

ORDERS FOR JUNE 10 THROUGH
OCTOBER 3, 2002

JUNE 10, 2002

Certiorari Granted—Vacated and Remanded

No. 01-600. MASON, WARDEN *v.* MITCHELL. C. A. 6th 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 *Bell v. Cone*, 535 U. S. 685 (2002). Reported below: 257 F. 3d 554.

Certiorari Dismissed

No. 01-9231. MARBLY *v.* DEPARTMENT OF THE TREASURY ET AL. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 22 Fed. Appx. 582.

Miscellaneous Orders

No. 01A930. RODRIGUEZ *v.* HAZBUN ESCAF. D. C. E. D. Va. Application for stay, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

No. D-2315. IN RE DISCIPLINE OF REEKS. Thomas Eugene Reeks, of Tucson, Ariz., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2316. IN RE DISCIPLINE OF MARSHALL. Douglas M. Marshall, of Grand Forks, N. D., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2317. IN RE DISCIPLINE OF RICHEY. Thomas B. Richey, of Fresno, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, re-

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

No. D-2318. *IN RE DISCIPLINE OF HUGHES*. Nathaniel Barker Hughes III, of Memphis, Tenn., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2319. *IN RE DISCIPLINE OF BAGWELL*. N. Reese Bagwell, Jr., of Clarksville, Tenn., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2320. *IN RE DISCIPLINE OF BELSKY*. Jonathan W. Belsky, of University City, Mo., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2321. *IN RE DISCIPLINE OF CARON*. Ronald George Caron, of Saco, Me., 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-2322. *IN RE DISCIPLINE OF CASSIDY*. Timothy Edward Cassidy, of West Mifflin, Pa., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2323. *IN RE DISCIPLINE OF SPITZER*. Richard Clark Spitzer, of Arlington, Va., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 01M64. *MUNOZ v. MUNOZ*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 01M65. *PETROVICH v. SANDS CASINO & HOTEL*. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

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No. 01M66. ESCOBEDO *v.* TEXAS. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 129, Orig. VIRGINIA *v.* MARYLAND. Motion of the Special Master for fees and reimbursement of expenses granted, and the Special Master is awarded a total of \$74,811.30 for the period August 1, 2001, through April 30, 2002, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 534 U.S. 807.]

No. 01-8880. IN RE THOMPSON. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [535 U.S. 968] denied.

No. 01-10147. IN RE SAUNDERS; and

No. 01-10247. IN RE DEESE. Petitions for writs of habeas corpus denied.

No. 01-10179. IN RE HOLLINGSWORTH. 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. 01-1537. IN RE SIMPSON;

No. 01-9541. IN RE MASON;

No. 01-9560. IN RE WILLIAMS; and

No. 01-10080. IN RE STOVER. Petitions for writs of mandamus denied.

Probable Jurisdiction Noted

No. 01-1437. BRANCH ET AL. *v.* SMITH ET AL.; and

No. 01-1596. SMITH ET AL. *v.* BRANCH ET AL. Appeals from D. C. S. D. Miss. Probable jurisdiction noted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 189 F. Supp. 2d 548.

Certiorari Granted

No. 01-1325. BROWN ET AL. *v.* LEGAL FOUNDATION OF WASHINGTON ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 271 F. 3d 835.

No. 01-1243. BORDEN RANCH PARTNERSHIP ET AL. *v.* UNITED STATES ARMY CORPS OF ENGINEERS ET AL. C. A. 9th Cir. Certiorari granted. JUSTICE KENNEDY took no part in the consideration or decision of this petition. Reported below: 261 F. 3d 810.

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Certiorari Denied

No. 00-1305. KISMET INVESTORS, INC. *v.* COUNTY OF BENTON. Ct. App. Minn. Certiorari denied. Reported below: 617 N. W. 2d 85.

No. 01-144. FULTON COUNTY, GEORGIA, ET AL. *v.* FLANIGAN'S ENTERPRISES, INC. OF GEORGIA, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 242 F. 3d 976.

No. 01-785. SEARLES *v.* VAN BEBBER. C. A. 10th Cir. Certiorari denied. Reported below: 251 F. 3d 869.

No. 01-1277. KRILICH *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 01-1292. EPILEPSY FOUNDATION OF NORTHEAST OHIO *v.* NATIONAL LABOR RELATIONS BOARD. C. A. D. C. Cir. Certiorari denied. Reported below: 268 F. 3d 1095.

No. 01-1318. BZAPS, INC., DBA BUSTER'S BAR *v.* CITY OF MANKATO. C. A. 8th Cir. Certiorari denied. Reported below: 268 F. 3d 603.

No. 01-1380. SINYARD ET UX. *v.* ROSSOTTI, COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 268 F. 3d 756.

No. 01-1456. RITTER ET AL. *v.* STANTON ET UX. Ct. App. Ind. Certiorari denied. Reported below: 745 N. E. 2d 828.

No. 01-1466. NEW YORK CITY HOUSING AUTHORITY *v.* DAVIS ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 278 F. 3d 64.

No. 01-1468. PHONOMETRICS, INC. *v.* HOTEL CORPORATION OF THE PACIFIC, DBA ASTON HOTELS & RESORTS. C. A. Fed. Cir. Certiorari denied. Reported below: 20 Fed. Appx. 859.

No. 01-1473. HUNT TRUCK LINES, INC. *v.* CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 272 F. 3d 1000.

No. 01-1474. BLEDSOE *v.* NUCOR-YAMATO STEEL CO. C. A. 8th Cir. Certiorari denied. Reported below: 18 Fed. Appx. 433.

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No. 01-1481. *WEICHERT v. KRUK*, TREASURER OF COUNTY OF OSWEGO. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 288 App. Div. 2d 841, 732 N. Y. S. 2d 186.

No. 01-1482. *PROGRESS RAIL SERVICES CORP. ET AL. v. ALL-FIRST BANK*. C. A. 11th Cir. Certiorari denied.

No. 01-1485. *KAPLAN v. LUDWIG ET AL.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 286 App. Div. 2d 970, 730 N. Y. S. 2d 765.

No. 01-1486. *MANN v. UPJOHN CO.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 324 Ill. App. 3d 367, 753 N. E. 2d 452.

No. 01-1488. *OREGON ARENA CORP. ET AL. v. LEE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 276 F. 3d 550.

No. 01-1489. *NATIONAL ELECTRICAL MANUFACTURERS ASSN. v. SORRELL, ATTORNEY GENERAL OF VERMONT, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 272 F. 3d 104.

No. 01-1493. *MULCAHY ET AL. v. WASHINGTON ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 107 Wash. App. 1010.

No. 01-1497. *CABALLERO RIVERA ET AL. v. CHASE MANHATTAN BANK ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 276 F. 3d 85.

No. 01-1498. *RUTHERFORD v. LAKE MICHIGAN CONTRACTORS, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 395.

No. 01-1505. *COSTA v. MCCULLOUGH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 276 F. 3d 576.

No. 01-1510. *QUINCY MALL, INC. v. PARISIAN, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 27 Fed. Appx. 631.

No. 01-1520. *SMITH v. ODUM*. Super. Ct. DeKalb County, Ga. Certiorari denied.

No. 01-1523. *VOIT v. LOUISVILLE AND JEFFERSON COUNTY BOARD OF HEALTH ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 20 Fed. Appx. 488.

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No. 01-1524. *ZAMOS v. COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION ONE, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 01-1526. *BROWN v. CITY OF WILMINGTON ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 275 F. 3d 33.

No. 01-1529. *HUTCHINS v. WILENTZ, GOLDMAN & SPITZER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 253 F. 3d 176.

No. 01-1531. *MAYNES v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 01-1538. *SISK v. VIRGINIA.* Cir. Ct., City of Charlottesville, Va. Certiorari denied.

No. 01-1544. *DAVIS v. CITY OF EUCLID.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 01-1556. *OUIMETTE v. RHODE ISLAND.* Sup. Ct. R. I. Certiorari denied. Reported below: 785 A. 2d 1132.

No. 01-1558. *TYLER v. DOUGLAS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 280 F. 3d 116.

No. 01-1568. *FULTON COUNTY, GEORGIA, ET AL. v. LAMBERT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 253 F. 3d 588.

No. 01-1579. *SMITH v. WATERMAN STEAMSHIP CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 832.

No. 01-1611. *MURPHY ET AL. v. CHARLOTTE MECKLENBURG HOSPITAL AUTHORITY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 23 Fed. Appx. 112.

No. 01-1638. *GLASSCOCK v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 572.

No. 01-7143. *OSTERBACK v. INGRAM ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 263 F. 3d 169.

No. 01-8115. *MCCOY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 266 F. 3d 1245.

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No. 01-8272. *HANEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 264 F. 3d 1161.

No. 01-8432. *DUNCAN v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 802 So. 2d 533.

No. 01-8451. *PHILISTIN v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 565 Pa. 455, 774 A. 2d 741.

No. 01-8780. *EMERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 270 F. 3d 203.

No. 01-8861. *HAMMONDS v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 354 N. C. 353, 554 S. E. 2d 645.

No. 01-9024. *STUART v. IDAHO*. Sup. Ct. Idaho. Certiorari denied. Reported below: 136 Idaho 490, 36 P. 3d 1278.

No. 01-9456. *MORALES v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD*. C. A. 3d Cir. Certiorari denied.

No. 01-9465. *JAMES v. MOBILE CITY POLICE DEPARTMENT*. C. A. 11th Cir. Certiorari denied.

No. 01-9475. *CARROLL v. PFEFFER*. C. A. 8th Cir. Certiorari denied. Reported below: 262 F. 3d 847.

No. 01-9479. *HORN v. JONES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 01-9482. *GIBBS v. SNYDER, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 01-9484. *HENLEY v. STEGALL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 36 Fed. Appx. 756.

No. 01-9485. *GIBBS v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANAY*. C. A. 3d Cir. Certiorari denied.

No. 01-9488. *HOLLEY v. MITCHEM, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 01-9490. *ADAM v. HAWAII*. Int. Ct. App. Haw. Certiorari denied. Reported below: 97 Haw. 413, 38 P. 3d 581.

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No. 01-9491. *ELDRIDGE v. PORTUONDO*, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 01-9492. *WOODLAND v. CORCORAN*, WARDEN, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 234.

No. 01-9493. *TOWARD v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 01-9495. *RODRIGUEZ v. LEWIS*, WARDEN. C. A. 11th Cir. Certiorari denied. Reported below: 277 F. 3d 1378.

No. 01-9505. *WILLIAMS v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 832.

No. 01-9506. *TAYLOR v. REYNOLDS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 537.

No. 01-9508. *BLANEY v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 324 Ill. App. 3d 221, 754 N. E. 2d 405.

No. 01-9518. *JACKSON v. FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 790 So. 2d 398.

No. 01-9519. *JACKSON v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI*. C. A. 5th Cir. Certiorari denied.

No. 01-9520. *JACKSON v. ARKANSAS DEPARTMENT OF EDUCATION ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 272 F. 3d 1020.

No. 01-9521. *LEWIS v. RADER*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 01-9523. *KINNAIRD v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 01-9524. *BUSTAMONTE v. CITY OF SPRINGFIELD ET AL.* C. A. 1st Cir. Certiorari denied.

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No. 01-9527. *BERRIOS v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 804 So. 2d 1261.

