

ORDERS FOR JUNE 11 THROUGH
SEPTEMBER 25, 2001

JUNE 11, 2001

Certiorari Granted—Vacated and Remanded

No. 00–1479. ROBERTSON *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Penry v. Johnson*, 532 U. S. 782 (2001). Reported below: 234 F. 3d 890.

Certiorari Dismissed

No. 00–9281. SUMTER *v.* SAYBOLT, INC., 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: 248 F. 3d 1131.

Miscellaneous Orders

No. D–2245. IN RE DISBARMENT OF GREEN. Disbarment entered. [For earlier order herein, see 531 U. S. 1139.]

No. 00M95. JOHNSON *v.* CLEVELAND BOARD OF EDUCATION; and

No. 00M96. DUNIGAN *v.* FEDERAL BUREAU OF INVESTIGATION, CRIMINAL INVESTIGATIVE DIVISION. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 00–8501. BAKER *v.* THOMPSON, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [532 U. S. 955] denied.

No. 00–10029. IN RE ROBINSON; and

No. 00–10104. IN RE CROSBY. Petitions for writs of habeas corpus denied.

No. 00–9305. IN RE KASKA;

No. 00–9357. IN RE ROBINSON;

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No. 00–9359. IN RE RICHARDSON; and
No. 00–9819. IN RE HARRIS. Petitions for writs of mandamus denied.

No. 00–9390. IN RE BOWEN; and
No. 00–9392. IN RE REED. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Denied

No. 00–896. O'BRIEN *v.* UNITED STATES; and
No. 00–997. SCHMIDT ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 229 F. 3d 1148.

No. 00–1277. ILLINOIS STATE UNIVERSITY ET AL. *v.* VARNER ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 226 F. 3d 927.

No. 00–1412. RAYMOND, DBA MORNINGSTAR CONSULTANTS, ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 228 F. 3d 804.

No. 00–1459. SOUTHWEST MARINE, INC. *v.* SAN DIEGO BAY KEEPER ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 236 F. 3d 985.

No. 00–1528. KAYNE ET AL. *v.* MTC ELECTRONIC TECHNOLOGIES Co., LTD., ET AL. C. A. 2d Cir. Certiorari denied.

No. 00–1530. KIRCHMANN *v.* LAKE ELSINORE UNIFIED SCHOOL DISTRICT. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 83 Cal. App. 4th 1098, 100 Cal. Rptr. 2d 289.

No. 00–1536. WILLIAMS ET AL. *v.* GLEASON ET AL. Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 26 S.W. 3d 54.

No. 00–1540. JORDAN *v.* TOYOTA MOTOR CREDIT CORP. C. A. 7th Cir. Certiorari denied. Reported below: 236 F. 3d 866.

No. 00–1544. TRINITY MARINE GROUP, INC., ET AL. *v.* E. N. BISSO & SON, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 245 F. 3d 791.

No. 00–1554. RHEM, PERSONAL REPRESENTATIVE AND ADMINISTRATOR OF THE ESTATE OF RHEM, DECEASED, ET AL. *v.*

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BRITAIN ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 540.

No. 00-1566. LEXMARK INTERNATIONAL, INC. *v.* SNOWDEN. C. A. 6th Cir. Certiorari denied. Reported below: 237 F. 3d 620.

No. 00-1570. WOZNAK *v.* CONRY ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 236 F. 3d 888.

No. 00-1580. GOURLEY ET UX. *v.* USERY ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 242 F. 3d 378.

No. 00-1585. MARKS *v.* CARMODY ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 234 F. 3d 1006.

No. 00-1611. RICHARDSON *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1139.

No. 00-1615. DIXIE DISTRIBUTING CO. ET AL. *v.* CARTER-JONES LUMBER Co. C. A. 6th Cir. Certiorari denied. Reported below: 237 F. 3d 745.

No. 00-1627. BARON *v.* CITY OF BROADVIEW HEIGHTS. Ct. App. Ohio, Cuyahoga County. Certiorari denied. Reported below: 139 Ohio App. 3d 729, 745 N. E. 2d 516.

No. 00-1657. ASKEW *v.* UNION PACIFIC RAILROAD Co. ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 248 F. 3d 1156.

No. 00-1664. COOK INLET PROCESSORS, INC. *v.* BAKER, AS CLASS REPRESENTATIVE OF THE MANDATORY PUNITIVE DAMAGES CLASS, AND ALL PERSONS SIMILARLY SITUATED, ET AL.; and

No. 00-1672. NAUTILUS MARINE ENTERPRISES, INC. *v.* BAKER, AS CLASS REPRESENTATIVE OF THE MANDATORY PUNITIVE DAMAGES CLASS, AND ALL PERSONS SIMILARLY SITUATED, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 246 F. 3d 673.

No. 00-1668. GARCIA *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 00-1677. LIDAS, INC., ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 238 F. 3d 1076.

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No. 00-7926. *PANTOJA-NUNEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 229 F. 3d 1169.

No. 00-7981. *HOGAN v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 00-8148. *HARRISON, AKA WILLIAMS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 00-8471. *LANIER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 238 F. 3d 425.

No. 00-8628. *BAYLY v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 00-8734. *COX v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 556 Pa. 368, 728 A. 2d 923.

No. 00-8804. *ARROYO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 234 F. 3d 711.

No. 00-8901. *PACHECO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 225 F. 3d 148.

No. 00-8911. *TREVINO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 244 F. 3d 134.

No. 00-8920. *MCGHEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 211 F. 3d 597.

No. 00-9116. *BURNS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 229 F. 3d 1159.

No. 00-9256. *TREESH v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 90 Ohio St. 3d 460, 739 N. E. 2d 749.

No. 00-9279. *KHAN v. PORTUONDO, SUPERINTENDENT, SHAW-ANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 242 F. 3d 365.

No. 00-9282. *BREWER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 00-9284. *ANDERSON v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 00-9295. *PRUITT v. YUKINS, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 00-9296. ROBERT C. ET UX. *v.* NEBRASKA. Ct. App. Neb. Certiorari denied.

No. 00-9298. CLARK *v.* RAMIREZ-PALMER, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 00-9301. MYERS *v.* UCLA EXTENSION ET AL. C. A. 9th Cir. Certiorari denied.

No. 00-9302. LAY *v.* CAIN, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 00-9306. BRUCE *v.* GOMEZ, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 00-9311. ABDUS-SABIR *v.* KNOX ET AL. Sup. Ct. Ala. Certiorari denied. Reported below: 821 So. 2d 254.

No. 00-9314. WILLIAMS *v.* SCOTT, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. C. A. 5th Cir. Certiorari denied.

No. 00-9317. BREWER *v.* BRILEY (two judgments). C. A. 7th Cir. Certiorari denied.

No. 00-9318. ANDERSON *v.* MORTON, SUPERINTENDENT, TRENTON STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied.

No. 00-9321. PANIZZON *v.* TERHUNE, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 9th Cir. Certiorari denied.

No. 00-9323. JOHNSON *v.* KERNAN, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 00-9331. ARRINGTON *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 00-9336. AUSTIN *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 247 F. 3d 240.

No. 00-9337. BROWN *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

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No. 00-9340. *ANDERSON v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 00-9342. *JOHNSON v. WELBORN, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 00-9345. *DANIELS v. SMITH, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 00-9347. *THOMAS v. WELBORN, CLERK, 19TH JUDICIAL DISTRICT COURT, LOUISIANA.* C. A. 5th Cir. Certiorari denied. Reported below: 244 F. 3d 136.

No. 00-9350. *WASHINGTON v. ARIZONA.* Super. Ct. Ariz., Yuma County. Certiorari denied.

No. 00-9354. *PARHAM v. YOUNG, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 539.

No. 00-9355. *McLAUGHLIN v. LAMBERT, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied.

No. 00-9358. *RICHARDSON v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 00-9360. *BARNETT v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 00-9363. *DICKENS v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied.

No. 00-9365. *BAYRAMOGLU v. HAMLET, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 00-9366. *GOVAN v. BOSTON UNIVERSITY ET AL.* C. A. 1st Cir. Certiorari denied.

No. 00-9367. *HARRINGTON v. JACKSON, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1148.

No. 00-9370. *HILL v. NEW MEXICO.* Sup. Ct. N. M. Certiorari denied.

No. 00-9371. *GLADSTONE v. HASTINGS ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 00-9378. *GONZALEZ v. TERHUNE*, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied.

No. 00-9383. *MENDEZ-HINOJOSA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 239 F. 3d 369.

No. 00-9388. *BRUTON v. MEYERS ET AL.* C. A. 3d Cir. Certiorari denied.

No. 00-9389. *JOHNSON v. FAIRMAN*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 00-9391. *BRADLEY v. ROE*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 00-9397. *COSEY v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 779 So. 2d 675.

No. 00-9454. *BOYER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 00-9526. *HOUSTON v. BURDETTE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 230 F. 3d 1358.

No. 00-9534. *JACKSON v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 810 So. 2d 812.

No. 00-9535. *HOPKINS v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 00-9575. *GILMORE v. VAUGHN*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied.

No. 00-9597. *STANDING ROCK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 00-9624. *LONG v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 00-9629. *LICCIARDI v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 00-9690. *RICO AGUILERA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 248 F. 3d 1166.

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No. 00-9699. *SANTOS v. MASSANARI, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied. Reported below: 238 F. 3d 430.

No. 00-9702. *ORTIZ-CAMERON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 00-9704. *HARRIS v. UNITED STATES*; and

No. 00-9745. *GAINES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 238 F. 3d 777.

No. 00-9706. *HARVEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 242 F. 3d 377.

No. 00-9731. *ANDINO v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 786 So. 2d 1183.

No. 00-9734. *ENIS v. SCHOMIG, WARDEN*. Sup. Ct. Ill. Certiorari denied. Reported below: 194 Ill. 2d 361, 743 N. E. 2d 1.

No. 00-9743. *HISHAW v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 235 F. 3d 565.

No. 00-9764. *MEDELLIN-BARBOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00-9767. *ROSAS LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 235 F. 3d 1339.

No. 00-9775. *RIGGINS v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 238 F. 3d 954.

No. 00-9778. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 415.

No. 00-9780. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 542.

No. 00-9783. *LUVIANO-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9785. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 00-9786. *PEAK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1179.

No. 00-9788. *SALAZAR-DOZAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 253 F. 3d 702.

No. 00-9789. *SCOTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 738.

No. 00-9792. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1183.

No. 00-9793. *TORRES-MONTALVO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 00-9794. *THOMAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 248 F. 3d 1175.

No. 00-9798. *BRACMORT v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 760 A. 2d 164.

No. 00-9806. *GARCIA-CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00-9808. *GALANTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1182.

No. 00-9812. *ROULHAC v. BASKERVILLE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 540.

No. 00-9827. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 00-9832. *FLORES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 00-9836. *GALLMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 232 F. 3d 891.

No. 00-9838. *REMINGTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 544.

No. 00-9840. *SANTOS-JIMENEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9841. *JUAREZ-ARRELLANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

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No. 00-9842. *MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1182.

No. 00-9845. *CRUZ-BOLANOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9846. *DOMINGUEZ-TREVINO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9847. *SCALES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 544.

No. 00-9857. *AYENI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 254 F. 3d 1079.

No. 00-9859. *ARSHAD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 239 F. 3d 276.

No. 00-9860. *AVILA-RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00-9862. *MALADY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 00-9863. *PADRO BURGOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 239 F. 3d 72.

No. 00-9866. *AGUILAR-RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 248 F. 3d 1173.

No. 00-9867. *RIVERA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 00-9870. *ADDERLY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 00-9875. *DANIEL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 230 F. 3d 1354.

No. 00-9880. *EKOP v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 209 F. 3d 723.

No. 00-9884. *GALBERT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1144.

No. 00-9886. *GONZALEZ-MEDINA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

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No. 00-9887. HUERTA-VALLIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9889. GENTILE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1178.

No. 00-9896. MATHISON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 00-9904. JAIMES-JAIMES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00-9905. LAWSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1143.

No. 00-9907. ALANIZ, AKA ALANEZ *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 235 F. 3d 386.

No. 00-9911. ACOSTA-ALVAREZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9950. HILL *v.* MARYLAND. Ct. Sp. App. Md. Certiorari denied. Reported below: 134 Md. App. 709.

No. 00-1375. CONSUL GENERAL FOR THE REPUBLIC OF POLAND IN CHICAGO ET AL. *v.* ILLINOIS ET AL. Sup. Ct. Ill. Motion of petitioners to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 193 Ill. 2d 395, 739 N. E. 2d 423.

No. 00-1527. EVANNS *v.* AT&T CORP. ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 229 F. 3d 837 and 242 F. 3d 381.

No. 00-1564. MEHLER ET AL. *v.* TERMINIX INTERNATIONAL Co. C. A. 2d Cir. Motion of Robert A. Hillman et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 205 F. 3d 44.

No. 00-1594. EDDINS *v.* SUMMERS, ATTORNEY GENERAL OF TENNESSEE, ET AL. C. A. 6th Cir. Certiorari before judgment denied.

No. 00-1651. NORTHERN LIGHTS CLUB ET AL. *v.* NORTHERN LIGHT TECHNOLOGY, INC. C. A. 1st Cir. Motion of petitioners

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for leave to include CD-ROM submission in appendix to the petition denied. Certiorari denied. Reported below: 236 F. 3d 57.

No. 00-9598. WALDRON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 248 F. 3d 1175.

