate the scope of the injunction and the conclusory nature of the trial court's findings as to the need for an injunction. Though the record may disable us from resolving here and now every detail of the interaction between the First Amendment and workplace harassment law, an incremental approach to this area would seem wise in any event. I respectfully dissent.

No. 99-1277. PHILIP MORRIS INC. ET AL. *v.* ENGLE ET AL. Dist. Ct. App. Fla., 3d Dist. Motion of Chamber of Commerce of the United States for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 746 So. 2d 457.

No. 99-1533. M. C. PRODUCTS ET AL. *v.* AT&T CORP.; and AUDIO ENTERTAINMENT NETWORK, INC., ET AL. *v.* AT&T CORP. C. A. 9th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 205 F. 3d 1351 (first judgment) and 1350 (second judgment).

No. 99-1534. RAY ET AL. *v.* IWANSKI, PERSONAL ADMINISTRATOR OF THE ESTATE OF IWANSKI, DECEASED. C. A. 10th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 201 F. 3d 448.

No. 99-1565. AMERICAN AIRLINES, INC. *v.* CRUZ, FOR HERSELF AND AS REPRESENTATIVE OF CRUZ AND RODRIGUEZ, MINORS, ET AL. C. A. D. C. Cir. Motion of Air Transport Association of America for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 193 F. 3d 526.

Rehearing Denied

No. 99-1275. SCHEIDLY *v.* TRAVELERS INSURANCE Co., *ante*, p. 1054;

No. 99-1276. GREENE *v.* DOUGLAS ET AL., *ante*, p. 1038;

No. 99-1309. CHANDLER *v.* CHANDLER ET AL., *ante*, p. 1054;

No. 99-6512. JAMES *v.* HANKS, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY, 528 U. S. 1027;

No. 99-6808. GENCO *v.* UNITED STATES ET AL., 528 U. S. 1065;

No. 99-6913. GENCO *v.* UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON (two judgments), 528 U. S. 1090;

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- No. 99-6978. MITCHELL *v.* UNITED STATES, 528 U.S. 1056;
- No. 99-7177. WARD *v.* TRENT, WARDEN, *ante*, p. 1055;
- No. 99-7178. TSU ET UX. *v.* TRACY FEDERAL BANK ET AL., *ante*, p. 1023;
- No. 99-7322. WATTS *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 528 U.S. 1166;
- No. 99-7676. LINDSEY *v.* CATOE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 1008;
- No. 99-7825. SOLIS SOSA *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 1056;
- No. 99-7860. KLUMPP *v.* LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, *ante*, p. 1039;
- No. 99-7872. LINGAR *v.* LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, *ante*, p. 1039;
- No. 99-7982. TAYLOR *v.* CALIFORNIA, *ante*, p. 1056;
- No. 99-8013. IFABIYI, AKA DEBROWN, AKA BELL, AKA BELLO *v.* UNITED STATES, *ante*, p. 1010;
- No. 99-8029. KIPKIRWA *v.* SANTA CLARA COUNTY, CALIFORNIA, ET AL., *ante*, p. 1057;
- No. 99-8048. ARRINGTON *v.* BROWARD COMMUNITY COLLEGE, SOUTH CAMPUS, *ante*, p. 1058;
- No. 99-8072. MENDOZA ET AL. *v.* PENNINGTON ET AL., *ante*, p. 1042; and
- No. 99-8644. MADDEN *v.* UNITED STATES, *ante*, p. 1079. Petitions for rehearing denied.

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Certiorari Denied

No. 99-9269. RICHARDSON *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 203 F. 3d 827.

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Miscellaneous Order

No. 99–9577 (99A950). IN RE FOSTER. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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Miscellaneous Order

No. 99–8297 (99A956). CLAYTON *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 1059. Motion for leave to file petition for rehearing 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.