No. 01-9530. *JONES v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 347 Ark. 455, 65 S. W. 3d 402.

No. 01-9537. *WILLIAMS v. WADE*. C. A. 4th Cir. Certiorari denied. Reported below: 20 Fed. Appx. 219.

No. 01-9538. *ORTIZ v. GREINER, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 36 Fed. Appx. 1.

No. 01-9540. *JENKINS v. BELL*. C. A. 4th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 115.

No. 01-9544. *MILLER v. HALL, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 01-9545. *McFADDEN v. CLARENDON COUNTY SHERIFF'S DEPARTMENT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 20 Fed. Appx. 207.

No. 01-9546. *HOOSMAN v. IOWA*. Ct. App. Iowa. Certiorari denied.

No. 01-9547. *SMITH v. JOHNSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH*. C. A. 3d Cir. Certiorari denied.

No. 01-9548. *SIMMONS v. HAMBLy ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 14 Fed. Appx. 918.

No. 01-9550. *BRYANT v. JOHNSON, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 01-9553. *RAMIREZ v. GERLINSKI, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 275 F. 3d 37.

No. 01-9554. *AL-HAKIM v. BEALLS DEPARTMENT STORE 32 ET AL.* C. A. 11th Cir. Certiorari denied.

No. 01-9555. *LUGO v. FLORIDA*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 932.

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No. 01-9557. *BATTLE v. ROE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 01-9561. *LOVERA v. GUIDA, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 01-9565. *TERRY v. OREGON*. Sup. Ct. Ore. Certiorari denied. Reported below: 333 Ore. 163, 37 P. 3d 157.

No. 01-9596. *HOLLAND v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 01-9600. *SINCLAIR v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 769 So. 2d 1270.

No. 01-9612. *RENEAU v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 151.

No. 01-9624. *NICOLAISON v. MILCZART ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 596.

No. 01-9627. *MORDOWANEC v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 259 Conn. 94, 788 A. 2d 48.

No. 01-9641. *FARINA v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 801 So. 2d 44.

No. 01-9687. *ARRINGTON v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 01-9705. *ZEITSCHIK v. UNITED STATES POSTAL SERVICE*. C. A. 2d Cir. Certiorari denied. Reported below: 17 Fed. Appx. 60.

No. 01-9713. *CASTILLE v. COMPLIANCE SOLUTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 559.

No. 01-9738. *MCDOWELL v. VARNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS*. C. A. 3d Cir. Certiorari denied.

No. 01-9899. *LOUDON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 2 Fed. Appx. 131.

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No. 01-9900. *KOCH v. POTTER, POSTMASTER GENERAL*. C. A. 8th Cir. Certiorari denied. Reported below: 14 Fed. Appx. 750.

No. 01-9906. *STEINBRECHER v. STEINBRECHER ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 197 Ill. 2d 514, 759 N. E. 2d 509.

No. 01-9908. *BURL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 276.

No. 01-9909. *DUNCAN v. POTTER, POSTMASTER GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 8 Fed. Appx. 670.

No. 01-9919. *MCDUFFIE ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 24 Fed. Appx. 167.

No. 01-9939. *BELKNAP v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 600.

No. 01-9969. *MUNDA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 01-9972. *VERA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 278 F. 3d 672 and 30 Fed. Appx. 602.

No. 01-10003. *BAILEY v. LANE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 271 F. 3d 652.

No. 01-10006. *JACKSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 F. 3d 403.

No. 01-10013. *BLACKBURN v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 21 Fed. Appx. 229.

No. 01-10016. *BAD WOUND v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 01-10021. *ROSARIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 31 Fed. Appx. 9.

No. 01-10029. *PELAYO-JIMINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 25 Fed. Appx. 544.

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No. 01-10032. *LITTLEJOHN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 01-10033. *JONES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 278 F. 3d 711.

No. 01-10036. *MCGEORGE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 21 Fed. Appx. 184.

No. 01-10042. *BROADNAX v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 24 Fed. Appx. 126.

No. 01-10044. *SAENZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 10 Fed. Appx. 701.

No. 01-10046. *POWELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 38 Fed. Appx. 140.

No. 01-10047. *PRICE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 794 A. 2d 635.

No. 01-10050. *CORTES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 32 Fed. Appx. 1.

No. 01-10051. *CHAVEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 480.

No. 01-10052. *EVANS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 513.

No. 01-10053. *CHAMBERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 346.

No. 01-10054. *LEYVA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 F. 3d 623.

No. 01-10055. *CANO-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 35 Fed. Appx. 388.

No. 01-10056. *CARRANZA CHAVEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 198.

No. 01-10057. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 01-10059. *PILART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 01–10062. *SAMPSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 294.

No. 01–10065. *WARREN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 312.

No. 01–10071. *HAMM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 269 F. 3d 1247.

No. 01–10073. *FOSTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 01–10076. *WHOOTEN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 279 F. 3d 58.

No. 01–10085. *CORDOVA-GONZALEZ v. GONZALEZ, WARDEN, ET AL.*; and *CORDOVA-GONZALEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 01–10086. *MORGAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 254 F. 3d 424.

No. 01–10088. *NAVA-HERNANDEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 756.

No. 01–10089. *PARHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 01–10090. *GARCIA RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 F. 3d 486.

No. 01–10093. *MARTINEZ-VARGAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 35 Fed. Appx. 388.

No. 01–10094. *DIX v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 534.

No. 01–10096. *MCQUEEN v. SCOTT, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 200.

No. 01–10098. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 34 Fed. Appx. 966.

No. 01–10100. *URIAS-ESCOBAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 F. 3d 165.

No. 01–10101. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 941.

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No. 01–10102. *CASTRO v. CHANDLER, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 160.

No. 01–10109. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 312.

No. 01–10112. *WELKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 208.

No. 01–10117. *BEAHM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 27 Fed. Appx. 171.

No. 01–10120. *OCHOA-OLIVAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 893.

No. 01–10123. *RICHARDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 308.

No. 01–10125. *COLEMAN v. DEWITT, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 282 F. 3d 908.

No. 01–10126. *RUMARO v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 794 A. 2d 636.

No. 01–10128. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 01–10129. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 938.

No. 01–10131. *SHACKLEFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 290.

No. 01–10133. *ODIODIO, AKA SULEMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 838.

No. 01–10135. *CERVANTES-NAVA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 F. 3d 501.

No. 01–10136. *ACEVEDO-CRUZ v. UNITED STATES PAROLE COMMISSION*. C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 839.

No. 01–10144. *CHARLUISANT-PAGAN v. VASQUEZ, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 937.

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No. 01-10148. *ALI v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 38 Fed. Appx. 220.

No. 01-10155. *BENNETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 01-10158. *BRINKLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 130.

No. 01-10163. *RIANO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 01-10166. *LOCKETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 275 F. 3d 1086.

No. 01-10167. *MALLOY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 34 Fed. Appx. 520.

No. 01-10170. *PEREZ-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 35 Fed. Appx. 388.

No. 01-803. *HOPKINS, WARDEN v. NEWMAN*. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 247 F. 3d 848.

No. 01-820. *REYNOLDS, SUPERINTENDENT, MOHAWK CORRECTIONAL FACILITY v. MORRIS*. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 264 F. 3d 38.

No. 01-1180. *FLORIDA v. PULLEN*. Sup. Ct. Fla. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 802 So. 2d 1113.

No. 01-1475. *TEXAS v. VICIOSO*. Ct. App. Tex., 10th Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 54 S.W. 3d 104.

No. 01-1080. *TRANS UNION LLC v. FEDERAL TRADE COMMISSION*. C. A. D. C. Cir. Certiorari denied. Reported below: 245 F. 3d 809.

JUSTICE KENNEDY, with whom JUSTICE O'CONNOR joins, dissenting.

Petitioner Trans Union LLC is one of three major credit reporting agencies in the United States. Its business consists of three

activities: (1) traditional credit reporting; (2) prescreening individuals for offers of credit or insurance; and (3) the creation of target marketing lists. The lists in the third category are at issue in this case. They contain the names and addresses of individuals who meet specific criteria such as having obtained an auto loan or two or more mortgages, or having a department store credit card. Marketers purchase these lists, then contact the individuals by mail or telephone to offer them goods and services.

In 1994, the Federal Trade Commission (FTC) issued a decision holding that the information communicated by petitioner's target marketing lists were "consumer reports," the sale of which is prohibited by the Fair Credit Reporting Act (FCRA), 84 Stat. 1128, 15 U.S.C. §1681 *et seq.* The Court of Appeals for the District of Columbia Circuit rejected petitioner's subsequent First Amendment challenge to the FTC's decision. 245 F.3d 809 (2001). Relying on our decision in *Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc.*, 472 U.S. 749 (1985), the Court of Appeals held that the information communicated by petitioner's target marketing lists is subject to reduced constitutional protection because it "is solely of interest to the company and its business customers and relates to no matter of public concern." 245 F.3d, at 818. The court determined that the FTC's ban survived this reduced level of scrutiny despite two arguments from petitioner. First, petitioner urged that an opt-out requirement would be a less restrictive means to achieve the Government's stated purpose. Second, petitioner argued that the FTC's decision does little to protect consumer privacy because credit card companies are still permitted to make widespread disclosures of more invasive information about consumers.

In my view this case meets the standards for review by this Court. The plurality opinion in *Dun & Bradstreet* concluded that a false statement in a credit report was not speech on a matter of public concern, as that term is used in the context of defamation law. It is questionable, however, whether this precedent has any place in the context of truthful, nondefamatory speech. Indeed, *Dun & Bradstreet* rejected in specific terms the view that its holding "leaves all credit reporting subject to reduced First Amendment protection." 472 U.S., at 762, n. 8. The Court of Appeals, nonetheless, relied on *Dun & Bradstreet* to denigrate the importance of this speech. A grant of certiorari is warranted to weigh the validity of this new principle.

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Even accepting the Court of Appeals' distinction between public and private speech, it appears that petitioner's speech touches upon matters of public concern. The Government concedes the speech is essential to the purchasing decisions of millions of Americans. In addition, many charitable and political organizations use the information provided in petitioner's marketing information to solicit support for their causes.

In light of the fact that the FCRA permits prescreening—the disclosure of consumer reports for target marketing for credit and insurance, § 1681b(c)(1)(B)(i)—the FTC's decision to ban target marketing lists is nonsensical. Prescreening entails the disclosure of detailed credit performance information, including bill payment history. Release of this information is far more invasive of consumer privacy than release of the names and addresses contained in petitioner's target marketing lists. Like target marketing, prescreening touches a vast majority of American adults; credit providers extended close to 1.8 billion credit prescreening offers to American consumers in 1997. And the public value of prescreening is not obviously greater than that provided by other forms of target marketing; only about 1 to 2 percent of consumers who receive prescreening offers respond to them.

This case has important practical implications. Petitioner, one of only three major credit reporting agencies in the United States, faces bankruptcy as a result of the decision of the Court of Appeals. Petitioner has been named as a defendant in a series of class actions brought under the FCRA, allegedly on behalf of the 190 million individuals in petitioner's database. Because the FCRA provides for statutory damages of between \$100 and \$1,000 for each willful violation, petitioner faces potential liability approaching \$190 billion. If the Court of Appeals' decision is given collateral-estoppel effect in these class actions (as the class-action plaintiffs seek), petitioner will face crushing liability. The company's demise will have adverse effects on both the national economy and petitioner's thousands of employees.