Rehearing Denied

No. 00-152. LUJAN, LABOR COMMISSIONER OF CALIFORNIA, ET AL. *v.* G & G FIRE SPRINKLERS, INC., 532 U. S. 189;

No. 00-866. CLARK COUNTY SCHOOL DISTRICT *v.* BREEDEN, 532 U. S. 268;

No. 00-1388. TELEPO *v.* PALMER TOWNSHIP ET AL., 532 U. S. 1008;

No. 00-7538. SHULL *v.* BEXAR COUNTY ET AL., 532 U. S. 975;

No. 00-8006. BANNISTER *v.* CAIN, WARDEN, 532 U. S. 930;

No. 00-8273. GUILLORY *v.* CAIN, WARDEN, ET AL., 532 U. S. 960;

No. 00-8408. FUGETT *v.* MACK, WARDEN, 532 U. S. 934;

No. 00-8566. DETEMPLE *v.* HEDRICK ET AL., 532 U. S. 979;

No. 00-8567. DETEMPLE *v.* ALLSTATE INSURANCE Co., 532 U. S. 979;

No. 00-8709. SWEED *v.* TEXAS, 532 U. S. 1011;

No. 00-8887. HOOPER *v.* UNITED STATES, 532 U. S. 985;

No. 00-8929. STULL *v.* UNITED STATES, 532 U. S. 986;

No. 00-9182. HURLEY *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., 532 U. S. 1013; and

No. 00-9283. GIBBONS *v.* MENIFEE, WARDEN, 532 U. S. 1030. Petitions for rehearing denied.

No. 00-8584. RASTEN *v.* WELLS FARGO SECURITY, 532 U. S. 1003. Petition for rehearing denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

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Certiorari Denied

No. 00-10526 (00A1082). SCOTT *v.* MITCHELL, 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: 250 F. 3d 1011.

No. 00-10582 (00A1095). SCOTT *v.* OHIO. Sup. Ct. Ohio. Application for stay of execution of sentence of death, presented to

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JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 92 Ohio St. 3d 1419, 748 N. E. 2d 551.

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Certiorari Granted—Vacated and Remanded

No. 99–1872. UNITED STATES *v.* AHUMADA-AGUILAR. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Tuan Anh Nguyen v. INS*, *ante*, p. 53. Reported below: 189 F. 3d 1121.

No. 00–525. ACKER *v.* UNITED STATES. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Kyllo v. United States*, *ante*, p. 27. Reported below: 219 F. 3d 602.

No. 00–963. ASHCROFT, ATTORNEY GENERAL *v.* LAKE. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Tuan Anh Nguyen v. INS*, *ante*, p. 53. Reported below: 226 F. 3d 141.

No. 00–1194. CAMPBELL ET AL. *v.* ST. TAMMANY’S SCHOOL BOARD ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Good News Club v. Milford Central School*, *ante*, p. 98. Reported below: 206 F. 3d 482.

No. 00–1428. RAPANOS *v.* UNITED STATES. C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Solid Waste Agency of Northern Cook Cty. v. Army Corps of Engineers*, 531 U. S. 159 (2001). Reported below: 235 F. 3d 256.

Miscellaneous Orders

No. D–2235. IN RE DISBARMENT OF HOLLINGSWORTH. Disbarment entered. [For earlier order herein, see 531 U. S. 1138.]

No. D–2239. IN RE DISBARMENT OF ELKINS. Disbarment entered. [For earlier order herein, see 531 U. S. 1138.]

No. D–2240. IN RE DISBARMENT OF FREDERICK. Disbarment entered. [For earlier order herein, see 531 U. S. 1138.]

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No. D-2241. IN RE DISBARMENT OF GOMSRUD. Disbarment entered. [For earlier order herein, see 531 U. S. 1138.]

No. D-2242. IN RE DISBARMENT OF FREEMAN. Disbarment entered. [For earlier order herein, see 531 U. S. 1139.]

No. D-2243. IN RE DISBARMENT OF MCKEE. Disbarment entered. [For earlier order herein, see 531 U. S. 1139.]

No. D-2244. IN RE DISBARMENT OF SEAGULL. Disbarment entered. [For earlier order herein, see 531 U. S. 1139.]

No. D-2248. IN RE DISBARMENT OF MORRISSEY. Disbarment entered. [For earlier order herein, see 531 U. S. 1139.]

No. D-2249. IN RE DISBARMENT OF RATHJEN. Disbarment entered. [For earlier order herein, see 531 U. S. 1140.]

No. D-2251. IN RE DISBARMENT OF BARRETT. Disbarment entered. [For earlier order herein, see 531 U. S. 1188.]

No. D-2252. IN RE DISBARMENT OF MCGEE. Disbarment entered. [For earlier order herein, see 531 U. S. 1188.]

No. D-2253. IN RE DISBARMENT OF SIEGFRIED. Disbarment entered. [For earlier order herein, see 531 U. S. 1188.]

No. 00-1406. CHEVRON U. S. A. INC. *v.* ECHAZABAL. C. A. 9th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 00-10111. IN RE BOLANO;

No. 00-10204. IN RE FLOWERS; and

No. 00-10222. IN RE THOMAS. Petitions for writs of habeas corpus denied.

No. 00-10228. IN RE WESTINE. 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.

No. 00-10456 (00A1072). IN RE GARZA. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

No. 00-9459. IN RE PETWAY; and

No. 00-9945. IN RE VONIA. Petitions for writs of mandamus denied.

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No. 00-1671. *IN RE MENSAH*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 00-1543. *FESTO CORP. v. SHOKETSU KINZOKU KOGYO KABUSHIKI Co., LTD., ET AL.* C. A. Fed. Cir. Certiorari granted. Reported below: 234 F. 3d 558.

Certiorari Denied

No. 99-1553. *PENNSYLVANIA v. GINDLESPERGER*. Sup. Ct. Pa. Certiorari denied. Reported below: 560 Pa. 222, 743 A. 2d 898.

No. 00-845. *HOOD, AS GUARDIAN AD LITEM OF HOOD, A MINOR v. MEDFORD TOWNSHIP BOARD OF EDUCATION ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 226 F. 3d 198.

No. 00-1297. *HORIZON AIR INDUSTRIES, INC. v. NATIONAL MEDIATION BOARD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 232 F. 3d 1126.

No. 00-1338. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1177.

No. 00-1360. *NEW YORK STATE BOARD OF ELECTIONS v. LERMAN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 232 F. 3d 135.

No. 00-1423. *LEAHY v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 251 F. 3d 170.

No. 00-1442. *MEYER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 234 F. 3d 319.

No. 00-1447. *GSCHWIND, IN HER OWN RIGHT, AS ADMINISTRATRIX OF THE ESTATE OF GSCHWIND, AND AS PARENT AND NATURAL GUARDIAN OF GSCHWIND v. CESSNA AIRCRAFT Co. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 232 F. 3d 1342.

No. 00-1505. *MONOGRAM CREDIT CARD BANK OF GEORGIA v. HEATON*. C. A. 5th Cir. Certiorari denied. Reported below: 231 F. 3d 994.

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No. 00-1583. *KAHN v. DEAN & FULKERSON, P. C., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 238 F. 3d 421.

No. 00-1592. *BALTIMORE SCRAP CORP. v. DAVID J. JOSEPH CO., T/A UNITED IRON & METAL CO., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 237 F. 3d 394.

No. 00-1593. *TURNER ET AL. v. WORRELL.* C. A. 10th Cir. Certiorari denied. Reported below: 219 F. 3d 1197.

No. 00-1596. *BOARD OF EDUCATION OF THE SAN JUAN SCHOOL DISTRICT v. SINAJINI ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 233 F. 3d 1236.

No. 00-1601. *BELDEN v. BOARD OF DIRECTORS OF THE COUNCIL OF UNIT OWNERS OF ISLAND PARK ET AL.* Ct. Civ. App. Okla. Certiorari denied.

No. 00-1606. *CHANDLER, FATHER AND NEXT FRIEND OF CHANDLER v. SIEGELMAN, GOVERNOR OF ALABAMA AND PRESIDENT OF ALABAMA STATE BOARD OF EDUCATION, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 230 F. 3d 1313.

No. 00-1616. *CAMPAIGN FOR RATEPAYERS RIGHTS ET AL. v. PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE ET AL.* Sup. Ct. N. H. Certiorari denied. Reported below: 145 N. H. 671, 766 A. 2d 702.

No. 00-1622. *EMERY v. CITY OF TOLEDO.* Ct. App. Ohio, Lucas County. Certiorari denied.

No. 00-1624. *HCMF CORP. ET AL. v. ALLEN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 273.

No. 00-1640. *MAREKH v. EQUIFAX CREDIT INFORMATION SERVICES, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 242 F. 3d 366.

No. 00-1659. *ALLISON ET UX. v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 238 F. 3d 427.

No. 00-1678. *HAMILTON v. WORKERS' COMPENSATION APPEALS BOARD ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 00-1684. *AHMED v. PARADISE LAKES COUNTRY CLUB ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 243 F. 3d 546.

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No. 00-1697. *WILLIAMS v. CORPORATE EXPRESS DELIVERY SYSTEMS*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 545.

No. 00-1702. *BALLEW v. DEPARTMENT OF JUSTICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 244 F. 3d 138.

No. 00-1705. *PHILLIPS v. COMPUWARE CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1144.

No. 00-1722. *GARRETT ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 238 F. 3d 293.

No. 00-1725. *SANGHVI v. FRENDEL ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 242 F. 3d 367.

No. 00-1733. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 743.

No. 00-8101. *LEWIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 234 F. 3d 32.

No. 00-8428. *SOKOLOW v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 00-8729. *QUINN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 229 F. 3d 1148.

No. 00-8750. *BOYEA v. VERMONT*; and *SMITH v. VERMONT*. Sup. Ct. Vt. Certiorari denied. Reported below: 171 Vt. 401, 765 A. 2d 862 (first judgment); 171 Vt. 668, 769 A. 2d 1303 (second judgment).

No. 00-8973. *SAUNDERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 236 F. 3d 950.

No. 00-8984. *SMITH v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 303 Mont. 47, 15 P. 3d 395.

No. 00-8994. *COLLINS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 00-9026. *MCGUIRE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 220 F. 3d 589.

No. 00-9040. *RANGEL-MENDOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 244 F. 3d 137.

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No. 00–9399. *TRINIDAD v. CASTRO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00–9403. *KIRTLEY v. BAKER*. Ct. App. Wash. Certiorari denied.

No. 00–9408. *BOATENG ET UX. v. INTER AMERICAN UNIVERSITY OF PUERTO RICO ET AL.* C. A. 1st Cir. Certiorari denied.

No. 00–9410. *DEPARRIE v. HANZO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 5 Fed. Appx. 601.

No. 00–9417. *OLECIK v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00–9420. *EDGE v. STALDER, SECRETARY, LOUISIANA BOARD OF PUBLIC SAFETY, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 240 F. 3d 1074.

No. 00–9421. *LINARES v. SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 276 App. Div. 2d 699, 714 N. Y. S. 2d 357.

No. 00–9424. *KING v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 00–9428. *MARTIN v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00–9430. *BRODERICK v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 00–9431. *CREGGETT v. FORD KENTUCKY TRUCK PLANT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 238 F. 3d 420.

No. 00–9437. *LOPER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00–9438. *MADANI v. UNIVERSITY OF NEBRASKA BOARD OF REGENTS*. C. A. 8th Cir. Certiorari denied. Reported below: 242 F. 3d 376.

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No. 00-9440. *STELLY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 00-9441. *RISHAR v. ROE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00-9443. *EVANS v. YUKINS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 00-9450. *MERRIDA v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 00-9451. *ANDRADE v. CALIFORNIA WORKERS' COMPENSATION APPEALS BOARD*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 00-9458. *MENDLOW v. UNIVERSITY OF WASHINGTON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 230 F. 3d 1367.

No. 00-9462. *SIMMONS v. ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 00-9463. *SIMON v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 00-9466. *STEWART v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00-9469. *TIBBS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00-9470. *WILLIAMS v. SMALLS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00-9471. *WOODSIDE v. PATTON*. Sup. Ct. Del. Certiorari denied. Reported below: 768 A. 2d 472.

No. 00-9473. *WHITE v. WILLIAMS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 00-9475. *RICHARD v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1138.

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No. 00-9479. *FOSTER v. JONES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 243 F. 3d 547.

No. 00-9480. *HERNANDEZ v. DUNCAN, SUPERINTENDENT, GREAT MEADOWS CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 00-9482. *HINSON v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 00-9483. *GONZALES v. WILLIAMS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 00-9485. *FLOURNOY v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 752 So. 2d 35.

No. 00-9487. *ZUBIATE v. PLILER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00-9492. *EVANS v. DETELLA, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 00-9498. *GRESHAM v. HAWK SAWYER, DIRECTOR, FEDERAL BUREAU OF PRISONS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 244 F. 3d 133.

No. 00-9537. *FUSON v. PITCHER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 00-9544. *GARCIA v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 00-9642. *COULSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 777 So. 2d 969.

No. 00-9646. *SENGER v. TERHUNE, COMMISSIONER, NEW JERSEY DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 254 F. 3d 1078.

No. 00-9672. *STENNIS v. PRESIDING JUDGE OF CIRCUIT COURT OF ILLINOIS, COOK COUNTY*. Sup. Ct. Ill. Certiorari denied.

No. 00-9679. *TAYLOR v. KMART CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 415.

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No. 00-9683. *CALCARI v. SUTHERS*, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 242 F. 3d 387.

No. 00-9703. *FLEMING v. CRANE*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 00-9717. *HANKS v. CALIFORNIA BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 00-9719. *GODWIN v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 140 N. C. App. 151, 539 S. E. 2d 58.

No. 00-9720. *HARRINGTON v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 761 A. 2d 1234.

No. 00-9736. *MILLER v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 00-9758. *BAGWELL v. TENNESSEE DEPARTMENT OF CHILDREN'S SERVICES*. Ct. App. Tenn. Certiorari denied. Reported below: 37 S. W. 3d 925.