This case is of national importance, and the Court of Appeals has adopted a novel approach to commercial speech. I would grant the petition for certiorari.

No. 01-1464. VISA U.S.A. INC. ET AL. *v.* WAL-MART STORES, INC., ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE BREYER

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took no part in the consideration or decision of this petition. Reported below: 280 F. 3d 124.

No. 01-1539. SUDARSKY *v.* CITY OF NEW YORK ET AL. C. A. 2d Cir. Motion of Shemco, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 24 Fed. Appx. 28.

No. 01-8443. BEN-YISRAYL *v.* INDIANA. Sup. Ct. Ind. Motion of petitioner to strike the brief in opposition denied. Certiorari denied. Reported below: 753 N. E. 2d 649.

Rehearing Denied

- No. 01-1137. BANDUSKY *v.* ARIZONA, 535 U. S. 987;
No. 01-1240. IN RE KELLY, 535 U. S. 985;
No. 01-1250. DONNER *v.* DONNER ET AL., 535 U. S. 989;
No. 01-1343. KNISKERN ET AL. *v.* AMSTUTZ ET AL., 535 U. S. 990;
No. 01-7296. STOKES ET AL. *v.* UNITED STATES, 535 U. S. 990;
No. 01-7632. TWILLIE *v.* BRENNAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL., 535 U. S. 936;
No. 01-8158. COLWICK *v.* TEXAS, 535 U. S. 994;
No. 01-8575. JONES *v.* BRYANT, WARDEN, 535 U. S. 1022;
No. 01-8663. EARLY *v.* THOMPSON, SECRETARY OF HEALTH AND HUMAN SERVICES, 535 U. S. 1023; and
No. 01-9181. MCHAN *v.* UNITED STATES, 535 U. S. 1027. Petitions for rehearing denied.

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Miscellaneous Order

No. 01A954 (01-10635). MODDEN *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, 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 the issuance of the mandate of this Court. THE CHIEF JUSTICE, JUSTICE SCALIA, and JUSTICE THOMAS would deny the application for stay of execution.

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Affirmed on Appeal

No. 01-1126. MAYFIELD ET AL. *v.* TEXAS ET AL.;
No. 01-1196. BALDERAS ET AL. *v.* TEXAS ET AL.;
No. 01-1225. MEXICAN AMERICAN LEGISLATIVE CAUCUS,
TEXAS HOUSE OF REPRESENTATIVES *v.* TEXAS ET AL.;
No. 01-1242. AMPS ET AL. *v.* TEXAS ET AL.; and
No. 01-1453. MAYFIELD ET AL. *v.* TEXAS ET AL. Affirmed on
appeals from D. C. E. D. Tex.

Certiorari Granted—Reversed and Remanded. (See No. 01-
1385, *ante*, p. 266.)

Certiorari Granted—Vacated and Remanded

No. 00-1231. SIMMONS, SECRETARY, KANSAS DEPARTMENT OF
CORRECTIONS *v.* JOHNSTON. C. A. 10th Cir. Certiorari granted,
judgment vacated, and case remanded for further consideration
in light of *McKune v. Lile*, *ante*, p. 24. Reported below: 232
F. 3d 901.

No. 00-1397. UAL CORP., DBA UNITED AIRLINES *v.* FIELDER.
C. A. 9th Cir. Certiorari granted, judgment vacated, and case
remanded for further consideration in light of *National Railroad
Passenger Corporation v. Morgan*, *ante*, p. 101. Reported below:
218 F. 3d 973.

No. 01-985. MADISON *v.* IBP, INC. C. A. 8th Cir. Certiorari
granted, judgment vacated, and case remanded for further consid-
eration in light of *National Railroad Passenger Corporation v.
Morgan*, *ante*, p. 101. Reported below: 257 F. 3d 780.

No. 01-1068. HENDERSON *v.* GENERAL AMERICAN LIFE IN-
SURANCE CO. ET AL. C. A. 8th Cir. Certiorari granted, judg-
ment vacated, and case remanded for further consideration in
light of *Devlin v. Scardelletti*, *ante*, p. 1. Reported below: 268
F. 3d 627.

No. 01-1205. O'CONNOR *v.* NORTSHORE INTERNATIONAL IN-
SURANCE SERVICES, INC., ET AL. C. A. 1st Cir. Certiorari
granted, judgment vacated, and case remanded for further consid-
eration in light of *Swierkiewicz v. Sorema N. A.*, 534 U.S. 506
(2002). Reported below: 21 Fed. Appx. 15.

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No. 01-1297. GRIMES ET AL., TRUSTEES UNDER THE WILL OF CHAPLIN, ET AL. *v.* NAVIGANT CONSULTING, INC., ET AL. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Devlin v. Scardelletti*, ante, p. 1. Reported below: 275 F. 3d 616.

No. 01-1360. SCARBOROUGH *v.* PRINCIPI, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Edelman v. Lynchburg College*, 535 U. S. 106 (2002). Reported below: 273 F. 3d 1087.

Certiorari Dismissed

No. 01-9583. BISHOP *v.* BOOKHARD ET AL. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 01-9663. MARCELLO ET UX. *v.* MAINE DEPARTMENT OF HUMAN SERVICES. C. A. 1st Cir. Motion of petitioners for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 28 Fed. Appx. 1.

No. 01-9745. IN RE NUBINE. Sup. Ct. Tex. 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 petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 01-10257. DEBARDELEBEN *v.* PUGH, WARDEN. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal 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. Reported below: 24 Fed. Appx. 230.

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Miscellaneous Orders

No. 01M67. *KINDER v. LUEBBERS*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER;

No. 01M68. *DESIDERIO-MEZA v. UNITED STATES*; and

No. 01M69. *COUCH v. ROE*, WARDEN, ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 00-799. *CITY OF LOS ANGELES v. ALAMEDA BOOKS, INC.*, ET AL., 535 U.S. 425. Motion of respondents to modify plurality opinion denied.

No. 01-270. *YELLOW TRANSPORTATION, INC. v. MICHIGAN ET AL.* Sup. Ct. Mich. [Certiorari granted, 534 U.S. 1112.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 01-706. *SPRIETSMA, ADMINISTRATOR OF THE ESTATE OF SPRIETSMA, DECEASED v. MERCURY MARINE*, A DIVISION OF BRUNSWICK CORP. Sup. Ct. Ill. [Certiorari granted, 534 U.S. 1112.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 01-729. *GODFREY ET AL. v. DOE ET AL.* C. A. 9th Cir. [Certiorari granted *sub nom. Otte v. Doe*, 534 U.S. 1126.] Motion of the Reporters Committee for Freedom of the Press for leave to file a brief as *amicus curiae* granted.

No. 01-1184. *UNITED STATES v. JIMENEZ RECIO ET AL.* C. A. 9th Cir. [Certiorari granted, 535 U.S. 1094.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 01-1605. *IN RE TAYLOR*; *IN RE HARRIS ET AL.*; and

No. 01-1623. *IN RE WISCHKAEMPER ET AL.* C. A. 5th Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 01-9588. *IN RE POWELL*. Petition for writ of mandamus denied.

Certiorari Denied

No. 00-1852. *JETT v. WASHINGTON COUNTY SCHOOL BOARD*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1184.

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No. 01-373. *POTTER, POSTMASTER GENERAL v. FITZGERALD*. C. A. 2d Cir. Certiorari denied. Reported below: 251 F. 3d 345.

No. 01-1129. *PITTS ET AL. v. CITY OF KANKAKEE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 267 F. 3d 592.

No. 01-1132. *MCBROOM ET AL. v. MOORE*. C. A. 6th Cir. Certiorari denied. Reported below: 272 F. 3d 769.

No. 01-1186. *VINYARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 266 F. 3d 320.

No. 01-1188. *BHUTANI ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 266 F. 3d 661.

No. 01-1233. *MATO v. BALDAUF ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 267 F. 3d 444.

No. 01-1234. *COHEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 260 F. 3d 68.

No. 01-1316. *CITY OF SEATTLE v. FURFARO ET AL.*; and

No. 01-1522. *FURFARO ET AL. v. CITY OF SEATTLE*. Sup. Ct. Wash. Certiorari denied. Reported below: 144 Wash. 2d 363, 27 P. 3d 1160 and 36 P. 3d 1005.

No. 01-1329. *NICKELL v. MEMPHIS LIGHT, GAS & WATER DIVISION*. C. A. 6th Cir. Certiorari denied. Reported below: 16 Fed. Appx. 401.

No. 01-1332. *SATELLITE BROADCASTING AND COMMUNICATIONS ASSN. ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 275 F. 3d 337.

No. 01-1357. *OHIO ENVIRONMENTAL PROTECTION AGENCY v. NIHISER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 269 F. 3d 626.

No. 01-1362. *ELAGAMY v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 5th Cir. Certiorari denied. Reported below: 281 F. 3d 1279.

No. 01-1365. *DANKS v. APPEL ET AL.* Sup. Ct. Colo. Certiorari denied.

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No. 01-1393. *COLKITT v. GFL ADVANTAGE FUND, LTD.* C. A. 3d Cir. Certiorari denied. Reported below: 272 F. 3d 189.

No. 01-1396. *PACKARD v. CONTINENTAL AIRLINES, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 24 Fed. Appx. 960.

No. 01-1499. *CARSON v. NEWS-JOURNAL CORP. ET AL.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 790 So. 2d 1120.

No. 01-1504. *CELTRONIX TELEMETRY, INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 272 F. 3d 585.

No. 01-1509. *SEITZ v. SPEAGLE ET UX.* Sup. Ct. N. C. Certiorari denied. Reported below: 354 N. C. 525, 557 S. E. 2d 83.

No. 01-1514. *COLEMAN ET AL. v. PREUSSAG AKTIENGESELLSCHAFT.* Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 16 S. W. 3d 110.

No. 01-1515. *CITY OF DETROIT ET AL. v. LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS.* C. A. 6th Cir. Certiorari denied. Reported below: 276 F. 3d 876.

No. 01-1528. *ALTMAN v. KAPTURE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 01-1530. *L. C., A MINOR v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 782 A. 2d 1064.

No. 01-1532. *IN RE KITTRELL.* Sup. Ct. Cal. Certiorari denied.

No. 01-1533. *LEONARD, A MINOR, BY AND THROUGH HIS GUARDIAN AD LITEM, LEONARD, ET AL. v. EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 686.

No. 01-1535. *CASSATA, DIRECTOR, ADAMS COUNTY DEPARTMENT OF SOCIAL SERVICES, ET AL. v. WESTON ET AL.* Ct. App. Colo. Certiorari denied. Reported below: 37 P. 3d 469.

No. 01-1540. *MICHIGAN v. SCHWESING.* Ct. App. Mich. Certiorari denied.

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No. 01-1541. *SAGE REALTY CORP. ET AL. v. PROSKAUER ROSE LLP ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 284 App. Div. 2d 239, 726 N. Y. S. 2d 555.

No. 01-1543. *OETTING v. INDIANA BOARD OF TAX COMMISSIONERS.* Tax Ct. Ind. Certiorari denied. Reported below: 757 N. E. 2d 242.

No. 01-1546. *CALIFORNIA DEPARTMENT OF YOUTH AUTHORITY v. DOUGLAS.* C. A. 9th Cir. Certiorari denied. Reported below: 271 F. 3d 812 and 910.

No. 01-1549. *RODRIGUEZ v. HARBESTON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 202.

No. 01-1550. *WRIGHT-DEAN ET VIR v. GARLAND ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 779 A. 2d 911.

No. 01-1554. *MIDDLETON v. BALL-FOSTER GLASS CONTAINER CO., L. L. C.* C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 835.

No. 01-1570. *JACOBSON v. VENEMAN, SECRETARY OF AGRICULTURE.* C. A. 8th Cir. Certiorari denied. Reported below: 18 Fed. Appx. 441.

No. 01-1575. *BURRIER v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES (BLANCO ET AL., REAL PARTIES IN INTEREST).* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 01-1592. *JORDAN v. JORDAN.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 01-1599. *ABATE OF GEORGIA, INC. v. GEORGIA DEPARTMENT OF PUBLIC SAFETY.* C. A. 11th Cir. Certiorari denied. Reported below: 264 F. 3d 1315.

No. 01-1602. *NEW YORK STOCK EXCHANGE, INC. v. MFS SECURITIES CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 277 F. 3d 613.

No. 01-1633. *WALLACE v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 276 F. 3d 360.

No. 01-1637. *HERNANDEZ v. ALAMEIDA, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied. Reported below: 27 Fed. Appx. 841.

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No. 01-1645. UNITED STATES EX REL. GAUDINEER AND COMITO, L. L. P. *v.* GESAMAN. C. A. 8th Cir. Certiorari denied. Reported below: 269 F. 3d 932.

No. 01-1675. DAWSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 01-1680. RINALDI *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 280 F. 3d 1103.

No. 01-8563. WHITE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 221 F. 3d 1356.

No. 01-8722. HIZBULLAHANKHAMON *v.* WALKER, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. Reported below: 255 F. 3d 65.

No. 01-9044. BURT *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. Reported below: 205 Ill. 2d 28, 792 N. E. 2d 1250.

No. 01-9104. RHODE *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. Reported below: 274 Ga. 377, 552 S. E. 2d 855.

No. 01-9566. MCCOY *v.* INDIANA. Ct. App. Ind. Certiorari denied.

No. 01-9570. RICCARDO ET UX. *v.* POLITZ. Super. Ct. Pa. Certiorari denied. Reported below: 779 A. 2d 1230.

No. 01-9584. RHODES *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 275 F. 3d 1078.

No. 01-9587. PEARSON *v.* ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 321 Ill. App. 3d 1060, 797 N. E. 2d 249.

No. 01-9592. BOETTNER *v.* KIRKWOOD ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 268 F. 3d 1064.

No. 01-9594. ISRAEL *v.* STENDER, WARDEN, ET AL. C. A. 8th Cir. Certiorari denied.

No. 01-9595. HOWARD *v.* GREEN, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 15 Fed. Appx. 179.

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No. 01-9601. *SEESE v. SPRINGS*. Sup. Ct. Ga. Certiorari denied. Reported below: 274 Ga. 659, 558 S. E. 2d 710.

No. 01-9602. *ATWELL v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 01-9604. *DAHMER v. IDAHO ET AL.* Ct. App. Idaho. Certiorari denied. Reported below: 137 Idaho 210, 46 P. 3d 27.

No. 01-9605. *TYLER v. RACKLEY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 18 Fed. Appx. 176.

No. 01-9606. *LONG v. COMMUNIST PARTY OF THE UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 127.

No. 01-9608. *JORDAN v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 666.

No. 01-9609. *WEGER v. HICKS, JUDGE, SUPERIOR COURT OF WASHINGTON, THURSTON COUNTY*. Sup. Ct. Wash. Certiorari denied.

No. 01-9611. *MUNSON v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 139 Md. App. 748.

No. 01-9613. *REDIC v. MOSKOWITZ ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 01-9614. *RHODES v. HIRSCHLER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 902.

No. 01-9618. *LOONEY v. HETSELL ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 277 F. 3d 1379.

No. 01-9620. *HATCHER v. HOPKINS, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 256 F. 3d 761.

No. 01-9622. *GREEN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 97 N. Y. 2d 626, 760 N. E. 2d 1281.

No. 01-9623. *HARRISON v. MAHAFFEY, WARDEN, ET AL.* Sup. Ct. Okla. Certiorari denied.

No. 01-9625. *MURPHY v. MAZZUCA, SUPERINTENDENT, FISH-KILL CORRECTIONAL FACILITY*. App. Div., Sup. Ct. N. Y., 2d Jud.

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Dept. Certiorari denied. Reported below: 286 App. Div. 2d 690, 729 N. Y. S. 2d 785.

No. 01-9626. BEATON *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 01-9628. NELSON *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied.

No. 01-9630. ANTHONY *v.* GASPAR, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 01-9631. CORBIN *v.* FLORIDA BAR. Sup. Ct. Fla. Certiorari denied.

No. 01-9635. CARRILLO *v.* DESANTO ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 273 F. 3d 1098.

No. 01-9636. MILLER *v.* TENNESSEE. Sup. Ct. Tenn. Certiorari denied. Reported below: 54 S. W. 3d 743.

No. 01-9637. MANUEL ACUNA *v.* AYERS, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 01-9639. JOHNSON *v.* DUFRAIN, SUPERINTENDENT, FRANKLIN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 01-9645. WHITFIELD *v.* KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER, ET AL. C. A. 8th Cir. Certiorari denied.

No. 01-9648. DOPP *v.* SAFFLE, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS. C. A. 10th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 859.

No. 01-9649. COLON *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 273 F. 3d 1120.

No. 01-9652. PUGH *v.* ARKANSAS DEPARTMENT OF HUMAN SERVICES. Sup. Ct. Ark. Certiorari denied.

No. 01-9657. LEDFORD *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 275 F. 3d 471.

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No. 01-9659. *MARTIN v. ALAMEIDA*, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied.

No. 01-9661. *JOHNSON v. SCOTT COUNTY SOIL AND WATER CONSERVATION DISTRICT ET AL.* Dist. Ct. Iowa, Scott County. Certiorari denied.

No. 01-9664. *LONGWORTH v. SOUTH CAROLINA*. Ct. Common Pleas of Spartanburg County, S. C. Certiorari denied.

No. 01-9665. *MCGEE v. WEST VIRGINIA*. Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 01-9670. *O'QUINN v. BOOKER*. C. A. 5th Cir. Certiorari denied.

No. 01-9671. *MIXON v. BENNETT*, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 01-9672. *MILLER v. DORMIRE*, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 01-9674. *ROWSEY v. ESLINGER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 01-9676. *SIMON v. BOCK*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 01-9678. *RODRIGUEZ v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 01-9679. *TREJO PAULINO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 01-9680. *PANNELL v. HANKS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 01-9681. *PAYNE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 01-9685. *MILLER v. TURNER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 560.

No. 01-9686. *MORRISON v. CONROY*, WARDEN, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 222.

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No. 01-9691. *HILL v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 01-9692. *FERGUSON v. WM. WRIGLEY JR. CO. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 17 Fed. Appx. 421.

No. 01-9693. *GODEK v. GRAYSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 01-9694. *BAEZ v. PORTUONDO, SUPERINTENDENT, SHAW-ANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 01-9700. *BREEZE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 799 So. 2d 216.

No. 01-9702. *WASSERMAN ET UX. v. BARTHOLOMEW ET AL.* Sup. Ct. Alaska. Certiorari denied. Reported below: 38 P. 3d 1162.

No. 01-9703. *TAYLOR v. KOTECKI*. C. A. 7th Cir. Certiorari denied.

No. 01-9704. *WADE v. SUPERIOR COURT OF CALIFORNIA, RIVERSIDE COUNTY*. C. A. 9th Cir. Certiorari denied.

No. 01-9706. *EDMONDS v. VIRGINIA*. Ct. App. Va. Certiorari denied.

No. 01-9707. *LUGO v. SHAM ET AL.* C. A. 9th Cir. Certiorari denied.

No. 01-9708. *BOBBITT v. WALKER, SUPERINTENDENT, MARION CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 20 Fed. Appx. 229.

No. 01-9711. *WHEELER v. COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY*. Sup. Ct. Pa. Certiorari denied.

No. 01-9712. *THOMAS v. STALDER, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

No. 01-9714. *MEEGAN v. NEVADA*. Sup. Ct. Nev. Certiorari denied.

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No. 01-9716. *BOWLES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 804 So. 2d 1173.

No. 01-9729. *BLAS v. ALAMEIDA, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 01-9731. *ARMSTRONG v. CITY OF GREENSBORO ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 25 Fed. Appx. 185.

No. 01-9740. *NICOLAU v. NEW YORK COMMISSIONER OF TEMPORARY AND DISABILITY ASSISTANCE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 01-9773. *CRUMBAKER v. REGENCE BLUECROSS BLUE-SHIELD OF OREGON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 809.

No. 01-9857. *HAFNER v. HUBBARD, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 23 Fed. Appx. 871.

No. 01-9864. *MILANO v. NORTH CAROLINA.* Gen. Ct. Justice, Super. Ct. Div., Mecklenburg County, N. C. Certiorari denied.

No. 01-9904. *HILL v. UNITED STATES TRUSTEE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 277 F. 3d 1373.

No. 01-9912. *VARGAS DE ALMEIDA v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 930.

No. 01-9966. *IN RE ARNETT.* C. A. D. C. Cir. Certiorari denied.

No. 01-9979. *MATHISON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 01-10012. *AHMED v. WARDEN, FEDERAL CORRECTIONS INSTITUTION, ENGLEWOOD, COLORADO.* C. A. 10th Cir. Certiorari denied. Reported below: 36 Fed. Appx. 943.

No. 01-10030. *ANTHONY v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 354 N. C. 372, 555 S. E. 2d 557.

No. 01-10092. *HANSEN v. SPARKMAN, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 277 F. 3d 1372.

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No. 01–10124. *DESHIELDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 308.

No. 01–10152. *COE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 273 F. 3d 1111.

No. 01–10157. *WRIGHT v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 20 Fed. Appx. 900.

No. 01–10161. *OWENS, AKA HARPER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 199.

No. 01–10168. *JORDAN v. HAWK SAWYER, DIRECTOR, FEDERAL BUREAU OF PRISONS*. C. A. 10th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 845.

No. 01–10172. *CARTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 293.

No. 01–10173. *JOINER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 01–10174. *STERLING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 283 F. 3d 216.

No. 01–10176. *MOODY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 58.

No. 01–10182. *THOMAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 280 F. 3d 835.

No. 01–10183. *ZUNIGA-SOLIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

No. 01–10185. *ALVAREZ-BECERRA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 403.

No. 01–10187. *VASQUEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 281 F. 3d 226.

No. 01–10194. *TOPETE-HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 745.

No. 01–10197. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 352.

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No. 01–10198. *BRITTEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 01–10199. *GREEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 275 F. 3d 55.

No. 01–10200. *GORDON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 01–10201. *HANNAH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 203.

No. 01–10202. *GLORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 01–10203. *FUELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 23 Fed. Appx. 173.

No. 01–10204. *GIBSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 01–10206. *PEREZ-COLON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 279 F. 3d 105.

No. 01–10208. *McAFEE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 01–10209. *LIFAITE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 264 F. 3d 1145.

No. 01–10210. *BRAXTONBROWN-SMITH v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 278 F. 3d 1348.