No. 00-9765. *BEARD v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied.

No. 00-9814. *CHUN-HSUAN SU v. POLYTECHNIC UNIVERSITY*. C. A. 1st Cir. Certiorari denied.

No. 00-9818. *FRAZIER v. TURNER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 00-9848. *MCROBERTS v. LUEBBERS*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 234 F. 3d 1021.

No. 00-9872. *LYND v. TURPIN*, WARDEN. Super. Ct. Butts County, Ga. Certiorari denied.

No. 00-9873. *CAMPBELL v. HENDERSON*, POSTMASTER GENERAL. C. A. 9th Cir. Certiorari denied.

No. 00-9874. *DAVENPORT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 229 F. 3d 1144.

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No. 00–9879. *DUBLIN ET AL. v. UNITED STATES BANKRUPTCY COURT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 00–9881. *CASTRO-ALVAREZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 00–9903. *PHILLIPS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 246 F. 3d 683.

No. 00–9906. *JONES v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 248 F. 3d 1134.

No. 00–9917. *HARRIS v. COMPTON, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 00–9922. *FINLEY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 00–9923. *HARRIS v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 00–9924. *HAWKINS v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 00–9926. *HINKSON, AKA WILLIAMS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1142.

No. 00–9930. *FERREIRA, AKA GONZALEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 228 F. 3d 417.

No. 00–9940. *OLIVARES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 740.

No. 00–9953. *GUESS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 187 F. 3d 638.

No. 00–9954. *BOWMAN v. ELLIS, WARDEN.* C. A. 3d Cir. Certiorari denied. Reported below: 234 F. 3d 1264.

No. 00–9956. *CANDELARIO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 240 F. 3d 1300.

No. 00–9958. *PAYNE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 240 F. 3d 1076.

No. 00–9961. *LEESE v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 250 F. 3d 736.

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No. 00-9963. *QUARTERMAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 242 F. 3d 392.

No. 00-9967. *SULUKI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 232 F. 3d 892.

No. 00-9969. *DAVALOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 248 F. 3d 1173.

No. 00-9970. *CORRERA-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9971. *CERROS-CHAVIRA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 250 F. 3d 750.

No. 00-9972. *CLARK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 250 F. 3d 736.

No. 00-9979. *NAVA-PEREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 242 F. 3d 277.

No. 00-9980. *PARRA-FLORES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9981. *PACHECO-MARTINEZ, AKA PACHECO DE MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-9982. *PONZ-GOMEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 250 F. 3d 750.

No. 00-9984. *ROMERO RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 743.

No. 00-9985. *MATA-HUERTA, AKA MATA, ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742 and 743.

No. 00-9990. *SANCHEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 00-9999. *PAROLIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 239 F. 3d 922.

No. 00-10000. *WATSON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

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No. 00–10006. HAYWOOD *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 250 F. 3d 736.

No. 00–10007. FIX *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 4 Fed. Appx. 324.

No. 00–10009. HATCHER *v.* UNITED STATES. Ct. App. D. C. Certiorari denied.

No. 00–10013. PARRISH *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1177.

No. 00–10017. GRANT ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 261 F. 3d 494.

No. 00–10046. SCHILLING *v.* KINGSTON, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 00–10061. RASHED *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Reported below: 234 F. 3d 1280.

No. 00–1577. CAIN, WARDEN *v.* RIDEAU. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 237 F. 3d 472.

No. 00–1653. GRIMES *v.* WETZLER, FORMER COMMISSIONER OF TAXATION AND FINANCE OF NEW YORK, ET AL. Super. Ct. Pa. Certiorari denied. JUSTICE GINSBURG took no part in the consideration or decision of this petition. Reported below: 749 A. 2d 535.

No. 00–10631 (00A1101). GARZA *v.* LAPPIN, WARDEN. C. A. 7th 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: 253 F. 3d 918.

Rehearing Denied

No. 99–1408. ATWATER ET AL. *v.* CITY OF LAGO VISTA ET AL., 532 U. S. 318;

No. 99–7693. DEL RIO *v.* UNITED STATES, 528 U. S. 1176;

No. 00–1121. KOZEL *v.* ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION, 531 U. S. 1153;

No. 00–1353. NIXON ET UX. *v.* PENNSYLVANIA, 532 U. S. 1008;

No. 00–7180. MORELAND *v.* BARRY ET AL., 531 U. S. 1156;

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No. 00–7676. *CAMPA-FABELA v. UNITED STATES*, 532 U.S. 1010;

No. 00–7869. *GOLDEN v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 531 U.S. 1197;

No. 00–8568. *BROWN v. KASHYAP ET AL.*, 532 U.S. 979;

No. 00–8614. *COURTNEY v. ROBINSON*, WARDEN, ET AL., 532 U.S. 996;

No. 00–8616. *HALL v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA*, 532 U.S. 997; and

No. 00–8696. *TORREZ v. DICKINSON*, 532 U.S. 1010. Petitions for rehearing denied.

No. 00–1481. *POWERS, FKA STUDINGER v. COMMISSIONER OF INTERNAL REVENUE*, 532 U.S. 995. Motion of petitioner for leave to proceed *in forma pauperis* granted. Petition for rehearing denied.

JUNE 21, 2001

Miscellaneous Orders

No. 00A1112 (00–10728). *HOLLADAY 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, granted pending disposition of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon issuance of the mandate of this Court.

No. 00A1114 (00–10749). *IN RE HOLLADAY*. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, granted pending further order of the Court.

JUNE 25, 2001

Certiorari Granted—Vacated and Remanded

No. 00–1279. *HOUSEHOLD INTERNATIONAL TAX REDUCTION INVESTMENT PLAN v. MATZ*. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Mead Corp.*, ante, p. 218. Reported below: 227 F. 3d 971.

No. 00–1456. *COFFEY v. MCNAIR ET AL.* C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further

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consideration in light of *Saucier v. Katz*, ante, p. 194. Reported below: 234 F. 3d 352.

Certiorari Dismissed

No. 00–9528. *HAMILTON v. GARCIA*, WARDEN. 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. 00–10065. *ANDERSON v. UNITED STATES*. C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 4 Fed. Appx. 871.

No. 00–9592. *SAUNDERS v. KEARNEY*, WARDEN, 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. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in non-criminal 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.

Miscellaneous Orders

No. 00A1057 (00–1671). *IN RE MENSAH*. Application for preliminary injunction and other relief, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

No. 00M97. *OWENS v. UNITED STATES*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 00M98. *HANES v. UNITED STATES*. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 131, Orig. *SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMMISSION v. NORTH CAROLINA*. Motion for leave to file bill of complaint denied. [For earlier order herein, see 531 U. S. 942.]

No. 00–1471. *KENTUCKY ASSOCIATION OF HEALTH PLANS, INC., ET AL. v. MILLER*, COMMISSIONER, KENTUCKY DEPARTMENT OF INSURANCE. C. A. 6th Cir. The Solicitor General is invited

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to file a brief in this case expressing the views of the United States.

No. 00–8554. *BROWN v. CHICAGO TRANSIT AUTHORITY*. C. A. 7th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [532 U.S. 969] denied.

No. 00–9285. *MICKENS v. TAYLOR, WARDEN*. C. A. 4th Cir. [Certiorari granted, 532 U.S. 970.] Motion for appointment of counsel granted, and it is ordered that Robert J. Wagner, Esq., of Richmond, Va., be appointed to serve as counsel for petitioner in this case.

No. 00–9545. *SWOYER v. KERCHER ET AL.* C. A. 3d Cir.;
No. 00–9551. *SWOYER v. MERCHANTS BANK*. Sup. Ct. Pa.;
No. 00–9554. *SWOYER v. REED*. Sup. Ct. Pa.; and
No. 00–9713. *RADIC v. FLAXMAN ET AL.* App. Ct. Ill., 1st Dist. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 16, 2001, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 00–10273. *IN RE JOHNSON*. Petition for writ of habeas corpus denied.

No. 00–9586. *IN RE AWOFOLU*; and
No. 00–10093. *IN RE DUDLEY*. Petitions for writs of mandamus denied.

Certiorari Granted

No. 00–1073. *OWASSO INDEPENDENT SCHOOL DISTRICT No. I–011, AKA OWASSO PUBLIC SCHOOLS, ET AL. v. FALVO, PARENT AND NEXT FRIEND OF HER MINOR CHILDREN, PLETAN ET AL.* C. A. 10th Cir. Certiorari granted. Reported below: 233 F.3d 1203.

No. 00–1614. *NATIONAL RAILROAD PASSENGER CORPORATION v. MORGAN*. C. A. 9th Cir. Certiorari granted. Reported below: 232 F.3d 1008.

No. 00–952. *WISCONSIN DEPARTMENT OF HEALTH AND FAMILY SERVICES v. BLUMER*. Ct. App. Wis. Motion of respondent

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for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 237 Wis. 2d 810, 615 N. W. 2d 647.

No. 00-1072. EDELMAN *v.* LYNCHBURG COLLEGE. C. A. 4th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 228 F. 3d 503.

No. 00-1531. VERIZON MARYLAND INC. *v.* PUBLIC SERVICE COMMISSION OF MARYLAND ET AL.; and

No. 00-1711. UNITED STATES *v.* PUBLIC SERVICE COMMISSION OF MARYLAND ET AL. C. A. 4th Cir. Certiorari granted limited to Question 2 presented by each petition, cases consolidated, and a total of one hour allotted for oral argument. Cases set for oral argument in tandem with No. 00-878, *Mathias et al. v. WorldCom Technologies, Inc., et al.* [certiorari granted, 532 U. S. 903]. JUSTICE O'CONNOR took no part in the consideration or decision of these petitions. Reported below: 240 F. 3d 279.

No. 00-6029. RAGSDALE ET AL. *v.* WOLVERINE WORLD WIDE, INC. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to the question presented by the Solicitor General in his brief for the United States as *amicus curiae*. Reported below: 218 F. 3d 933.

No. 00-9280. KELLY *v.* SOUTH CAROLINA. Sup. Ct. S. C. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 343 S. C. 350, 540 S. E. 2d 851.

Certiorari Denied

No. 99-7760. PURTUE *v.* GALAZA, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 00-720. CHUBB & SON, INC. *v.* ASIANA AIRLINES. C. A. 2d Cir. Certiorari denied. Reported below: 214 F. 3d 301.

No. 00-1332. NATIONAL RIFLE ASSOCIATION OF AMERICA, INC., ET AL. *v.* ASHCROFT, ATTORNEY GENERAL. C. A. D. C. Cir. Certiorari denied. Reported below: 216 F. 3d 122.

No. 00-1472. COWAN, WARDEN *v.* WILKINSON. C. A. 7th Cir. Certiorari denied. Reported below: 231 F. 3d 347.

No. 00-1473. GOLDSTEIN ET AL. *v.* CHAO, SECRETARY OF LABOR. C. A. 2d Cir. Certiorari denied. Reported below: 224 F. 3d 128.

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No. 00-1484. *NISSAN MOTOR ACCEPTANCE CORP. v. APPLEBAUM*. C. A. 3d Cir. Certiorari denied. Reported below: 226 F. 3d 214.

No. 00-1489. *MOTOR CARGO, INC. v. ROBERTSON*. Ct. App. Ariz. Certiorari denied.

No. 00-1541. *LI SECOND FAMILY LIMITED PARTNERSHIP v. TOSHIBA CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 231 F. 3d 1373.

No. 00-1573. *MITCHELL v. NEW YORK BLOOD CENTER ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 225 F. 3d 646.

No. 00-1578. *TEXAS v. REYES*. Ct. App. Tex., 8th Dist. Certiorari denied. Reported below: 22 S. W. 3d 516.

No. 00-1608. *MOUNTAINEER COAL DEVELOPMENT CO., DBA MARROWBONE DEVELOPMENT CO. v. RADEC, INC.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 210 W. Va. 1, 552 S. E. 2d 377.

No. 00-1609. *TEXAS ET AL. v. HOPWOOD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 236 F. 3d 256.

No. 00-1610. *TAUNT, TRUSTEE v. GENERAL RETIREMENT SYSTEM OF CITY OF DETROIT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 233 F. 3d 899.

No. 00-1620. *FARRELL LINES INC. v. DINO ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 251 F. 3d 153.

No. 00-1623. *FORBES ET AL. v. EAGLESON ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 228 F. 3d 471.

No. 00-1626. *INDUSTRIVARDEN SERVICE AB v. CLUNE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 233 F. 3d 538.

No. 00-1628. *NEBRASKA EX REL. STENBERG, ATTORNEY GENERAL OF NEBRASKA v. UNITED STATES ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 238 F. 3d 946.

No. 00-1630. *KANTH v. KANTH*. C. A. 10th Cir. Certiorari denied. Reported below: 232 F. 3d 901.

No. 00-1631. *KINAM GOLD, INC., ET AL. v. LETTES*. C. A. 10th Cir. Certiorari denied. Reported below: 242 F. 3d 389.

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No. 00–1632. *JERICICH v. PETRALIA*. C. A. 9th Cir. Certiorari denied. Reported below: 238 F. 3d 1202.

No. 00–1635. *YORK v. WRATHER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 242 F. 3d 392.

No. 00–1641. *AETNA U.S. HEALTHCARE, T/A HMO–PA, U.S. HEALTHCARE v. LAZORKO, AS ADMINISTRATOR OF THE ESTATE OF NORLIE*. C. A. 3d Cir. Certiorari denied. Reported below: 237 F. 3d 242.

No. 00–1644. *LANGFELDT ET AL. v. GENESIS MEDICAL CENTER*. Ct. App. Iowa. Certiorari denied.

No. 00–1650. *SIMON v. QUAKER OATS EMPLOYEE BENEFIT PLAN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 234 F. 3d 1274.