No. 01–10212. *CARL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 01–10214. *BOSWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 01–10216. *BARRIOS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 20 Fed. Appx. 239.

No. 01–10217. *CORTES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 354.

No. 01–10218. *BUTNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 277 F. 3d 481.

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No. 01–10223. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 839.

No. 01–10227. *MARTIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 01–10234. *HOSKINS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 F. 3d 772.

No. 01–10235. *HARRINGTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 01–10236. *LEE v. DEPARTMENT OF JUSTICE ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 01–10239. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 01–10241. *McGEE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 280 F. 3d 803.

No. 01–10242. *MIRANDA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 01–10244. *PEREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 281 F. 3d 1286.

No. 01–10246. *DOWNS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 01–10248. *SHINGLETON v. OHIO*. Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 01–10251. *ROBINSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 01–10258. *MORRIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 287 F. 3d 985.

No. 01–10259. *McVAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 661.

No. 01–10262. *MIRANDA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 277 F. 3d 1376.

No. 01–10265. *TAYLOR v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 284 F. 3d 95.

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No. 01–10267. ROSALES-GARAY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 283 F. 3d 1200.

No. 01–10269. PETERS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 283 F. 3d 300.

No. 01–10270. DARLING *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 23 Fed. Appx. 661.

No. 01–10271. COPELAND *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 533.

No. 01–10272. SENFFNER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 280 F. 3d 755.

No. 01–10281. JENKINS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 34 Fed. Appx. 968.

No. 01–10284. JONES *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 01–10287. RIVERA-GARCIA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 380.

No. 01–10288. RICE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 01–10289. FERGUSON, AKA WEINBERGER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 992.

No. 01–10294. STEVENSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 173.

No. 01–881. GENERAL ELECTRIC CAPITAL CORP., DBA GE CAPITAL, ET AL. *v.* THIESSEN. C. A. 10th Cir. Motions of Washington Legal Foundation and United States Chamber of Commerce for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 267 F. 3d 1095.

No. 01–1566. HAWKINS, INDIVIDUALLY, AND AS TRUSTEE, HAWKINS FAMILY TRUST *v.* VASTAR RESOURCES, INC. Sup. Ct. Okla. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 01–1577. MUMME *v.* DEPARTMENT OF LABOR. C. A. 1st Cir. Certiorari denied. JUSTICE SCALIA took no part in the consideration or decision of this petition.

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Rehearing Denied

No. 01-1221. OLMSTEAD *v.* WALTER INDUSTRIES, INC., DBA MID STATE HOMES, INC., 535 U.S. 1018;

No. 01-8343. JONES *v.* UNITED STATES, 535 U.S. 949;

No. 01-8415. MCBROOM *v.* COLUMBIA GAS OF OHIO, INC., 535 U.S. 1019;

No. 01-8612. NOLBERTO PENA *v.* UNITED STATES, 535 U.S. 965; and

No. 01-8729. CONNELLY *v.* LEAHEY & JOHNSON, 535 U.S. 1040. Petitions for rehearing denied.

JUNE 18, 2002

Certiorari Denied

No. 01-10810 (01A980). FUGATE *v.* HEAD, WARDEN. Sup. Ct. Ga. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

JUNE 20, 2002

Dismissal Under Rule 46

No. 01-538. VENCOR, INC., ET AL. *v.* HELWIG ET AL. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 251 F. 3d 540.

JUNE 24, 2002

Affirmed on Appeal

No. 01-1600. UNGER ET AL. *v.* MANCHIN, SECRETARY OF STATE OF WEST VIRGINIA, ET AL. Affirmed on appeal from D. C. N. D. W. Va. Reported below: 188 F. Supp. 2d 651.

Certiorari Granted—Reversed and Remanded. (See No. 01-8419, *ante*, p. 635.)

Certiorari Granted—Vacated and Remanded

No. 00-665. MONTEMAYOR, COMMISSIONER, TEXAS DEPARTMENT OF INSURANCE, ET AL. *v.* CORPORATE HEALTH INSURANCE ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Rush*

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Prudential HMO, Inc. v. Moran, ante, p. 355. Reported below: 215 F. 3d 526.

No. 01-1028. CITY OF SAN ANTONIO ET AL. *v.* STUCKY, DBA BILL'S WRECKER SERVICE, ET AL. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Columbus v. Ours Garage & Wrecker Service, Inc.*, ante, p. 424. Reported below: 260 F. 3d 424.

No. 01-1206. CITY OF DALLAS *v.* COLE. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Columbus v. Ours Garage & Wrecker Service, Inc.*, ante, p. 424. Reported below: 277 F. 3d 1373.

Certiorari Dismissed

No. 01-9821. BROWN *v.* CALIFORNIA DEPARTMENT OF CORRECTIONS ET AL. 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. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 19 Fed. Appx. 513.

No. 01-9828. GLADSTONE *v.* MERRILL LYNCH, PIERCE, FENNER & SMITH INC. ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. D-2286. IN RE DISBARMENT OF MARKS. Disbarment entered. [For earlier order herein, see 535 U. S. 902.]

No. D-2287. IN RE DISBARMENT OF BUSHLOW. Disbarment entered. [For earlier order herein, see 535 U. S. 902.]

No. D-2290. IN RE DISBARMENT OF GRIDER. Disbarment entered. [For earlier order herein, see 535 U. S. 902.]

No. D-2291. IN RE DISBARMENT OF BAILEY. Disbarment entered. [For earlier order herein, see 535 U. S. 924.]

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No. D-2324. IN RE DISCIPLINE OF WESTBY. Ragnhild Anne Westby, of Saint Paul, Minn., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-2325. IN RE DISCIPLINE OF HOVELL. William P. Hovell, of Spring Valley, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2326. IN RE DISCIPLINE OF BENJAMIN. Peter L. Benjamin, of Merrillville, Ind., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2327. IN RE DISCIPLINE OF REYNOLDS. David Glenn Reynolds, of Placitas, N. M., 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-2328. IN RE DISCIPLINE OF BRANDES. Joel R. Brandes, of Garden City, 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-2329. IN RE DISCIPLINE OF LEONARDO. Anthony F. Leonardo, Jr., of Rochester, 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-2330. IN RE DISCIPLINE OF ZOGBY. Peter S. Zogby, of New Hartford, 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. 01M70. CANTRELL *v.* UNITED STATES. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

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No. 01-8601. *MAYBERRY v. BURGHUIS*. C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [535 U. S. 1015] denied.

No. 01-9727. *IN RE SNAVELY*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [535 U. S. 1052] denied.

No. 01-10296. *IN RE SMITH*;
No. 01-10358. *IN RE CALLEN*;
No. 01-10369. *IN RE BOWEN*;
No. 01-10405. *IN RE BREWER*;
No. 01-10460. *IN RE DETHLEFS*;
No. 01-10499. *IN RE RIVA*; and
No. 01-10531. *IN RE ANTONELLI*. Petitions for writs of habeas corpus denied.

No. 01-9238. *IN RE MAYBERRY*;
No. 01-9783. *IN RE PETERSON*;
No. 01-10331. *IN RE WARREN*; and
No. 01-10409. *IN RE WOODARD*. Petitions for writs of mandamus denied.

Certiorari Granted

No. 01-1418. *ARCHER ET UX. v. WARNER*. C. A. 4th Cir. Certiorari granted. Reported below: 283 F. 3d 230.

No. 01-1269. *CITY OF CUYAHOGA FALLS, OHIO, ET AL. v. BUCKEYE COMMUNITY HOPE FOUNDATION ET AL.* C. A. 6th Cir. Certiorari granted limited to Questions 1, 2, and 3 presented by the petition. Reported below: 263 F. 3d 627.

No. 01-1368. *NEVADA DEPARTMENT OF HUMAN RESOURCES ET AL. v. HIBBS ET AL.* C. A. 9th Cir. Motion of respondent William Hibbs for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 273 F. 3d 844.

Certiorari Denied

No. 01-200. *UNITED STATES HEALTHCARE SYSTEMS OF PENNSYLVANIA, INC. v. PENNSYLVANIA HOSPITAL INSURANCE CO. ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 564 Pa. 407, 768 A. 2d 1089.

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No. 01-336. *SERVANTES v. RENNE*. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 86 Cal. App. 4th 1081, 103 Cal. Rptr. 2d 870.

No. 01-764. *PATRICK v. UNUM LIFE INSURANCE COMPANY OF AMERICA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 01-863. *FIN CONTROL SYSTEMS PTY., LTD. v. SURFCO HAWAII*. C. A. Fed. Cir. Certiorari denied. Reported below: 264 F. 3d 1062.

No. 01-873. *BOWEN, WARDEN v. RICE*. C. A. 7th Cir. Certiorari denied. Reported below: 264 F. 3d 698.

No. 01-1372. *MINNESOTA SENIOR FEDERATION, METROPOLITAN REGION, ET AL. v. UNITED STATES ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 273 F. 3d 805.

No. 01-1384. *MICHIGAN PEAT v. ENVIRONMENTAL PROTECTION AGENCY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 19 Fed. Appx. 344.

No. 01-1392. *USA POLYMER CORP. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. Reported below: 272 F. 3d 289.

No. 01-1404. *LILLY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 293.

No. 01-1417. *PRESUTTI v. FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR THE BANK OF HARTFORD*. C. A. 2d Cir. Certiorari denied. Reported below: 24 Fed. Appx. 92.

No. 01-1429. *AMALFITANO v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 21 Fed. Appx. 67.

No. 01-1449. *ERVIN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 766 A. 2d 859.

No. 01-1462. *LINNEEN ET UX. v. GILA RIVER INDIAN COMMUNITY*. C. A. 9th Cir. Certiorari denied. Reported below: 276 F. 3d 489.

No. 01-1547. *SOUTH CAMDEN CITIZENS IN ACTION ET AL. v. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION*

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ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 274 F. 3d 771.

No. 01-1551. *PILIPSHEN v. IBM CORP.* C. A. 2d Cir. Certiorari denied. Reported below: 15 Fed. Appx. 20.

No. 01-1553. *OHIO v. REINER.* Sup. Ct. Ohio. Certiorari denied. Reported below: 93 Ohio St. 3d 601, 757 N. E. 2d 1143.

No. 01-1560. *BARRIOS v. FLORIDA BOARD OF REGENTS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 932.

No. 01-1564. *CHAMBERS v. STERN ET AL.* Sup. Ct. Ark. Certiorari denied. Reported below: 347 Ark. 395, 64 S. W. 3d 737.

No. 01-1571. *DUHON ET AL. v. POLICE JURY OF VERMILLION PARISH, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 838.

No. 01-1578. *MEDICAL ASSURANCE OF WEST VIRGINIA, INC. v. PIZARRO ET AL.* Sup. Ct. App. W. Va. Certiorari denied.

No. 01-1581. *IDG, INC., ET AL. v. CONTINENTAL CASUALTY CO. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 275 F. 3d 916.

No. 01-1583. *THURLWELL v. WALT DISNEY PICTURES & TELEVISION, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 6 Fed. Appx. 647.

No. 01-1587. *DAHLZ v. STATE BAR OF CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 01-1590. *WRIGHT v. DAIGLE, SUPERINTENDENT, WASHINGTON STATE REFORMATORY.* C. A. 9th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 850.

No. 01-1597. *DUNN v. KEAN.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 808 So. 2d 216.

No. 01-1598. *CLARK v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 01-1606. *DUNN v. KEAN.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 810 So. 2d 922.

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No. 01-1610. *MCCLURE v. GEORGE*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 297.

No. 01-1612. *SCHULTZ v. SYKES ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 248 Wis. 2d 746, 638 N. W. 2d 604.

No. 01-1613. *WENDT v. MINETA, SECRETARY OF TRANSPORTATION*. C. A. 7th Cir. Certiorari denied.

No. 01-1615. *McLACHLAN, TRUSTEE OF THE MARY BUTSCHEK LIVING TRUST, ET AL. v. SIMON, AN INDIVIDUAL AND FORMER TRUSTEE OF THE NAVELLIER SERIES FUND, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 262 F. 3d 923.

No. 01-1619. *AKERS v. BISHOP ET AL.* C. A. 6th Cir. Certiorari denied.

No. 01-1620. *RODRIGUEZ v. TEXAS DEPARTMENT OF PROTECTIVE SERVICES*. Sup. Ct. Tex. Certiorari denied. Reported below: 63 S. W. 3d 796.

No. 01-1621. *BEBCHICK v. HOLLAND AMERICA LINE-WESTOURS, INC., ET AL.* Sup. Ct. Wash. Certiorari denied. Reported below: 145 Wash. 2d 178, 35 P. 3d 351.

No. 01-1673. *WAGENKNECHT v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 482.

No. 01-1724. *BAR-MEIR v. NORTH AMERICAN DIE CASTING ASSN.* C. A. 8th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 702.

No. 01-8465. *SOL v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. Reported below: 274 F. 3d 648.

No. 01-8544. *MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 272 F. 3d 284.

No. 01-8643. *AMAYA-MATAMOROS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 154.

No. 01-8664. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 273 F. 3d 1110.

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No. 01-8678. *FIELDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 20 Fed. Appx. 128.

No. 01-8696. *JEAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 573.

No. 01-9153. *GREEN v. NEWELL ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 27 Fed. Appx. 718.

No. 01-9199. *THOMPSON v. HALEY, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 255 F. 3d 1292.

No. 01-9228. *HALL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 269 F. 3d 940.

No. 01-9246. *HERNANDEZ-PESINA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 154.

No. 01-9339. *NEW v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 807 So. 2d 52.

No. 01-9422. *TAYLOR v. VETERANS ADMINISTRATION MEDICAL CENTER ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 940.

No. 01-9696. *VALENTINE v. FRANCIS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 270 F. 3d 1032.

No. 01-9709. *DINSIO v. NEW YORK*; and

No. 01-9710. *DINSIO v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 286 App. Div. 2d 517, 729 N. Y. S. 2d 208.

No. 01-9715. *IN RE BRANDON LEE B.*; and

No. 01-9724. *CARRIE Q. B. v. WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES ET AL.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 211 W. Va. 587, 567 S. E. 2d 597.

No. 01-9719. *RICHARDSON v. LOWE ET AL.* Ct. App. La., 2d Cir. Certiorari denied.

No. 01-9730. *BARROW v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 273.

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No. 01-9735. *HAYWOOD v. MAZZUCA*, SUPERINTENDENT, FISH-KILL CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 01-9737. *PELTIER v. GREYHOUND LINES, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 25 Fed. Appx. 182.

No. 01-9743. *STEVENSON v. LUEBBERS*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 01-9744. *BALISOK v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 106 Wash. App. 1058.

No. 01-9746. *BOLTON v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 01-9747. *BUNNERY v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 01-9753. *CARTWRIGHT v. MOSLEY, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 573.

No. 01-9756. *JEMISON v. WHITE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 01-9758. *HUFFMAN v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 01-9759. *HORTON v. DRAGOVICH*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMP HILL, ET AL. C. A. 3d Cir. Certiorari denied.

No. 01-9760. *HERNANDEZ v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 01-9763. *NATURALITE v. CIARLO ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 506.

No. 01-9765. *LANE v. FIELDS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 25 Fed. Appx. 781.

No. 01-9769. *POST v. COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT (CALIFORNIA, REAL PARTY IN INTEREST)*. Sup. Ct. Cal. Certiorari denied.

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No. 01-9772. *CAFFEY v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 205 Ill. 2d 52, 792 N. E. 2d 1163.

No. 01-9778. *CLARK v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 01-9782. *HALL v. NEVADA*. Sup. Ct. Nev. Certiorari denied.

No. 01-9785. *CARLTON v. CARLTON*. Sup. Ct. N. C. Certiorari denied. Reported below: 354 N. C. 561, 557 S. E. 2d 529.

No. 01-9786. *HERBERT v. CAROBINE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 01-9787. *ALLEN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 01-9791. *ECHOLS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 325 Ill. App. 3d 515, 758 N. E. 2d 878.

No. 01-9794. *CURRY v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied.

No. 01-9796. *ATKINSON v. COMMISSIONER OF CORRECTION OF CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 67 Conn. App. 902, 786 A. 2d 545.

No. 01-9798. *KNOBLAUCH v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 97 N. Y. 2d 706, 765 N. E. 2d 310.

No. 01-9800. *THOMAS v. CITY OF WICHITA*. C. A. 10th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 564.

No. 01-9801. *HERDT v. UPHOFF, DIRECTOR, WYOMING DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 15 Fed. Appx. 691.

No. 01-9803. *HEINE v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 01-9804. *PURPURA v. PURPURA*. Ct. App. N. Y. Certiorari denied. Reported below: 97 N. Y. 2d 636, 760 N. E. 2d 1284.

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No. 01-9805. *GUY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 01-9806. *HATCHER v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 01-9807. *FORD v. MARION COUNTY SHERIFF'S DEPARTMENT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 18 Fed. Appx. 72.

No. 01-9811. *TAYLOR v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 63 S. W. 3d 151.

No. 01-9814. *DONOGHUE v. ILLINOIS CIVIL SERVICE COMMISSION ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 01-9817. *LEE v. DODRILL, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 21 Fed. Appx. 171.

No. 01-9820. *OBANDO v. WHITE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 836.

No. 01-9822. *WEATHERSPOON v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 01-9823. *RAULS v. JOHNSON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 01-9830. *FOSTER v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 01-9831. *HARRISON v. COURT OF APPEAL OF CALIFORNIA, THIRD APPELLATE DISTRICT*. Sup. Ct. Cal. Certiorari denied.

No. 01-9833. *BALLARD v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 01-9835. *WHITE v. KAPTURE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 01-9836. *TYLER v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied.

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No. 01-9837. *WELLS v. GOORD*, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES. C. A. 2d Cir. Certiorari denied. Reported below: 29 Fed. Appx. 693.

No. 01-9838. *TOWNSEND v. ADAIR*, WARDEN. C. A. 8th Cir. Certiorari denied.

No. 01-9839. *ENGEL v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 01-9844. *DEY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 01-9845. *DE LA ROSA v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 01-9846. *EARLY v. MILLER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 01-9847. *PARRA v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 01-9848. *TRUJILLO v. WILLIAMS*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 995.

No. 01-9850. *DUHON v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 01-9851. *CHAVEZ v. ALDERMAN*, CHAIRPERSON, VIRGINIA PAROLE BOARD, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 21 Fed. Appx. 237.

No. 01-9853. *CURTIS v. KEMNA*, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 663.

No. 01-9905. *HUGHES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 01-9914. *WHITE v. LOUISIANA*. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 786 So. 2d 981.

No. 01-9921. *PIERCE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

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No. 01-9946. *WILLIAMS v. COYLE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 260 F. 3d 684.

No. 01-10031. *JINADU v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 01-10084. *PARDEE v. CONROY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 353.

No. 01-10134. *CLOPTON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 01-10175. *SILVA v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 01-10220. *IHEKE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 277 F. 3d 1376.

No. 01-10304. *ROSAS-ZULOAGA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 62.

No. 01-10306. *RAMOS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 39 Fed. Appx. 330.

No. 01-10307. *RODRIGUEZ-LAZCANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 130.

No. 01-10311. *PHELPS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 283 F. 3d 1176.

No. 01-10312. *VALENZUELA-URIAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 130.

No. 01-10313. *SANTOS-DE LA ROSA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 130.

No. 01-10314. *WATTS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 127.

No. 01-10316. *LACEDRA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 01-10318. *AMEZCUA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 276 F. 3d 445.

No. 01-10319. *BLAIR, AKA BROWN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129.

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No. 01–10320. *STOVER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 279.

No. 01–10321. *APARCO-CENTENO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 280 F. 3d 1084.

No. 01–10324. *GRAHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 535.

No. 01–10325. *RODRIGUEZ PEREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

No. 01–10327. *AL-ZUBAIDY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 283 F. 3d 804.

No. 01–10328. *ZAPATA-ROBLES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 919.

No. 01–10332. *SCHWEITZER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 35 Fed. Appx. 331.

No. 01–10334. *MARINO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 277 F. 3d 11.

No. 01–10335. *LUA-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 130.

No. 01–10336. *LOPEZ v. ROMINE, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 29 Fed. Appx. 101.

No. 01–10339. *AVILES-GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 17 Fed. Appx. 674.

No. 01–10342. *BAIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 256.

No. 01–10347. *AGUILAR-PLATA v. UNITED STATES*; *CARAVEO-PRIETO v. UNITED STATES*; *FUENTES-PICON v. UNITED STATES*; *JIMENEZ-HERNANDEZ v. UNITED STATES*; *MOLINA-MORALES v. UNITED STATES*; *PADILLA-VELA, AKA PADILLA, AKA VELA-PADILLA v. UNITED STATES*; *ROMERO-RAMIREZ, AKA ROMERO, AKA SANCHEZ-PEREZ v. UNITED STATES*; *SANCHEZ-CALDERON, AKA SANCHEZ-RODRIGUEZ v. UNITED STATES*; and *ZAMUDIO-HINOJOSA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 130.

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No. 01–10349. *SWINT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 01–10350. *SUMMERSETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 993.

No. 01–10354. *GOMEZ-ROMERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 273 F. 3d 393.

No. 01–10356. *NORRIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 281 F. 3d 357.

No. 01–10357. *CARDENAS-LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 01–10362. *WALLACE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 280 F. 3d 781.

No. 01–10363. *LEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 01–10364. *LUALEMAGA, AKA SALE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 280 F. 3d 1260.

No. 01–10365. *HILL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 95.

No. 01–10366. *FRANCIS, AKA RAMSEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 128.

No. 01–10371. *CECENO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 127.

No. 01–10373. *SANCHEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129.

No. 01–10376. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 278 F. 3d 749.

No. 01–10377. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129.

No. 01–10378. *LOPEZ-LOPEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 282 F. 3d 1.

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No. 01-10379. THOMPSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

No. 01-10382. GENERAL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 278 F. 3d 389.

No. 01-10384. ANGELO FLORES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 130.

No. 01-10386. ALIM *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 533.

No. 01-10387. BELL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

No. 01-10389. DUVALL *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 272 F. 3d 825.

No. 01-10390. ESTRADA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 275 F. 3d 47.

No. 01-10394. GARY *v.* HOLT, WARDEN. C. A. 10th Cir. Certiorari denied.

No. 01-10408. MOLINA-PORTILLO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 127.

No. 01-10439. FOSTER *v.* FULKERSON ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 806.