No. 00–1652. *JORDAN v. ZORC*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 765 So. 2d 768.

No. 00–1654. *SPARKS v. CASH AMERICA INTERNATIONAL, INC., ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 789 So. 2d 231.

No. 00–1658. *LAPERTOSA v. MARQUETTE UNIVERSITY*. Ct. App. Wis. Certiorari denied. Reported below: 239 Wis. 2d 593, 620 N. W. 2d 482.

No. 00–1662. *NELSON v. COLORADO*. Sup. Ct. Colo. Certiorari denied.

No. 00–1665. *WEHBY v. WARD ET UX*. Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 00–1675. *KILGORE ET AL. v. BLACK STONE OIL CO. ET AL.* Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 15 S. W. 3d 666.

No. 00–1676. *MASSANOVA ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 242 F. 3d 372.

No. 00–1679. *SVEC v. MORIARTY*. C. A. 7th Cir. Certiorari denied. Reported below: 233 F. 3d 955.

No. 00–1681. *WOLFE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 234 F. 3d 1271.

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No. 00-1696. *SL SERVICE, INC., ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 239 F. 3d 1366.

No. 00-1698. *GRACEBA TOTAL COMMUNICATIONS, INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 254 F. 3d 315.

No. 00-1721. *CHAIN, DBA JEFFREY CHAIN CORP. v. TROPODYNE CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 238 F. 3d 421.

No. 00-1734. *KALAMA CHEMICAL, INC., ET AL. v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 102 Wash. App. 577, 9 P. 3d 236.

No. 00-1736. *TITTJUNG v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 235 F. 3d 330.

No. 00-1756. *HAMILTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 242 F. 3d 368.

No. 00-5778. *EVANS v. GALAZA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 00-7339. *WILSON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00-7803. *JEFFUS v. SIVLEY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 00-8097. *COUNCE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 214 F. 3d 1349.

No. 00-8546. *BURLESON v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 245 F. 3d 790.

No. 00-8617. *MERCED-NIEVES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 248 F. 3d 1128.

No. 00-8624. *KHAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 00-8702. *SIMPSON v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 562 Pa. 255, 754 A. 2d 1264.

No. 00-8951. *ANGLE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 234 F. 3d 326.

No. 00-8995. *QUIROS MORALES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 00-9053. *ALLEN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 755 A. 2d 402.

No. 00-9075. *ONWUASOANYA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 245 F. 3d 790.

No. 00-9076. *PRUITT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 233 F. 3d 570.

No. 00-9141. *WHITE v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied. Reported below: 145 N. H. 544, 765 A. 2d 156.

No. 00-9433. *CONNER v. HEAD, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 00-9494. *IN HO LEE v. HICKMAN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 00-9502. *BESS v. ROE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00-9504. *HINOJOSA v. MAYER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 232 F. 3d 208.

No. 00-9506. *HIGH ET UX. v. MORRISON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 232 F. 3d 215.

No. 00-9512. *GONZALES v. MEYERS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW*. C. A. 3d Cir. Certiorari denied.

No. 00-9515. *PRADO v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00-9520. *WHISENANT v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 418.

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No. 00-9521. THOMPSON *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 00-9522. HIGGASON *v.* FINNAN ET AL. Ct. App. Ind. Certiorari denied. Reported below: 735 N. E. 2d 857.

No. 00-9523. HOSS *v.* JACKSON, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 00-9531. FRENCH *v.* HUBBARD, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 00-9536. HUMPHREY *v.* RAY, WARDEN, ET AL. Ct. Crim. App. Okla. Certiorari denied.

No. 00-9538. GARDNER *v.* GREINER, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 00-9540. GAINES *v.* CARROLL ET AL. C. A. 5th Cir. Certiorari denied.

No. 00-9541. HANDY *v.* TEXAS. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 00-9542. HARRISON *v.* HODGES, GOVERNOR OF SOUTH CAROLINA, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 225 F. 3d 654.

No. 00-9547. SCHEIB *v.* MELLON BANK ET AL. Super. Ct. Pa. Certiorari denied.

No. 00-9552. RAMSEY *v.* BOOKER, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL. C. A. 5th Cir. Certiorari denied.

No. 00-9558. WALKER *v.* GIBSON, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 228 F. 3d 1217.

No. 00-9562. C. C. ET AL. *v.* MISSOURI. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 33 S. W. 3d 656.

No. 00-9565. SALAZAR *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

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No. 00–9566. *GIUCHICI v. PITCHER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 00–9569. *HICKS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00–9570. *HANSFORD v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00–9571. *HARVEY v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 229 F. 3d 1142.

No. 00–9572. *DAVIS v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 00–9573. *GARCIA v. CAREY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00–9574. *HOLLEY v. BAKER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 230 F. 3d 1352.

No. 00–9576. *IN RE MICEK*. Ct. Crim. App. Tex. Certiorari denied.

No. 00–9578. *LUKEHART v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 776 So. 2d 906.

No. 00–9579. *LEGARDY v. ROE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00–9583. *BAYOUD v. MIMS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 00–9585. *MAGOON v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 247 F. 3d 240.

No. 00–9591. *MACOM v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 102 Wash. App. 1039.

No. 00–9594. *VALECK v. BOCK, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 00–9603. *WILLIAMS v. LARSON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 246 F. 3d 678.

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No. 00-9612. *BAILEY v. CITY OF KALAMAZOO*. Ct. App. Mich. Certiorari denied.

No. 00-9613. *BLACKWELL v. HOHN, AKA HAUN*. C. A. 8th Cir. Certiorari denied. Reported below: 235 F. 3d 1121.

No. 00-9614. *MAHARAJ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 778 So. 2d 944.

No. 00-9625. *SANDERS v. TEXAS* (two judgments). Ct. Crim. App. Tex. Certiorari denied.

No. 00-9626. *SUROVIK v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 245 F. 3d 791.

No. 00-9627. *LOFTEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 00-9631. *WHITE v. UTAH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 246 F. 3d 684.

No. 00-9668. *SMITH v. SAFFLE, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 242 F. 3d 390.

No. 00-9669. *ESPOSITO v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 273 Ga. 183, 538 S. E. 2d 55.

No. 00-9676. *JEFFERSON v. SMALLS*. C. A. 9th Cir. Certiorari denied.

No. 00-9682. *CARTER v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 00-9693. *LOFLEY v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 00-9712. *HENDERSON v. LOCKYER, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 00-9728. *JOHNSON v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Va. Certiorari denied.

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No. 00–9729. *JOHNSON v. ANGELONE*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 412.

No. 00–9754. *TROBAUGH v. SONDAG*. C. A. 8th Cir. Certiorari denied. Reported below: 248 F. 3d 1166.

No. 00–9772. *ACKLIN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 790 So. 2d 975.

No. 00–9782. *KING ET AL. v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari denied.

No. 00–9791. *MYHAND v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 00–9811. *HARRIS v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 00–9854. *WALSH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 179 F. 3d 1300.

No. 00–9865. *BUTLER v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 00–9871. *BAILEY, AKA KRUGER v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 00–9936. *JOHNSON v. MITCHELL*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 00–9942. *WHITE v. LEE*, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 418.

No. 00–9955. *EDUARDO R. v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 241 Wis. 2d 571, 624 N. W. 2d 420.

No. 00–9968. *SARGENT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 242 F. 3d 376.

No. 00–9974. *OLIVIERI v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 779 So. 2d 735.

No. 00–9975. *PAYNE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 00-9983. *PADRON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 00-9992. *SANCHEZ-BARILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00-9998. *LUCAS v. WELBORN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 00-10014. *MIKELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 00-10019. *SANCHEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 00-10020. *ARNOLD ET VIR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 238 F. 3d 1153 and 248 F. 3d 1173.

No. 00-10021. *NUNNALLY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1153.

No. 00-10023. *McMILLAN v. WALKER, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 00-10024. *BELANGER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 00-10026. *BOYD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 00-10027. *McKINNEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 00-10028. *ROGERS v. BRILEY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 00-10030. *MARTINEZ-JUAREZ ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00-10031. *ESTRADA-GARCIA ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742 and 743.

No. 00-10034. *CADE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 236 F. 3d 463.

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No. 00–10035. *KREBS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 232 F. 3d 898.

No. 00–10038. *OLIVA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 00–10040. *CORTEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00–10041. *CLAIBORNE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 668.

No. 00–10042. *ROCHA-MENDOZA ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00–10043. *REGALADO-FLORES ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742 and 743.

No. 00–10044. *BALBI-BOBADILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00–10045. *PALMISANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 00–10048. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 417.

No. 00–10064. *LANHAM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1149.

No. 00–10067. *ARBALLO-MARQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–10068. *KEITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 238 F. 3d 293.

No. 00–10069. *PENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 739.

No. 00–10073. *GUZMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 4 Fed. Appx. 109.

No. 00–10075. *MORGAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 248 F. 3d 1174.

No. 00–10076. *SOTO-RIVAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

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No. 00–10081. *GARDNER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 00–10086. *HERNANDEZ-BENAVIDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–10087. *HANON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 248 F. 3d 1173.

No. 00–10088. *GAY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 240 F. 3d 1222.

No. 00–10091. *ARNOLDI v. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 00–10101. *CHARLES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 00–10103. *DOWDY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 00–10107. *SIMMONS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 248 F. 3d 1175.

No. 00–10108. *STARNES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 248 F. 3d 1167.

No. 00–10109. *MOTINA-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–10110. *MENDOZA-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–10112. *KINSEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 250 F. 3d 750.

No. 00–10113. *MAYA-FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 4 Fed. Appx. 514.

No. 00–10114. *LOREDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 739.

No. 00–10115. *LABRADO-ALVAREZ, AKA LABRADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 743.

No. 00–10116. *CONSOLVO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 541.

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No. 00–10117. *MILLIGAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 670.

No. 00–10119. *SIDDIQUI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 235 F. 3d 1318.

No. 00–10122. *RIOS-PENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00–10124. *SIMMONS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 250 F. 3d 737.

No. 00–10129. *STEPHENSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 242 F. 3d 369.

No. 00–10130. *LOVE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 00–10137. *CASTILLO v. UNITED STATES*; *GUTIERREZ-GUTIERREZ v. UNITED STATES*; *MUNIZ-DE LA TORRE v. UNITED STATES*; *POLANCO-SALAS v. UNITED STATES*; *REYNA-BRECEDA v. UNITED STATES*; *RIOS-HERNANDEZ v. UNITED STATES*; and *RIOS-ROSAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00–10141. *ROGERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 670.

No. 00–10143. *VALENCIA-MERAZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 00–10150. *LUNA-RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 242 F. 3d 384.

No. 00–10151. *SCHAEFER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 250 F. 3d 747.

No. 00–10155. *BUTLER, AKA BROWN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 250 F. 3d 736.

No. 00–10159. *MAXWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 250 F. 3d 748.

No. 00–10161. *KEELING v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 235 F. 3d 533.

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No. 00–10162. *MAYS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 416.

No. 00–10168. *ZANUDO-AMADO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 4 Fed. Appx. 510.

No. 00–10183. *POWERS v. WINGARD, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1151.

No. 00–10188. *BLACK v. BRIGANO, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 238 F. 3d 419.

No. 00–1438. *REYNOLDS ET AL. v. ROBERTS, DIRECTOR, ALABAMA DEPARTMENT OF TRANSPORTATION, ET AL.* C. A. 11th Cir. Motion of National Bar Association for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 207 F. 3d 1288.

No. 00–1464. *PHELPS DODGE CORP. ET AL. v. UNITED STATES ET AL.* Sup. Ct. Ariz. Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 198 Ariz. 330, 9 P. 3d 1069.

No. 00–1509. *CAMBRA, WARDEN v. ANTHONY*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 236 F. 3d 568.

No. 00–1607. *PARKER, WARDEN v. GALL*. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 231 F. 3d 265.

No. 00–1636. *TEN EYCK ET AL. v. LEATHER*. C. A. 2d Cir. Motion of New York State Sheriffs' Association Institute, Inc., et al., for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 242 F. 3d 366.

No. 00–1663. *PENK v. CLINTON, FORMER PRESIDENT OF THE UNITED STATES*. C. A. 10th Cir. Certiorari before judgment denied.

Rehearing Denied

No. 00–1555. *IN RE RETTIG*, 532 U.S. 1037;

No. 00–5522. *WHITE v. UNITED STATES*, 532 U.S. 1009;

No. 00–8585. *SIMPKINS v. FANNIE MAE ET AL.*, 532 U.S. 996;

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No. 00-8625. *BROOKS-BEY v. KUPEC, WARDEN, ET AL.*, 532 U. S. 952;

No. 00-8741. *SKOLNICK ET AL. v. ILLINOIS ET AL.*, 532 U. S. 1011;

No. 00-8794. *PITTS v. GEORGIA*, 532 U. S. 1024;

No. 00-8797. *MULDROW v. LAKE CITY POLICE DEPARTMENT ET AL.*, 532 U. S. 982;

No. 00-8812. *IN RE WHITE*, 532 U. S. 970;

No. 00-8980. *DAVIS v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, 532 U. S. 999;

No. 00-8988. *SECOR v. INDIANA DEPARTMENT OF REVENUE*, 532 U. S. 999;

No. 00-9188. *LEVINE v. UNITED STATES*, 532 U. S. 1013; and

No. 00-9315. *SINDRAM v. UNITED STATES*, 532 U. S. 1031. Petitions for rehearing denied.

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Miscellaneous Order

No. 00-10811 (00A1132). *IN RE LOWERY*. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 00-1911 (00A1117). *RICHARDSON v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

No. 00-1917 (00A1131). *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. Reported below: 256 F. 3d 257.

No. 00-10796 (00A1120). *LOWERY v. INDIANA*. Sup. Ct. Ind. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied.