No. 01-1158. JAZZ PHOTO CORP. ET AL. *v.* INTERNATIONAL TRADE COMMISSION ET AL.; and

No. 01-1376. FUJI PHOTO FILM CO., LTD. *v.* JAZZ PHOTO CORP. ET AL. C. A. Fed. Cir. Motion of petitioners in No. 01-1158 for leave to file petition for writ of certiorari under seal with redacted copies for the public granted. Motion of American Free Trade Association for leave to file a brief as *amicus curiae* granted. Motion of respondent Fuji Photo Film Co., Ltd., in No. 01-1158, for leave to file a brief in opposition under seal with redacted copies of the brief for the public granted. Motion of Costco Wholesale Corp. for leave to file a brief as *amicus curiae* granted. Motion of Grandway USA Corp. to be substituted in place of petitioner Dynatec International, Inc., denied. Motion of petitioner in No. 01-1376 for leave to file cross-petition for writ of certiorari under seal with redacted copies for the public granted. Motion of respondents Jazz Photo Corp. et al. for leave to file a

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supplemental brief in No. 01-1376 under seal with redacted copies for the public granted. Certiorari denied. Reported below: 264 F. 3d 1094.

No. 01-1427. WALGREEN CO. *v.* HOOD, SECRETARY, LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS. C. A. 5th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 275 F. 3d 475.

No. 01-9742. BURGESS *v.* CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF ELECTIONS. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 01-1562. WOODFORD, WARDEN *v.* CARO. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 280 F. 3d 1247.

No. 01-9725. ARMSTRONG *v.* STEPPES APARTMENTS, LTD., ET AL. Ct. App. Tex., 2d Dist. Motion of Kenneth A. Rushton, Chapter XI Trustee, for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 57 S.W. 3d 37.

Rehearing Denied

No. 00-9952. BENNING'S *v.* KEARNEY ET AL., 534 U.S. 838;

No. 01-1150. LEON C. BAKER P. C. ET AL. *v.* MERRILL LYNCH, PIERCE, FENNER & SMITH INC., 535 U.S. 987;

No. 01-1222. SMITH *v.* TALLAHASSEE DEMOCRAT ET AL., 535 U.S. 1034;

No. 01-1251. COOK *v.* CLEVELAND STATE UNIVERSITY, 535 U.S. 1034;

No. 01-1257. Z. G. *v.* SUPERIOR COURT OF THE DISTRICT OF COLUMBIA, FAMILY DIVISION, ET AL., 535 U.S. 1034;

No. 01-1361. CLARK *v.* UNITED STATES, 535 U.S. 990;

No. 01-1432. LOPEZ *v.* UNITED STATES, 535 U.S. 1035;

No. 01-6897. GARDNER *v.* SEABOLD, WARDEN, 534 U.S. 1089;

No. 01-7933. BELL *v.* LARKINS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL., 535 U.S. 959;

No. 01-7941. THOMPSON *v.* FLORIDA, 535 U.S. 960;

No. 01-8160. TIDIK *v.* APPEALS JUDGES OF MICHIGAN, 535 U.S. 994;

No. 01-8258. TILLI *v.* DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL., 535 U.S. 997;

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No. 01-8293. *YOUNG-BEY v. MARYLAND*, 535 U. S. 998;
No. 01-8372. *IN RE WAUQUA*, 535 U. S. 925;
No. 01-8421. *LEWIS v. SMITH ET AL.*, 535 U. S. 1019;
No. 01-8955. *WINKE v. BRADSHAW, FOWLER, PROCTOR & FAIRGRAVE, P. C.*, 535 U. S. 1041;
No. 01-8968. *MARCELLO ET UX. v. MAINE DEPARTMENT OF HUMAN SERVICES*, 535 U. S. 1064; and
No. 01-9392. *WILLIAMS v. UNITED STATES*, 535 U. S. 1043. Petitions for rehearing denied.

No. 01-7292. *RHOADS v. FEDERAL DEPOSIT INSURANCE CORPORATION ET AL.*, 535 U. S. 933. Motion for leave to file petition for rehearing denied.

JUNE 25, 2002

Miscellaneous Order

No. 01-10909 (01A990). *IN RE BROWN*. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 01-10941 (01A994). *COULSON 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. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted. Certiorari denied.

JUNE 26, 2002

Miscellaneous Order

No. 01-10980 (01A1000). *IN RE WILLIAMS*. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted. 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. 01-10950 (01A995). *WILLIAMS v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, pre-

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sented to JUSTICE SCALIA, and by him referred to the Court, denied. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted. Certiorari denied.

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Certiorari Granted—Vacated and Remanded

No. 01-648. AINSWORTH ET AL. *v.* STANLEY, COMMISSIONER, NEW HAMPSHIRE DEPARTMENT OF CORRECTIONS. C. A. 1st Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *McKune v. Lile*, ante, p. 24. Reported below: 244 F. 3d 209.

No. 01-797. THOMAS, A MINOR, BY HER FATHER, THOMAS, ET AL. *v.* ROBERTS ET AL. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Hope v. Pelzer*, ante, p. 730. Reported below: 261 F. 3d 1160.

No. 01-1159. VAUGHAN *v.* COX ET AL. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Hope v. Pelzer*, ante, p. 730. Reported below: 264 F. 3d 1027.

No. 01-6798. PERKINS *v.* ALABAMA. Sup. Ct. Ala. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Atkins v. Virginia*, ante, p. 304. Reported below: 808 So. 2d 1143.

No. 01-6821. HARROD *v.* ARIZONA. Sup. Ct. Ariz. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Ring v. Arizona*, ante, p. 584. Reported below: 200 Ariz. 309, 26 P. 3d 492.

No. 01-7310. ALLEN *v.* UNITED STATES. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Ring v. Arizona*, ante, p. 584. Reported below: 247 F. 3d 741.

No. 01-7743. PANDELI *v.* ARIZONA. Sup. Ct. Ariz. Motion of petitioner for leave to proceed *in forma pauperis* granted. Cer-

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tiorari granted, judgment vacated, and case remanded for further consideration in light of *Ring v. Arizona*, ante, p. 584. Reported below: 200 Ariz. 365, 26 P. 3d 1136.

No. 01-7837. *SANSING v. ARIZONA*. Sup. Ct. Ariz. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Ring v. Arizona*, ante, p. 584. Reported below: 200 Ariz. 347, 26 P. 3d 1118.

No. 01-8716. *BELL v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Atkins v. Virginia*, ante, p. 304. Reported below: 31 Fed. Appx. 156.

No. 01-10635. *MODDEN v. TEXAS*. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Atkins v. Virginia*, ante, p. 304.

Certiorari Granted—Reversed. (See No. 01-1471, ante, p. 862.)

Reversed and Remanded After Certiorari Granted. (See No. 01-339, ante, p. 856.)

Certiorari Dismissed

No. 01-9945. *TIDIK v. HUNTER ET AL.* C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 01A991. *ASHCROFT, ATTORNEY GENERAL, ET AL. v. NORTH JERSEY MEDIA GROUP, INC., ET AL.* Application for stay, presented to JUSTICE SOUTER, and by him referred to the Court, granted, and it is ordered that the preliminary injunction entered by the United States District Court for the District of New Jersey on May 28, 2002, is stayed pending the final disposition of the Government's appeal of that injunction to the United States Court of Appeals for the Third Circuit.

No. D-2306. *IN RE DISBARMENT OF SCHAEFER*. Disbarment entered. [For earlier order herein, see 535 U. S. 1092.]

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No. 01M71. TOWNES *v.* NEW HAMPSHIRE; and

No. 01M72. HOWARD *v.* NEWLAND, WARDEN, ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time under this Court's Rule 14.5 denied.

No. 01M73. HALL *v.* TEXAS. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted. Motion to amend the petition for writ of certiorari granted.

No. 01M75. HOUSING AUTHORITY AND URBAN REDEVELOPMENT AGENCY OF ATLANTIC CITY *v.* TAYLOR. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 01-653. FEDERAL COMMUNICATIONS COMMISSION *v.* NEXTWAVE PERSONAL COMMUNICATIONS INC. ET AL.; and

No. 01-657. ARCTIC SLOPE REGIONAL CORP. ET AL. *v.* NEXTWAVE PERSONAL COMMUNICATIONS INC. ET AL. C. A. D. C. Cir. [Certiorari granted, 535 U.S. 904.] Motion of the Acting Solicitor General for divided argument granted. Motion of Creditors of NextWave Personal Communications Inc. for leave to participate in oral argument as *amici curiae* and for divided argument granted.

No. 01-705. BARNHART, COMMISSIONER OF SOCIAL SECURITY *v.* PEABODY COAL CO. ET AL.; BARNHART, COMMISSIONER OF SOCIAL SECURITY *v.* BELLAIRE CORP. ET AL.; and

No. 01-715. HOLLAND ET AL. *v.* BELLAIRE CORP. ET AL. C. A. 6th Cir. [Certiorari granted, 534 U.S. 1112.] Motion of the Solicitor General for divided argument granted. Motion of respondents Bellaire Corp. et al. for divided argument granted.

No. 01-729. GODFREY ET AL. *v.* DOE ET AL. C. A. 9th Cir. [Certiorari granted *sub nom. Otte v. Doe*, 534 U.S. 1126.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 01-757. SYNGENTA CROP PROTECTION, INC., ET AL. *v.* HENSON. C. A. 11th Cir. [Certiorari granted, 534 U.S. 1126.] Motion of Texas for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 01-896. FORD MOTOR CO. ET AL. *v.* MCCAULEY ET AL. C. A. 9th Cir. [Certiorari granted, 534 U.S. 1126.] Motion of

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

No. 01-9927. KELLY *v.* NORTEL NETWORKS CORP. C. A. 1st Cir.; and

No. 01-10322. GEORGE *v.* UNITED STATES POSTAL SERVICE. C. A. 2d Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 19, 2002, 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. 00-8822. IN RE RICHARDSON; and

No. 00-10749. IN RE HOLLADAY. Petitions for writs of habeas corpus denied. See *Ex parte Abernathy*, 320 U. S. 219 (1943).

No. 01-10340. IN RE DIXON. Petition for writ of mandamus denied.

No. 01-1700. IN RE WOJCIECHOWSKI ET UX. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 00-1471. KENTUCKY ASSOCIATION OF HEALTH PLANS, INC., ET AL. *v.* MILLER, COMMISSIONER, KENTUCKY DEPARTMENT OF INSURANCE. C. A. 6th Cir. Certiorari granted. Reported below: 227 F. 3d 352.

No. 01-188. PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA *v.* CONCANNON, COMMISSIONER, MAINE DEPARTMENT OF HUMAN SERVICES, ET AL. C. A. 1st Cir. Certiorari granted. Reported below: 249 F. 3d 66.

No. 01-1491. DEMORE, DISTRICT DIRECTOR, SAN FRANCISCO DISTRICT OF IMMIGRATION AND NATURALIZATION SERVICE, ET AL. *v.* KIM. C. A. 9th Cir. Certiorari granted. Reported below: 276 F. 3d 523.

No. 01-1572. COOK COUNTY, ILLINOIS *v.* UNITED STATES EX REL. CHANDLER. C. A. 7th Cir. Certiorari granted. Reported below: 277 F. 3d 969.