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Certiorari Granted—Vacated and Remanded

No. 00–268. ZALAWADIA *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *INS v. St. Cyr*, ante, p. 289.

No. 00–285. MCQUEEN *v.* SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT. Sup. Ct. S. C. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Palazzolo v. Rhode Island*, ante, p. 606. Reported below: 340 S. C. 65, 530 S. E. 2d 628.

No. 00–523. OBAJULUWA *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *INS v. St. Cyr*, ante, p. 289. Reported below: 226 F. 3d 641.

No. 00–668. IMMIGRATION AND NATURALIZATION SERVICE *v.* YOUR KHORN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00–750. IMMIGRATION AND NATURALIZATION SERVICE *v.* SRIMENAGSAM. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00–751. IMMIGRATION AND NATURALIZATION SERVICE *v.* MOUNSAVENG. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00–752. FASANO, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, ET AL. *v.* MINH NHAT PHAN. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

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No. 00-768. IMMIGRATION AND NATURALIZATION SERVICE *v.* NAM NGUYEN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00-769. IMMIGRATION AND NATURALIZATION SERVICE *v.* CHHUN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00-777. ASHCROFT, ATTORNEY GENERAL *v.* LIM. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00-985. IMMIGRATION AND NATURALIZATION SERVICE *v.* THANH DUC TRAN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00-986. IMMIGRATION AND NATURALIZATION SERVICE *v.* PHETSANY. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00-987. IMMIGRATION AND NATURALIZATION SERVICE *v.* OURK. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00-1000. IMMIGRATION AND NATURALIZATION SERVICE *v.* BE HUU NGUYEN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00-1001. IMMIGRATION AND NATURALIZATION SERVICE *v.* PHUONG PHUC LE. C. A. 9th Cir. Motion of respondent for

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leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zadvydas v. Davis*, ante, p. 678.

No. 00–1136. NIXON, ATTORNEY GENERAL OF MISSOURI, ET AL. *v.* MISSOURI REPUBLICAN PARTY ET AL. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Federal Election Comm’n v. Colorado Republican Federal Campaign Comm.*, ante, p. 431. Reported below: 227 F. 3d 1070.

No. 00–1300. DODGE *v.* GRAVILLE ET VIR. Ct. App. Ariz. Motion of AARP for leave to file a brief as *amicus curiae* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Troxel v. Granville*, 530 U.S. 57 (2000). Reported below: 197 Ariz. 591, 5 P. 3d 925.

No. 00–1327. FASANO, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE *v.* RICHARDS-DIAZ. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *INS v. St. Cyr*, ante, p. 289. Reported below: 233 F. 3d 1160.

No. 00–5970. RUSSELL *v.* ASHCROFT, ATTORNEY GENERAL. C. A. 11th 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 *INS v. St. Cyr*, ante, p. 289. Reported below: 216 F. 3d 1091.

No. 00–6280. MAX-GEORGE *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *INS v. St. Cyr*, ante, p. 289. Reported below: 205 F. 3d 194.

Certiorari Dismissed

No. 00–9647. RENOIR *v.* CORRECTIONAL MEDICAL SERVICES, INC., ET AL. Cir. Ct. Wise County, Va. 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 matters from peti-

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tioner 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. 00–9666. *TATUM v. MARYLAND DIVISION OF CORRECTION ET AL.* Ct. Sp. App. Md. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 00A1064 (00–1692). *WETLANDS ACTION NETWORK ET AL. v. UNITED STATES ARMY CORPS OF ENGINEERS ET AL.* C. A. 9th Cir. Application for stay, addressed to JUSTICE BREYER and referred to the Court, denied.

No. 00M99. *HUNTER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*; and

No. 00M101. *BRUETMAN v. HERBSTEIN*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 00M100. *LEAK v. UNITED STATES*. Motion of petitioner for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. 65, Orig. *TEXAS v. NEW MEXICO*. Motion of the River Master for fees and expenses granted, and the River Master is granted a total of \$2,645 for the period January 1 through March 31, 2001, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 531 U. S. 921.]

No. 99–1996. *J. E. M. AG SUPPLY, INC., DBA FARM ADVANTAGE, INC., ET AL. v. PIONEER HI-BRED INTERNATIONAL, INC.* C. A. Fed. Cir. [Certiorari granted, 531 U. S. 1143.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. JUSTICE O’CONNOR took no part in the consideration or decision of this motion.

No. 00–511. *VERIZON COMMUNICATIONS INC. ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 00–555. *WORLD COM, INC., ET AL. v. VERIZON COMMUNICATIONS INC. ET AL.*;

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No. 00–587. FEDERAL COMMUNICATIONS COMMISSION ET AL.
v. IOWA UTILITIES BOARD ET AL.;

No. 00–590. AT&T CORP. *v.* IOWA UTILITIES BOARD ET AL.;
and

No. 00–602. GENERAL COMMUNICATIONS, INC. *v.* IOWA UTILITIES BOARD ET AL. C. A. 8th Cir. [Certiorari granted, 531 U.S. 1124.] Motion of the Solicitor General for divided argument granted. Motion of BellSouth Corp. et al. for additional time for oral argument granted. Thirty additional minutes allotted for that purpose to be divided as follows: 45 minutes for petitioners in No. 00–511, 15 minutes for petitioners in Nos. 00–555 and 00–590, and 30 minutes for the Solicitor General. JUSTICE O’CONNOR took no part in the consideration or decision of these motions.

No. 00–568. NEW YORK ET AL. *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL.; and

No. 00–809. ENRON POWER MARKETING, INC. *v.* FEDERAL ENERGY REGULATORY COMMISSION ET AL. C. A. D. C. Cir. [Certiorari granted, 531 U.S. 1189.] Motion of Pennsylvania Public Utility Commission for leave to file a brief as *amicus curiae* granted. Motion of the Solicitor General for additional time for oral argument and for divided argument granted, and 10 additional minutes allotted for oral argument to be divided as follows: 20 minutes for petitioners in No. 00–568, 20 minutes for petitioner in No. 00–809, and 30 minutes for the Solicitor General. Request for divided rebuttal denied.

No. 00–730. ADARAND CONSTRUCTORS, INC. *v.* MINETA, SECRETARY OF TRANSPORTATION, ET AL. C. A. 10th Cir. [Certiorari granted, 532 U.S. 941 and 967.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 00–832. NATIONAL CABLE & TELECOMMUNICATIONS ASSN., INC. *v.* GULF POWER CO. ET AL.; and

No. 00–843. FEDERAL COMMUNICATIONS COMMISSION ET AL. *v.* GULF POWER CO. ET AL. C. A. 11th Cir. [Certiorari granted, 531 U.S. 1125.] Motion of the Solicitor General for divided argument granted. JUSTICE O’CONNOR took no part in the consideration or decision of this motion.

No. 00–860. CORRECTIONAL SERVICES CORP. *v.* MALESKO. C. A. 2d Cir. [Certiorari granted, 532 U.S. 902.] Motion of the

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Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 00-1045. TRW INC. *v.* ANDREWS. C. A. 9th Cir. [Certiorari granted, 532 U. S. 902.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 00-1519. UNITED STATES *v.* ARVIZU. C. A. 9th Cir. [Certiorari granted, 532 U. S. 1065.] Motion for appointment of counsel granted, and it is ordered that Victoria A. Brambl, Esq., of Tucson, Ariz., be appointed to serve as counsel for respondent in this case.

No. 00-8898. STEELE *v.* ORANGE COUNTY ET AL. Dist. Ct. App. Fla., 5th Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [532 U. S. 1015] denied.

No. 00-9726. SWOYER *v.* EDGARS ET AL. C. A. 3d Cir.; and

No. 00-9804. FOOTLAND *v.* EVANS, SECRETARY OF COMMERCE, ET AL. C. A. 4th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 20, 2001, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 00-1759. IN RE REIDT;

No. 00-9632. IN RE PARNELL;

No. 00-9659. IN RE WALKER;

No. 00-9893. IN RE BRADIN;

No. 00-9948. IN RE HINES; and

No. 00-10053. IN RE WASSENAAR. Petitions for writs of mandamus denied.

Certiorari Granted

No. 00-1021. RUSH PRUDENTIAL HMO, INC. *v.* MORAN ET AL. C. A. 7th Cir. Motion of National Association of Insurance Commissioners for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 230 F. 3d 959.

No. 00-1167. TAHOE-SIERRA PRESERVATION COUNCIL, INC., ET AL. *v.* TAHOE REGIONAL PLANNING AGENCY ET AL. C. A. 9th Cir. Certiorari granted limited to the following question:

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“Whether the Court of Appeals properly determined that a temporary moratorium on land development does not constitute a taking of property requiring compensation under the Takings Clause of the United States Constitution?” Reported below: 216 F. 3d 764.

Certiorari Denied

No. 99-9786. PINO MENDIVIA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 211 F. 3d 593.

No. 00-362. GALINDO DEL VALLE *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 213 F. 3d 594.

No. 00-753. RODRIGUEZ *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 3d Cir. Certiorari denied. Reported below: 206 F. 3d 308.

No. 00-962. ASHCROFT, ATTORNEY GENERAL *v.* MAHADEO. C. A. 1st Cir. Certiorari denied. Reported below: 226 F. 3d 3.

No. 00-1318. LOCAL 134, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, ET AL. *v.* CHATHAS ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 233 F. 3d 508.

No. 00-1372. BONEY *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied.

No. 00-1470. RELFORD ET AL. *v.* LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CIVIL SERVICE COMMISSION. Ct. App. Ky. Certiorari denied.

No. 00-1488. ARKANSAS DEPARTMENT OF EDUCATION *v.* JIM C. ET AL., INDIVIDUALLY AND AS PARENTS AND NEXT FRIENDS OF J. C., ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 235 F. 3d 1079.

No. 00-1496. BROWN *v.* DEPARTMENT OF THE NAVY. C. A. Fed. Cir. Certiorari denied. Reported below: 229 F. 3d 1356.

No. 00-1499. AUGUSTUS ET AL. *v.* SURFACE TRANSPORTATION BOARD ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 238 F. 3d 419.

No. 00-1500. MENDIOLA *v.* SCHOMIG, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 224 F. 3d 589.

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No. 00–1507. *DEPARTMENT OF JUSTICE v. MAYDAK*. C. A. D. C. Cir. Certiorari denied. Reported below: 218 F. 3d 760.

No. 00–1539. *MOORE ET AL. v. AFTRA HEALTH AND RETIREMENT FUNDS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 216 F. 3d 1236.

No. 00–1552. *PEZOLD, RICHEY, CARUSO & BARKER v. CHEROKEE NATION*. Ct. Civ. App. Okla. Certiorari denied. Reported below: 18 P. 3d 364.

No. 00–1560. *GENTILE ET AL. v. QUAKER OATS CO.* C. A. 9th Cir. Certiorari denied. Reported below: 232 F. 3d 1271.

No. 00–1563. *BEVERLY CALIFORNIA CORP., DBA BEVERLY ENTERPRISES v. NATIONAL LABOR RELATIONS BOARD*. C. A. 7th Cir. Certiorari denied. Reported below: 227 F. 3d 817.

No. 00–1568. *DIETELBACH v. OHIO EDISON CO.* C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1147.

No. 00–1582. *ARCADIS GERAGHTY & MILLER, INC. v. CONOCO INC. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 234 F. 3d 917.

No. 00–1604. *BROWN & WILLIAMSON TOBACCO CORP., AS SUCCESSOR BY MERGER TO THE AMERICAN TOBACCO CO. v. CARTER ET UX*. Sup. Ct. Fla. Certiorari denied. Reported below: 778 So. 2d 932.

No. 00–1629. *JUNO MARINE AGENCY, INC., ET AL. v. TAIBL, SPECIAL PERSONAL REPRESENTATIVE OF THE ESTATE OF TAIBL*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 761 So. 2d 373.

No. 00–1634. *BECKER v. MACSENTI*. C. A. 10th Cir. Certiorari denied. Reported below: 237 F. 3d 1223.

No. 00–1637. *NORFOLK & WESTERN RAILWAY CO. v. DYE ET AL.* Cir. Ct. Mingo County, W. Va. Certiorari denied.

No. 00–1639. *PASTOREK v. TRAIL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1140.

No. 00–1642. *BEXLEY CITY SCHOOL DISTRICT ET AL. v. KNABLE, A MINOR, BY AND THROUGH HIS MOTHER AND NEXT*

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FRIEND, KNABLE. C. A. 6th Cir. Certiorari denied. Reported below: 238 F. 3d 755.

No. 00-1648. TURNER ET UX. *v.* CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS ET AL. Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 18 S. W. 3d 877.

No. 00-1655. PARRY *v.* MOHAWK MOTORS OF MICHIGAN, INC., ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 236 F. 3d 299.

No. 00-1660. SEYMOUR ET AL. *v.* CONNECTICUT ELECTIONS ENFORCEMENT COMMISSION. Sup. Ct. Conn. Certiorari denied. Reported below: 255 Conn. 78, 762 A. 2d 880.

No. 00-1667. GREEN, ADMINISTRATRIX OF THE ESTATE OF GREEN *v.* MERRILL LYNCH, PIERCE, FENNER & SMITH INC. ET AL. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 312 Ill. App. 3d 1197, 769 N. E. 2d 567.

No. 00-1670. CAMOSCIO *v.* DEMINICO. C. A. 1st Cir. Certiorari denied. Reported below: 248 F. 3d 1126.

No. 00-1673. WANG *v.* NEW YORK CITY DEPARTMENT OF FINANCE. C. A. 2d Cir. Certiorari denied. Reported below: 216 F. 3d 1074.

No. 00-1686. ROST *v.* CITY OF HENDERSON. Sup. Ct. Nev. Certiorari denied.

No. 00-1690. STURGEON *v.* BENTON ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 242 F. 3d 376.

No. 00-1694. CAMOSCIO *v.* MASSACHUSETTS. Sup. Jud. Ct. Mass. Certiorari denied.

No. 00-1701. BODELL, INDIVIDUALLY AND ON BEHALF OF BODELL, AN INFANT *v.* CUNNINGHAM ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1146.

No. 00-1713. TORRES GONZALEZ *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 240 F. 3d 14.

No. 00-1730. FRASER *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. Reported below: 96 N. Y. 2d 318, 752 N. E. 2d 244.

No. 00-1731. DIERKING *v.* INDUSTRIAL COMMISSION OF ARIZONA ET AL. Ct. App. Ariz. Certiorari denied.

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No. 00-1744. *BRILEY v. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*. C. A. Fed. Cir. Certiorari denied. Reported below: 236 F. 3d 1373.

No. 00-1752. *BROWN v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 251 F. 3d 169.

No. 00-1761. *UMANA v. SWIDLER & BERLIN, CHARTERED, ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 745 A. 2d 334.

No. 00-1784. *TUVELL v. MICROSOFT CORP.* C. A. 1st Cir. Certiorari denied. Reported below: 248 F. 3d 1127.

No. 00-1785. *VICK v. WILLIAMS, SUPERINTENDENT, TILLERY CORRECTIONAL CENTER*. C. A. 4th Cir. Certiorari denied. Reported below: 233 F. 3d 213.

No. 00-1793. *PETERS v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 261 Neb. 416, 622 N.W. 2d 918.

No. 00-1795. *STOVALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 237 F. 3d 634.

No. 00-1805. *WOOD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1143.

No. 00-1812. *SUTTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 5 Fed. Appx. 659.

No. 00-1817. *MARTIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 220 F. 3d 585.

No. 00-1819. *CUETO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 00-6650. *SKELTON v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 00-7265. *LEVY v. ASHCROFT, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 00-7786. *SALDANA v. UNITED STATES*;

No. 00-8360. *KNIGHT v. UNITED STATES*;

No. 00-8388. *SCALES v. UNITED STATES*;

No. 00-8483. *SALDANA v. UNITED STATES*;

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No. 00-8597. VELEZ, AKA ROSA, AKA RODRIGUEZ *v.* UNITED STATES;

No. 00-8809. MOREJON *v.* UNITED STATES; and

No. 00-9219. HARRIS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 234 F. 3d 709.

No. 00-8646. MAYE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 205 F. 3d 1335.

No. 00-8697. WILLIAMS *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. Reported below: 193 Ill. 2d 306, 739 N. E. 2d 455.

No. 00-8761. BERRY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 232 F. 3d 897.

No. 00-8863. EURY *v.* SHINAULT ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 411.

No. 00-8878. JOHNSON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 221 F. 3d 83.

No. 00-9047. ALEXANDER *v.* MOSLEY, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 00-9051. SWATZIE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 228 F. 3d 1278.

No. 00-9160. CARRUTHERS *v.* TENNESSEE. Sup. Ct. Tenn. Certiorari denied. Reported below: 35 S. W. 3d 516.

No. 00-9174. GUZMAN-OCAMPO, AKA GUZMAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 236 F. 3d 233.

No. 00-9213. GUEVARA-TORRES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 00-9223. GALLO-CHAMORRO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 233 F. 3d 1298.

No. 00-9262. ABDUL-AKBAR *v.* MCKELVIE, JUDGE, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 239 F. 3d 307.

No. 00-9292. WILLS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 234 F. 3d 174.

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No. 00-9496. *GALES v. LUGI*. C. A. 4th Cir. Certiorari denied. Reported below: 210 F. 3d 361.

No. 00-9628. *BENSINGER v. BROWN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 248 F. 3d 1129.

No. 00-9635. *MORALES ET AL. v. PRESIDENT JUDGE, COMMON PLEAS COURT OF PHILADELPHIA COUNTY, ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 00-9636. *KUPLEN v. HAMDEN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 538.

No. 00-9638. *PEOPLES v. MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 00-9639. *BELL v. HICKMAN, WARDEN, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 00-9649. *PELLOT v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 00-9650. *AZEEZ v. HUN, WEST VIRGINIA COMMISSIONER OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 535.

No. 00-9652. *KUHN v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 239 Wis. 2d 594, 620 N. W. 2d 482.

No. 00-9653. *JONES v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00-9654. *SHAU CHAN v. ARTUZ, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 00-9656. *ANDERSON v. TERHUNE, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 00-9657. *DAVIS v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 84 Cal. App. 4th 390, 100 Cal. Rptr. 2d 835.

No. 00-9660. *DOWELL v. HONEST*. C. A. 9th Cir. Certiorari denied.

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No. 00-9661. *RUIZ v. MILES, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 00-9662. *KIRCHNER v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 194 Ill. 2d 502, 743 N. E. 2d 94.

No. 00-9664. *NEWMAN v. VILLA*. C. A. 9th Cir. Certiorari denied.

No. 00-9673. *RANDLE v. NEWLAND, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 00-9675. *MOODY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 00-9677. *LANE v. DEES, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 00-9678. *SHAFFER v. BOONE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 242 F. 3d 390.

No. 00-9680. *DIAZ v. WILTGEN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 00-9681. *CATCHINGS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 00-9691. *WOGOMAN v. ABRAMAJTYS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 00-9697. *SHAFFER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 00-9698. *REYES v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 00-9707. *GULLICK v. BISSONNETTE, SUPERINTENDENT, NORTH CENTRAL CORRECTIONAL INSTITUTION*. C. A. 1st Cir. Certiorari denied.

No. 00-9710. *FILIPOS v. FILIPOS*. Super. Ct. Pa. Certiorari denied.

No. 00-9711. *IRVIN v. WITHROW, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 00-9714. *BAKER v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 00-9723. *GIBSON v. MCBRIDE, SUPERINTENDENT, WESTVILLE CORRECTIONAL FACILITY.* C. A. 7th Cir. Certiorari denied.

No. 00-9730. *WILKENS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 238 F. 3d 328.

No. 00-9733. *CAMPBELL v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 90 Ohio St. 3d 320, 738 N. E. 2d 1178.

No. 00-9738. *CHAPMAN v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 194 Ill. 2d 186, 743 N. E. 2d 48.

No. 00-9761. *SATTERFIELD v. MONSANTO CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 238 F. 3d 217.

No. 00-9787. *ANTONIO PALACIOS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 739.

No. 00-9799. *ARMSTRONG v. PHILLIPS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 00-9800. *CELESTINO-MAGDALENO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00-9807. *IOANE v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 4 Fed. Appx. 762.

No. 00-9821. *GREEN v. SCHLTGEN, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 00-9824. *HESS v. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied. Reported below: 243 F. 3d 548.

No. 00-9828. *LOPEZ v. CAMBRA, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 232 F. 3d 895.

No. 00-9835. *HARRIS v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 233 F. 3d 578.

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No. 00–9837. *QUINTANILLA MENDOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–9844. *CAVIELES-GODOY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–9869. *CARDENAS-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–9876. *DICKERSON v. LOUISIANA*. Ct. App. La., 5th Cir. Certiorari denied. Reported below: 751 So. 2d 425.

No. 00–9888. *GOMEZ-ELVIR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–9891. *HALE v. GIBSON, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 227 F. 3d 1298.

No. 00–9897. *GLEE v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 00–9908. *REED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 226 F. 3d 649.

No. 00–9931. *HALL v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 00–9938. *MARRERO v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 5 Fed. Appx. 891.

No. 00–9962. *MAGANA-FRIAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 739.

No. 00–9964. *STONE v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 00–9973. *ORELLANA-RIVERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 741.

No. 00–9989. *RODRIGUEZ-HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 739.

No. 00–9995. *CRENSHAW v. HUBBARD, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 248 F. 3d 1170.

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No. 00–10005. *GRIMM v. VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 537.

No. 00–10012. *LENNON v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 00–10016. *GOMEZ-LOZANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 248 F. 3d 1142.

No. 00–10018. *BARNES v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF ARKANSAS*. C. A. 8th Cir. Certiorari denied.

No. 00–10057. *HERNANDEZ-RICO, AKA RIVERA-GUERRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

No. 00–10059. *ANDREWS v. BELL*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 662.

No. 00–10060. *GRIER v. DAYS INN*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 664.

No. 00–10066. *WATTS v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 341 Ark. xxii.

No. 00–10085. *GALLEGOS-CALDERON, AKA CALDERON-GALLEGOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 739.

No. 00–10089. *LABLANCHE v. UNIVERSITY OF IOWA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 242 F. 3d 375.

No. 00–10090. *MAKIDON v. ELO, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1150.

No. 00–10102. *DRUMMOND v. MARYLAND*. C. A. 4th Cir. Certiorari denied. Reported below: 238 F. 3d 411.

No. 00–10125. *JOHNSON v. UNITED STATES*; and

No. 00–10287. *BULLARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 744.

No. 00–10127. *RUIZ-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742.

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No. 00–10144. *TYSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 00–10147. *WILLIAMS v. STUBBLEFIELD, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 00–10158. *ALVARADO-ESPARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 740.

No. 00–10160. *LOPEZ-CERVANTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 744.

No. 00–10170. *DE LA CRUZ DE JESUS v. UNITED STATES* (Reported below: 250 F. 3d 743); *AMAYA-FONTES v. UNITED STATES* (250 F. 3d 743); *ARELLANO-CAMPOS v. UNITED STATES* (250 F. 3d 743); *CALDERON-MORALES v. UNITED STATES* (250 F. 3d 743); *CRUZ-MORENO v. UNITED STATES* (250 F. 3d 743); *ELIZALDE-LIRA v. UNITED STATES* (250 F. 3d 743); *GEORGIA-LUCIANO v. UNITED STATES* (250 F. 3d 743); *HERRERA-HERNANDEZ v. UNITED STATES* (250 F. 3d 742); *JIMENEZ v. UNITED STATES* (250 F. 3d 743); *JUAREZ-SIDAS v. UNITED STATES* (250 F. 3d 743); *MARTINEZ-RAMOS v. UNITED STATES* (250 F. 3d 743); *MASCORRO-CHAVARRIA v. UNITED STATES* (250 F. 3d 743); *MOLINA-BARRAZA v. UNITED STATES* (250 F. 3d 743); *NAVARRO-FLORES v. UNITED STATES* (250 F. 3d 743); *POSADA-RANGEL v. UNITED STATES* (250 F. 3d 743); *REYES-NAVA v. UNITED STATES* (250 F. 3d 743); *RODRIGUEZ-AYALA v. UNITED STATES* (250 F. 3d 742); *RODRIGUEZ-GONZALEZ v. UNITED STATES* (250 F. 3d 743); *SANDOVAL-NUNGARAY v. UNITED STATES* (250 F. 3d 743); and *ZUNIGA-MARTINEZ v. UNITED STATES* (250 F. 3d 743). C. A. 5th Cir. Certiorari denied.

No. 00–10186. *REYNOLDS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 00–10190. *BAZUAYE, AKA AUSTIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 240 F. 3d 861.

No. 00–10191. *BRAXTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 740.

No. 00–10192. *HERNANDEZ-BAUTISTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 11 Fed. Appx. 711.

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No. 00–10193. *GRASSIE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 237 F. 3d 1199.

No. 00–10194. *FRYE v. LEE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 235 F. 3d 897.

No. 00–10195. *GUZMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 00–10196. *GARCIA-HERNANDEZ ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742 and 743.

No. 00–10197. *GARCIA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 240 F. 3d 180.

No. 00–10198. *FENNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 669.

No. 00–10203. *FAIRCLOTH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 225 F. 3d 655.

No. 00–10205. *NEATHERLIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 243 F. 3d 551.

No. 00–10206. *PROVOST v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 237 F. 3d 934.

No. 00–10209. *RICHARDS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 241 F. 3d 335.

No. 00–10213. *BROWN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 6 Fed. Appx. 748.

No. 00–10217. *CALDERON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 243 F. 3d 587.

No. 00–10221. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 242 F. 3d 1028.

No. 00–10223. *TYLER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 00–10225. *WASHINGTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 246 F. 3d 683.

No. 00–10226. *WHITE v. LANSING, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 246 F. 3d 684.

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No. 00–10232. *FREDRICK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 00–10237. *BOONE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 541.

No. 00–10238. *FITTS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 252 F. 3d 1359.

No. 00–10241. *ADAMS v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 243 F. 3d 560.

No. 00–10242. *TAYLOR v. HAWK SAWYER, DIRECTOR, FEDERAL BUREAU OF PRISONS, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 254 F. 3d 316.

No. 00–10243. *YOUNG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 248 F. 3d 260.

No. 00–10244. *WASHINGTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 248 F. 3d 1161.

No. 00–10246. *SCARPA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 4 Fed. Appx. 115.

No. 00–10247. *RANGEL-GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 248 F. 3d 1174.

No. 00–10248. *RABE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 743.

No. 00–10252. *LITEKY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1180.

No. 00–10254. *ORR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 243 F. 3d 543.

No. 00–10256. *MOSS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1153.

No. 00–10260. *KING v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 11 Fed. Appx. 621.

No. 00–10268. *MALDONADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 239 F. 3d 722.

No. 00–10269. *ROLDAN-PALACIOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 4 Fed. Appx. 457.

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No. 00–10272. *DENNIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 11 Fed. Appx. 716.

No. 00–10276. *HODGES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 4 Fed. Appx. 497.

No. 00–10282. *WOOTEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 253 F. 3d 700.

No. 00–10285. *BLAKE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1178.

No. 00–10289. *WILSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 244 F. 3d 1208.

No. 00–10290. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 671.

No. 00–10297. *HURON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 669.

No. 00–10298. *JIMENEZ-NAVA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 243 F. 3d 192.

No. 00–10299. *GRIFFIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 248 F. 3d 1153.

No. 00–10303. *ALONZO-OROZCO v. UNITED STATES*; *MARTINEZ-RODRIGUEZ v. UNITED STATES*; and *ROSALES-ZAVALA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 250 F. 3d 742 (first and second judgments) and 743 (third judgment).

No. 00–10305. *REEVES v. OHIO BUREAU OF EMPLOYMENT SERVICES ET AL.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 00–10310. *SHOMORIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 229 F. 3d 1161.

No. 00–10317. *ASTELLO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 241 F. 3d 965.

No. 00–10322. *ARDLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 242 F. 3d 989.

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No. 00–10323. *ALVAREZ-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 4 Fed. Appx. 502.

No. 00–10324. *ARELLANO-SANDOVAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 4 Fed. Appx. 538.

No. 00–10330. *VILLARINO-PACHECO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 250 F. 3d 746.

No. 00–10332. *YUDICE-CAMPOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 00–10345. *ALEXANDER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 662.

No. 00–10352. *MEDRANO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 241 F. 3d 740.

No. 00–10355. *AQUINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 242 F. 3d 859.

No. 00–10356. *BELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 5 Fed. Appx. 670.

No. 00–10364. *BARTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 246 F. 3d 668.

No. 00–10367. *LAMARRE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 248 F. 3d 642.

No. 00–10396. *ROBBIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 251 F. 3d 160.

No. 00–10398. *JIMENEZ-MELENDREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 251 F. 3d 162.

No. 00–10404. *MELLERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 247 F. 3d 246.

No. 00–1537. *CITICORP NORTH AMERICA, INC., ET AL. v. FRANCHISE TAX BOARD OF CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Motion of Committee on State Taxation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 83 Cal. App. 4th 1403, 100 Cal. Rptr. 2d 509.

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No. 00–1618. INDECK ENERGY SERVICES INC. ET AL. *v.* CONSUMERS ENERGY CO. ET AL. C. A. 6th Cir. Motion of Attorney General of Michigan for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 250 F. 3d 972.

No. 00–1621. UNITED STATES *v.* GWI PCS 1, INC., ET AL. C. A. 5th Cir. Motion of Cingular Wireless LLC et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 230 F. 3d 788.

No. 00–1661. ORGANIZATION FOR COMPETITIVE MARKETS, INC. *v.* SEABOARD FARMS, INC. C. A. 8th Cir. Motion of Reporters Committee for Freedom of the Press et al. for leave to file a brief as *amici curiae* granted. Certiorari denied.

Rehearing Denied

No. 00–1430. COSTNER *v.* ZMUDA ET AL., 532 U. S. 1021;

No. 00–1455. WOOD *v.* QUINN, SECRETARY OF THE VIRGINIA BOARD OF ELECTIONS, 532 U. S. 1021;

No. 00–1516. ALLISON ET UX. *v.* UNITED STATES ET AL., 532 U. S. 1022;

No. 00–1603. SCHLUND ET AL. *v.* UNITED STATES ET AL., 532 U. S. 1052;

No. 00–7828. THOMPSON *v.* TEXAS, 532 U. S. 1039;

No. 00–8021. MCQUIRTER *v.* BURKE, WARDEN, 532 U. S. 1023;

No. 00–8029. CALLOWAY *v.* UNITED STATES, 531 U. S. 1181;

No. 00–8152. GONCALVES *v.* RYDER, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX, 532 U. S. 946;

No. 00–8188. HAYDEN *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 532 U. S. 947;

No. 00–8423. FARRIS *v.* SAFFLE, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL. (two judgments), 532 U. S. 976;

No. 00–8472. BAZEMORE *v.* UNITED STATES, 532 U. S. 1023;

No. 00–8521. MELECIO-RODRIGUEZ *v.* UNITED STATES, 532 U. S. 1024;

No. 00–8524. PELLEGRINO *v.* SOUTH DAKOTA ET AL., 532 U. S. 979;

No. 00–8549. MASIAS *v.* TEXAS, 532 U. S. 979;

No. 00–8648. BOND *v.* ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, 532 U. S. 998;

No. 00–8743. FADAEL, AKA BARTH *v.* CAPE SAVINGS BANK ET AL., 532 U. S. 1011;

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- No. 00-8801. VONSCHOUNMACHER *v.* TEXAS, 532 U.S. 1024;
No. 00-8856. WILLIAMS *v.* HAYES, SHERIFF, ITAWAMBA COUNTY, MISSISSIPPI, ET AL., 532 U.S. 1012;
No. 00-8899. REID *v.* CITY OF FLINT ET AL., 532 U.S. 1026;
No. 00-8956. BUTCHER *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 532 U.S. 1027;
No. 00-9033. VILLEGAS *v.* LINDSEY, WARDEN, 532 U.S. 1041;
No. 00-9094. GEORGIU *v.* HALTER, ACTING COMMISSIONER OF SOCIAL SECURITY, 532 U.S. 1028;
No. 00-9138. MCSHEFFREY *v.* EXECUTIVE OFFICE OF THE UNITED STATES ATTORNEYS ET AL., 532 U.S. 1042;
No. 00-9175. HUGHES *v.* DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL., 532 U.S. 1029;
No. 00-9194. HEIDLER *v.* GEORGIA, 532 U.S. 1029;
No. 00-9254. WINSLOW *v.* O'NEILL, SECRETARY OF THE TREASURY, 532 U.S. 1043;
No. 00-9344. CLARK *v.* NORTH DAKOTA, 532 U.S. 1043;
No. 00-9371. GLADSTONE *v.* HASTINGS ET AL., *ante*, p. 906; and
No. 00-9774. TOMAS *v.* UNITED STATES, 532 U.S. 1075. Petitions for rehearing denied.
- No. 99-9417. KELLY *v.* SMALL, WARDEN, ET AL., 531 U.S. 918. Motion for leave to file petition for rehearing denied.

JULY 10, 2001

Miscellaneous Order

No. 01-5172 (01A34). IN RE MALLET. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 00-10802 (00A1124). MALLET *v.* MISSOURI. Sup. Ct. Mo. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

No. 01-5173 (01A36). MALLET *v.* MISSOURI. Sup. Ct. Mo. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

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JULY 11, 2001

Miscellaneous Order

No. 01-5072 (01A16). *IN RE WILKENS*. 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.

AUGUST 1, 2001

Dismissal Under Rule 46

No. 00-928. *GREEN ET AL. v. CITY OF TUCSON*. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 217 F. 3d 1081.

AUGUST 6, 2001

Miscellaneous Order

No. 00A986. *PALMORE v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. Application for certificate of appealability, addressed to JUSTICE STEVENS and referred to the Court, denied.

Rehearing Denied

No. 00-997. *SCHMIDT ET AL. v. UNITED STATES*, *ante*, p. 902;
No. 00-1256. *REYES-HERNANDEZ v. UNITED STATES*, 532 U. S. 1065;

No. 00-1390. *CATERINA ET AL. v. UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA ET AL.*, 532 U. S. 1008;

No. 00-1547. *HUERTAS LABOY ET AL. v. PUERTO RICO ET AL.*, 532 U. S. 1066;

No. 00-1697. *WILLIAMS v. CORPORATE EXPRESS DELIVERY SYSTEMS*, *ante*, p. 917;

No. 00-7465. *GONZALEZ v. MCDANIEL*, 531 U. S. 1164;

No. 00-7781. *RICHARDSON v. ALBERTSON'S, INC., ET AL.*, 531 U. S. 1197;

No. 00-8617. *MERCED-NIEVES v. UNITED STATES*, *ante*, p. 931;

No. 00-8930. *SULLIVAN v. TEXAS*, 532 U. S. 1027;

No. 00-8964. *BAYRAMOGLU v. MADDOCK, WARDEN, ET AL.*, 532 U. S. 1028;

No. 00-8967. *MAGGIO v. NORM REEVES HONDA ET AL.*, 532 U. S. 1040;

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No. 00-8989. *SONHOUSE v. NYNEX CORP. ET AL.*, 532 U.S. 1040;

No. 00-9071. *SCHEXNIDER v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 532 U.S. 1042;

No. 00-9117. *SEARS v. FLORIDA*, 532 U.S. 1054;

No. 00-9128. *EPHRAIM v. NEAL*, WARDEN, 532 U.S. 1054;

No. 00-9134. *LOFTEN v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 532 U.S. 1055;

No. 00-9183. *HOLLEMAN v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS*, 532 U.S. 1068;

No. 00-9206. *VESSEY v. UTAH*, 532 U.S. 1029;

No. 00-9218. *FULLER v. SPRAGINS ET AL.*, 532 U.S. 1029;

No. 00-9223. *GALLO-CHAMORRO v. UNITED STATES*, *ante*, p. 953;

No. 00-9226. *HUGHES v. DEEDS*, WARDEN, 532 U.S. 1042;

No. 00-9277. *TERRY v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 532 U.S. 1071;

No. 00-9302. *LAY v. CAIN*, WARDEN, *ante*, p. 905;

No. 00-9369. *HILL v. UNITED STATES*, 532 U.S. 1032;

No. 00-9397. *COSEY v. LOUISIANA*, *ante*, p. 907;

No. 00-9406. *WINFIELD v. UNITED STATES*, 532 U.S. 1044;

No. 00-9408. *BOATENG ET UX. v. INTER AMERICAN UNIVERSITY OF PUERTO RICO ET AL.*, *ante*, p. 918;

No. 00-9425. *JONES v. THOMPSON*, WARDEN, 532 U.S. 1056;

No. 00-9428. *MARTIN v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 918;

No. 00-9479. *FOSTER v. JONES*, WARDEN, *ante*, p. 920;

No. 00-9489. *BUTLER v. CRAVEN*, WARDEN, 532 U.S. 1056;

No. 00-9518. *SMITH v. UNITED STATES*, 532 U.S. 1057;

No. 00-9539. *GRADY v. UNITED STATES*, 532 U.S. 1057;

No. 00-9563. *MYRICK v. HAWK SAWYER*, DIRECTOR, FEDERAL BUREAU OF PRISONS, ET AL., 532 U.S. 1057;

No. 00-9626. *SUROVIK v. JOHNSON*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 935;

No. 00-9630. *WEEKS v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., 532 U.S. 1072;

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No. 00-9717. *HANKS v. CALIFORNIA BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS*, *ante*, p. 921;
No. 00-9739. *NAGY v. UNITED STATES*, 532 U.S. 1074;
No. 00-9819. *IN RE HARRIS*, *ante*, p. 902;
No. 00-9862. *MALADY v. UNITED STATES*, *ante*, p. 910; and
No. 00-9863. *PADRO BURGOS v. UNITED STATES*, *ante*, p. 910.
Petitions for rehearing denied.

No. 130, Orig. *NEW HAMPSHIRE v. MAINE*, 532 U.S. 742. Petition for rehearing denied. JUSTICE SOUTER took no part in the consideration or decision of this petition.

No. 00-1144. *MCPHAUL v. BOARD OF COMMISSIONERS OF MADISON COUNTY ET AL.*, 532 U.S. 921. Motion of petitioner for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

No. 00-1263. *BALLS v. AT&T CORP.*, 532 U.S. 937. Petition for rehearing denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition.

No. 00-8347. *CAMARENA v. SUTER, CLERK, SUPREME COURT OF THE UNITED STATES, ET AL.*, 532 U.S. 934. Motion for leave to file petition for rehearing denied.

AUGUST 7, 2001

Certiorari Denied

No. 01-5409 (01A80). *HILL 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.

AUGUST 8, 2001

Miscellaneous Orders

No. 00-878. *MATHIAS ET AL. v. WORLD COM TECHNOLOGIES, INC., ET AL.* C. A. 7th Cir. [Certiorari granted, 532 U.S. 903.] Motion of the United States to intervene granted. JUSTICE O'CONNOR took no part in the consideration or decision of this motion.

No. 01-5702 (01A115). *IN RE HILL*. 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. 00A1147 (00–10618). *BEAZLEY 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 KENNEDY, and by him referred to the Court, denied. JUSTICE STEVENS, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of execution. JUSTICE SCALIA, JUSTICE SOUTER, and JUSTICE THOMAS took no part in the consideration or decision of this application.

AUGUST 22, 2001

Dismissal Under Rule 46

No. 01–5243. *HUDSON v. CAMPBELL*, CLERK, LYON COUNTY CIRCUIT COURT, ET AL. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 248 F. 3d 1149.

AUGUST 23, 2001

Certiorari Denied

No. 01–5943 (01A155). *WHITE v. NORTH CAROLINA*. Sup. Ct. N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 354 N. C. 74, 553 S. E. 2d 211.

No. 01–5944 (01A156). *WHITE v. NORTH CAROLINA*. Sup. Ct. N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 354 N. C. 227, 553 S. E. 2d 397.

No. 01–5960 (01A160). *WHITE v. EASLEY*, GOVERNOR OF NORTH CAROLINA, ET AL. Gen. Ct. Justice, Super. Ct. Div., Wake County, N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

AUGUST 27, 2001

Miscellaneous Orders

No. 01A2. *BUSH v. POWELL*. Application for stay, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

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No. 01A62 (00-10589). *DANTAS v. DEPARTMENT OF JUSTICE ET AL.* C. A. 1st Cir. Application for protective order, addressed to JUSTICE THOMAS and referred to the Court, denied.

Rehearing Denied

- No. 00-1630. *KANTH v. KANTH*, *ante*, p. 929;
No. 00-1644. *LANGFELDT ET AL. v. GENESIS MEDICAL CENTER*, *ante*, p. 930;
No. 00-1659. *ALLISON ET UX. v. UNITED STATES ET AL.*, *ante*, p. 916;
No. 00-1690. *STURGEON v. BENTON ET AL.*, *ante*, p. 951;
No. 00-1694. *CAMOSCIO v. MASSACHUSETTS*, *ante*, p. 951;
No. 00-5961. *TYLER v. CAIN, WARDEN*, *ante*, p. 656;
No. 00-7786. *SALDANA v. UNITED STATES*, *ante*, p. 952;
No. 00-7973. *RUBIS v. UNITED STATES*, 532 U. S. 1023;
No. 00-8444. *FIELDS v. CLARK ET AL.*, 532 U. S. 977;
No. 00-8471. *LANIER v. UNITED STATES*, *ante*, p. 904;
No. 00-8483. *SALDANA v. UNITED STATES*, *ante*, p. 952;
No. 00-8602. *LASTER v. GEARIN, WARDEN*, 532 U. S. 996;
No. 00-8992. *CADOREE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 532 U. S. 1040;
No. 00-9208. *UNDERKOFER v. COMMUNITY HEALTH CARE PLAN, INC.*, 532 U. S. 1055;
No. 00-9212. *FARRIS v. POPPELL, WARDEN, ET AL.*, 532 U. S. 1069;
No. 00-9219. *HARRIS v. UNITED STATES*, *ante*, p. 953;
No. 00-9433. *CONNER v. HEAD, WARDEN*, *ante*, p. 932;
No. 00-9444. *PADILLA v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, 532 U. S. 1071;
No. 00-9451. *ANDRADE v. CALIFORNIA WORKERS' COMPENSATION APPEALS BOARD*, *ante*, p. 919;
No. 00-9454. *BOYER v. UNITED STATES*, *ante*, p. 907;
No. 00-9523. *HOSS v. JACKSON, WARDEN*, *ante*, p. 933;
No. 00-9613. *BLACKWELL v. HOHN, AKA HAUN*, *ante*, p. 935;
No. 00-9627. *LOFTEN v. TEXAS*, *ante*, p. 935;
No. 00-9638. *PEOPLES v. MICHIGAN*, *ante*, p. 954;
No. 00-9652. *KUHN v. WISCONSIN*, *ante*, p. 954;
No. 00-9659. *IN RE WALKER*, *ante*, p. 948;
No. 00-9669. *ESPOSITO v. GEORGIA*, *ante*, p. 935;

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- No. 00–9691. *WOGOMAN v. ABRAMAJTYS, WARDEN, ante*, p. 955;
- No. 00–9703. *FLEMING v. CRANE, ante*, p. 921;
- No. 00–9710. *FILIPOS v. FILIPOS, ante*, p. 955;
- No. 00–9778. *BROWN v. UNITED STATES, ante*, p. 908;
- No. 00–9821. *GREEN v. SCHLTGEN, WARDEN, ante*, p. 956;
- No. 00–9854. *WALSH v. UNITED STATES, ante*, p. 936;
- No. 00–9872. *LYND v. TURPIN, WARDEN, ante*, p. 921;
- No. 00–9897. *GLEE v. ASHCROFT, ATTORNEY GENERAL, ET AL., ante*, p. 957;
- No. 00–9938. *MARRERO v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS, ante*, p. 957;
- No. 00–10018. *BARNES v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF ARKANSAS, ante*, p. 958;
- No. 00–10023. *McMILLAN v. WALKER, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY, ante*, p. 937;
- No. 00–10027. *McKINNEY v. UNITED STATES, ante*, p. 937;
- No. 00–10066. *WATTS v. ARKANSAS, ante*, p. 958;
- No. 00–10103. *DOWDY v. UNITED STATES, ante*, p. 939;
- No. 00–10213. *BROWN v. UNITED STATES, ante*, p. 960; and
- No. 00–10241. *ADAMS v. UNITED STATES, ante*, p. 961. Petitions for rehearing denied.

No. 00–8634. *RAMOS-CARTAGENA v. UNITED STATES*, 532 U.S. 1066. Motion for leave to file petition for rehearing denied.

AUGUST 30, 2001

Miscellaneous Order

No. 01–6047 (01A177). *IN RE FRYE*. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Petition for writ of habeas corpus denied. JUSTICE SCALIA took no part in the consideration or decision of this application and this petition.

Certiorari Denied

No. 00–9543. *HALE v. DEPARTMENT OF JUSTICE ET AL.* C. A. 10th Cir. Certiorari denied. JUSTICE SCALIA took no part in the consideration or decision of this petition. Reported below: 226 F.3d 1200.

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Certiorari Denied

No. 00–10827 (01A144). *TUCKER 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: 242 F. 3d 617.

SEPTEMBER 7, 2001

Miscellaneous Orders

No. 00A1141 (01–286). *TWEEDY v. OKLAHOMA BAR ASSN.* Sup. Ct. Okla. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. D–2254. *IN RE DISBARMENT OF STIDHAM*. Chuck R. Stidham, of Cincinnati, Ohio, is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2255. *IN RE DISBARMENT OF EVANS*. Francis Birt Evans, Jr., of Canton, 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–2256. *IN RE DISBARMENT OF GRIFFITHS*. David Griffiths, of Bronx, 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. 99–1786. *GREAT-WEST LIFE & ANNUITY INSURANCE CO. ET AL. v. KNUDSON ET AL.* C. A. 9th Cir. [Certiorari granted, 531 U. S. 1124.] Motion of Maryland HMO Subrogation Plaintiffs for leave to file a brief as *amici curiae* granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 00–795. *ASHCROFT, ATTORNEY GENERAL, ET AL. v. FREE SPEECH COALITION ET AL.* C. A. 9th Cir. [Certiorari granted

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sub nom. Holder v. Free Speech Coalition, 531 U.S. 1124.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 00–1293. *ASHCROFT, ATTORNEY GENERAL v. AMERICAN CIVIL LIBERTIES UNION ET AL.* C. A. 3d Cir. [Certiorari granted, 532 U.S. 1037.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

Rehearing Denied

No. 00–1713. *TORRES GONZALEZ v. UNITED STATES*, *ante*, p. 951;

No. 00–5778. *EVANS v. GALAZA, WARDEN, ET AL.*, *ante*, p. 931;

No. 00–8388. *SCALES v. UNITED STATES*, *ante*, p. 952;

No. 00–8597. *VELEZ, AKA ROSA, AKA RODRIGUEZ v. UNITED STATES*, *ante*, p. 953;

No. 00–9047. *ALEXANDER v. MOSLEY, WARDEN*, *ante*, p. 953;

No. 00–9343. *SINGLETON v. DAHLBERG, ACTING SECRETARY OF THE ARMY*, 532 U.S. 1056;

No. 00–9403. *KIRTLEY v. BAKER*, *ante*, p. 918;

No. 00–9547. *SCHEIB v. MELLON BANK ET AL.*, *ante*, p. 933;

No. 00–9631. *WHITE v. UTAH ET AL.*, *ante*, p. 935;

No. 00–9712. *HENDERSON v. LOCKYER, ATTORNEY GENERAL OF CALIFORNIA, ET AL.*, *ante*, p. 935;

No. 00–9956. *CANDELARIO v. UNITED STATES*, *ante*, p. 922; and

No. 00–10305. *REEVES v. OHIO BUREAU OF EMPLOYMENT SERVICES ET AL.*, *ante*, p. 962. Petitions for rehearing denied.

SEPTEMBER 12, 2001

Miscellaneous Order

No. 01A236. *BAGLEY, WARDEN v. BYRD*. Application to vacate stay of execution of sentence of death entered by the United States Court of Appeals for the Sixth Circuit, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

CHIEF JUSTICE REHNQUIST, with whom JUSTICE SCALIA and JUSTICE THOMAS join, dissenting.

John W. Byrd, Jr., was scheduled to be executed by the State of Ohio today, September 12, at 10 a.m. (e.d.t.). Byrd was convicted and sentenced to death in 1983 for the murder of Monte

Tewksbury. Byrd's conviction and sentence were upheld on direct appeal, and we denied certiorari. *Byrd v. Ohio*, 484 U.S. 1037 (1988). In 1988, Byrd filed a petition for state postconviction relief. The Ohio courts denied the petition. In 1994, Byrd filed a petition for writ of habeas corpus in federal court. The District Court and Court of Appeals for the Sixth Circuit dismissed the petition, and we again denied certiorari. *Byrd v. Collins*, 531 U.S. 1082 (2001). Byrd filed another petition for state postconviction relief on April 9, 2001. The trial court and Ohio Court of Appeals dismissed the petition, and the Ohio Supreme Court denied review. *State v. Byrd*, No. 01-1515, Aug. 29, 2001. Byrd then sought permission to file a second federal habeas petition. The Court of Appeals denied Byrd's request on September 10, but stayed the execution until September 18, 2001. On September 11, the Court of Appeals issued an order stating that a member of the court had requested that the en banc court determine whether to vacate the stay issued the day before. The order stated that less than a majority of the court voted in favor of vacating the stay, and "a majority of the active judges have voted to extend the stay of execution until October 8, 2001." No. 01-3927 (CA6, Sept. 11, 2001). The State has filed in this Court an application to vacate the stay granted by the Court of Appeals.

The Court of Appeals has stayed the execution of John Byrd without any explanation of a constitutional defect that would warrant the issuance of a stay by a federal court. The only opinion it has written convincingly concludes that there is no basis for a stay. The only reason the Court of Appeals has provided for granting the stay is to give "a panel member . . . additional time to consider the matter." In extending the stay until October 8, 2001, the court provided no additional justification. Byrd surmises that the Court of Appeals extended the stay to October 8 "in order to consider John Byrd's Petition for Rehearing En Banc." Response to State's Application Seeking Lifting of Stay 4. But the Court of Appeals' order does not offer this as a reason for granting the stay; the order only adds that "the clerk of the court is directed to file and submit to the court any petition offered by a party seeking en banc review of the decision of the panel." In any event, en banc consideration would not warrant granting a stay until October 8. As Judge

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Batchelder points out in her opinion, under the Antiterrorism and Effective Death Penalty Act of 1996, the panel's decision denying Byrd's successive habeas application is not "permitted to be the subject of a petition for rehearing." No. 01-3927 (CA6, Sept. 10, 2001), p. 26 (citing 28 U.S.C. § 2244(b)(3)(E) (1994 ed., Supp. V)). And even if Byrd could seek en banc review, the Court of Appeals would be able to rule on the petition well before October 8. Indeed, the Court of Appeals issued the stay on September 10, and by the very next day the court had considered and rejected a judge's request for en banc reconsideration of the stay order. That leaves the rationale that a panel member needed "additional time to consider the matter." Of course, however, the panel has already issued its opinion. Seeing no justification for the stay, I would grant the State's application to vacate the stay. See *Bowersox v. Williams*, 517 U.S. 345 (1996) (*per curiam*) ("[I]t is 'particularly egregious' to enter a stay absent substantial grounds for relief" (citing *Delo v. Blair*, 509 U.S. 823 (1993) (*per curiam*))).

SEPTEMBER 17, 2001

Certiorari Denied

No. 01-6240 (01A243). *BACON v. LEE, WARDEN, ET AL.* Sup. Ct. N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 353 N. C. 696, 549 S. E. 2d 840.

SEPTEMBER 25, 2001

Certiorari Dismissed

No. 00-8727. *MCCARVER v. NORTH CAROLINA.* Sup. Ct. N. C. [Certiorari granted, 532 U.S. 941.] Writ of certiorari dismissed as improvidently granted.

Miscellaneous Order

No. 99-1786. *GREAT-WEST LIFE & ANNUITY INSURANCE CO. ET AL. v. KNUDSON ET AL.* C. A. 9th Cir. [Certiorari granted, 531 U.S. 1124.] Motion of respondents for leave to participate in oral argument and for divided argument denied.

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Certiorari Granted

No. 00–1567. *YOUNG ET UX. v. UNITED STATES*. C. A. 1st Cir. Certiorari granted. Reported below: 233 F. 3d 56.

No. 00–1595. *HOFFMAN PLASTIC COMPOUNDS, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. D. C. Cir. Certiorari granted. Reported below: 237 F. 3d 639.

No. 00–1831. *UNITED STATES v. CRAFT*. C. A. 6th Cir. Certiorari granted. Reported below: 233 F. 3d 358.

No. 00–1853. *SWIERKIEWICZ v. SOREMA N. A.* C. A. 2d Cir. Certiorari granted. Reported below: 5 Fed. Appx. 63.

No. 00–1751. *ZELMAN, SUPERINTENDENT OF PUBLIC INSTRUCTION OF OHIO, ET AL. v. SIMMONS-HARRIS ET AL.*;

No. 00–1777. *HANNA PERKINS SCHOOL ET AL. v. SIMMONS-HARRIS ET AL.*; and

No. 00–1779. *TAYLOR ET AL. v. SIMMONS-HARRIS ET AL.* C. A. 6th Cir. Certiorari in Nos. 00–1751 and 00–1777 granted. Certiorari in No. 00–1779 granted limited to Question 1 presented by the petition. Cases are consolidated, and a total of one hour is allotted for oral argument. Reported below: 234 F. 3d 945.

No. 00–1770. *DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT v. RUCKER ET AL.* C. A. 9th Cir. Motion of Housing and Development Law Institute et al. for leave to file a brief as *amici curiae* granted. Certiorari granted. JUSTICE BREYER took no part in the consideration or decision of this motion and this petition. Reported below: 237 F. 3d 1113.

No. 00–1937. *MASSANARI, ACTING COMMISSIONER OF SOCIAL SECURITY v. WALTON*. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 235 F. 3d 184.

No. 00–8452. *ATKINS v. VIRGINIA*. Sup. Ct. Va. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 260 Va. 375, 534 S. E. 2d 312.