No. 01-593. DOLE FOOD CO. ET AL. *v.* PATRICKSON ET AL.; and

No. 01-594. DEAD SEA BROMINE CO., LTD., ET AL. *v.* PATRICKSON ET AL. C. A. 9th Cir. Certiorari granted limited to the

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following questions: “1. Whether a corporation is an ‘agency or instrumentality’ if a foreign state owns a majority of the shares of a corporate enterprise that in turn owns a majority of the shares of the corporation. 2. Whether a corporation is an ‘agency or instrumentality’ if a foreign state owned a majority of the shares of the corporation at the time of the events giving rise to litigation, but the foreign state does not own a majority of those shares at the time that a plaintiff commences a suit against the corporation.” Cases consolidated, and a total of one hour allotted for oral argument. Reported below: 251 F. 3d 795.

No. 01–1500. *CLAY v. UNITED STATES*. C. A. 7th Cir. Certiorari granted limited to the following question: “Whether petitioner’s judgment of conviction became ‘final’ within the meaning of 28 U.S.C. § 2255, par. 6(1), one year after the Court of Appeals issued its mandate on direct appeal or one year after his time for filing a petition for writ of certiorari expired.” Reported below: 30 Fed. Appx. 607.

Certiorari Denied

No. 00–1790. *DIAZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 247 F. 3d 246.

No. 00–7021. *MOORE v. UNITED STATES*;

No. 00–7070. *ELLIS v. UNITED STATES*;

No. 00–7085. *WILSON v. UNITED STATES*; and

No. 00–8082. *MCCAIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 223 F. 3d 554.

No. 00–8810. *RICHARDSON v. LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. Sup. Ct. Mo. Certiorari denied.

No. 00–9976. *KING v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 273 Ga. 258, 539 S. E. 2d 783.

No. 00–10728. *HOLLADAY v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 00–10864. *DICKERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 F. 3d 1036.

No. 00–10895. *LANE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 254 F. 3d 1084.

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No. 01-529. *HOOVER ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 246 F. 3d 1054.

No. 01-724. *CAPANO v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 781 A. 2d 556.

No. 01-1145. *RITH ENERGY, INC. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 247 F. 3d 1355.

No. 01-1230. *SPARING v. VILLAGE OF OLYMPIA FIELDS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 266 F. 3d 684.

No. 01-1245. *RUTHERFORD ET AL. v. DEORLE*. C. A. 9th Cir. Certiorari denied. Reported below: 272 F. 3d 1272.

No. 01-1410. *DELONG v. DEPARTMENT OF HEALTH AND HUMAN SERVICES*. C. A. Fed. Cir. Certiorari denied. Reported below: 264 F. 3d 1334.

No. 01-1440. *ORIN v. BARCLAY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 272 F. 3d 1207.

No. 01-1446. *FORMAN v. SMALL, SECRETARY, SMITHSONIAN INSTITUTION*. C. A. D. C. Cir. Certiorari denied. Reported below: 271 F. 3d 285.

No. 01-1496. *STEWART, ON BEHALF OF HIMSELF AND ALL OTHERS SIMILARLY SITUATED v. ABRAHAM ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 275 F. 3d 220.

No. 01-1555. *FENTROY v. DILLARDS TEXAS OPERATING LIMITED PARTNERSHIP*. C. A. 5th Cir. Certiorari denied. Reported below: 277 F. 3d 1373.

No. 01-1576. *FARRIOR v. WATERFORD BOARD OF EDUCATION*. C. A. 2d Cir. Certiorari denied. Reported below: 277 F. 3d 633.

No. 01-1582. *FIRESTONE ET AL. v. SOUTHERN CALIFORNIA GAS CO.* C. A. 9th Cir. Certiorari denied. Reported below: 219 F. 3d 1063.

No. 01-1586. *EVERHART v. ALLMERICA FINANCIAL LIFE INSURANCE CO., DBA STATE MUTUAL LIFE ASSURANCE COMPANY OF AMERICA*. C. A. 9th Cir. Certiorari denied. Reported below: 275 F. 3d 751.

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No. 01-1589. *HERNANDEZ-LOPEZ ET AL. v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 639 N.W. 2d 226.

No. 01-1591. *ULLICO, INC., ET AL. v. BLACK, TRUSTEE*. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 92 Cal. App. 4th 917, 112 Cal. Rptr. 2d 445.

No. 01-1593. *POTTS v. POTTS, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF POTTS, DECEASED, ET AL.* Ct. App. Tenn. Certiorari denied. Reported below: 59 S.W. 3d 167.

No. 01-1594. *ALCAN ALUMINUM CORP. v. PRUDENTIAL ASSURANCE CO. LTD. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 701.

No. 01-1595. *MCGOVERN v. MCGOVERN ET UX.* Ct. App. Ariz. Certiorari denied. Reported below: 201 Ariz. 172, 33 P. 3d 506.

No. 01-1603. *LEVY ET UX. v. SWIFT TRANSPORTATION CO. ET AL.* Ct. App. N. M. Certiorari denied.

No. 01-1604. *LAVINE, AS NEXT FRIEND OF LAVINE v. BLAINE SCHOOL DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 257 F. 3d 981.

No. 01-1608. *HOULIHAN, LOKEY, HOWARD & ZUKIN, INC. v. CIRCLE K CORP., DEBTOR.* C. A. 9th Cir. Certiorari denied. Reported below: 279 F. 3d 669.

No. 01-1609. *INDIAN RIVER ESTATES ET AL. v. PREFERRED PROPERTIES, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 276 F. 3d 790.

No. 01-1614. *LOCAL UNION No. 272, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO v. PENNSYLVANIA POWER CO.* C. A. 3d Cir. Certiorari denied. Reported below: 276 F. 3d 174.

No. 01-1617. *ATWOOD, DIRECTOR, WYOMING DEPARTMENT OF REVENUE, ET AL. v. BURLINGTON NORTHERN & SANTA FE RAILWAY CO. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 270 F. 3d 942.

No. 01-1625. *SOLOMON v. SUPREME COURT OF FLORIDA ET AL.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 806 So. 2d 491.

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No. 01-1628. *KNUBBE v. DETROIT BOARD OF EDUCATION ET AL.* Ct. App. Mich. Certiorari denied.

No. 01-1639. *SMITH v. WILLIAMS, WARDEN.* Dist. Ct. N. M., Socorro County. Certiorari denied.

No. 01-1646. *SCHULTZ v. JOURNAL SENTINEL, INC.* Ct. App. Wis. Certiorari denied. Reported below: 248 Wis. 2d 791, 638 N. W. 2d 76.

No. 01-1650. *DEVRIES v. IOWA.* Ct. App. Iowa. Certiorari denied.

No. 01-1654. *THOMAS v. STONE, COMMISSIONER, NEW YORK STATE OFFICE OF MENTAL HEALTH.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 284 App. Div. 2d 627, 725 N. Y. S. 2d 749.

No. 01-1658. *ISKO v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied. Reported below: 344 N. J. Super. 521, 782 A. 2d 950.

No. 01-1668. *BOYNE v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied. Reported below: 814 So. 2d 437.

No. 01-1669. *FRANCOIS v. ENTERPRISE LOU-TEX NGL PIPELINE L. P.* Ct. App. La., 3d Cir. Certiorari denied.

No. 01-1679. *SPRINT COMMUNICATIONS CO. v. MISSOURI DIRECTOR OF REVENUE.* Sup. Ct. Mo. Certiorari denied. Reported below: 64 S. W. 3d 832.

No. 01-1701. *CLOUD v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 281 F. 3d 158.

No. 01-1714. *ORLANDO FERNANDEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 929.

No. 01-1720. *PENA v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 268 F. 3d 215.

No. 01-1734. *HOUSE v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 7th Cir. Certiorari denied. Reported below: 24 Fed. Appx. 608.

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No. 01-1737. *AIELLO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 01-1747. *WEAVER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 275 F. 3d 1320.

No. 01-1750. *MANDANICI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 205 F. 3d 519.

No. 01-1751. *METT ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 274 F. 3d 1235.

No. 01-1769. *WAYNE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 01-1777. *MCGONEGAL v. OHIO*. Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 01-1781. *NAJJOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 255 F. 3d 979.

No. 01-5169. *RODGERS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 245 F. 3d 961.

No. 01-5305. *PITCHER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 7 Fed. Appx. 119.

No. 01-5346. *BAILEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 7 Fed. Appx. 274.

No. 01-5481. *WHITE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 2 Fed. Appx. 671.

No. 01-5501. *KIJEWSKI v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 773 So. 2d 124.

No. 01-5526. *HALL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 8 Fed. Appx. 529.

No. 01-5718. *PHILLIPS, AKA DUKE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 254 F. 3d 73.

No. 01-5820. *PICKENS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 19 P. 3d 866.

No. 01-5844. *PETTUS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 11 Fed. Appx. 112.

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No. 01-5860. *WATTS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 256 F. 3d 630.

No. 01-6252. *WOOD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 7 Fed. Appx. 294.

No. 01-6281. *KEMP v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 252 F. 3d 1361.

No. 01-6462. *GRAVES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 12 Fed. Appx. 135.

No. 01-6491. *LUZARDO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 263 F. 3d 160.

No. 01-6987. *HILL ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 252 F. 3d 919.

No. 01-7092. *MANN v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 794 So. 2d 595.

No. 01-7161. *RIOS-ARAIZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 5 Fed. Appx. 721.

No. 01-7432. *MASON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 17 Fed. Appx. 587.

No. 01-7485. *RAWLS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 273 F. 3d 1114.

No. 01-7694. *LEVINE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 16 Fed. Appx. 772.

No. 01-7723. *ANTONIO RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 F. 3d 43.

No. 01-7758. *COLLINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 01-7804. *KING v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 808 So. 2d 1237.

No. 01-8099. *BOTTOSON v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 813 So. 2d 31.

No. 01-8208. *MARCH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 19 Fed. Appx. 445.

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No. 01-8336. *DOUGLAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 572.

No. 01-8478. *JIMENEZ-PINEDA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 275 F. 3d 55.

No. 01-8511. *SANDERS v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 272 Kan. 445, 33 P. 3d 596.

No. 01-8599. *VELEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 27 Fed. Appx. 179.

No. 01-8615. *SHERMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 268 F. 3d 539.

No. 01-8712. *BRYSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 268 F. 3d 560.

No. 01-8724. *GRAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 260 F. 3d 1267.

No. 01-8794. *WILCOX v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 273 F. 3d 1113.

No. 01-8895. *KELLY v. TOWN OF CHELMSFORD*. C. A. 1st Cir. Certiorari denied. Reported below: 23 Fed. Appx. 18.

No. 01-8920. *HATFIELD v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 346 Ark. 319, 57 S.W. 3d 696.

No. 01-9014. *VAZQUEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 271 F. 3d 93.

No. 01-9060. *FORD v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 198 Ill. 2d 68, 761 N. E. 2d 735.

No. 01-9065. *GHOLSTON v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 272 Kan. 601, 35 P. 3d 868.

No. 01-9152. *CARD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 803 So. 2d 613.

No. 01-9154. *HERTZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 803 So. 2d 629.

No. 01-9273. *DONCSES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 281 F. 3d 1284.

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No. 01-9284. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 162.

No. 01-9320. *THOMAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 01-9335. *TONY, AKA ERNSLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 264 F. 3d 1144.

No. 01-9347. *GRAYSON v. THOMPSON, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 257 F. 3d 1194.

No. 01-9360. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 263 F. 3d 170.

No. 01-9378. *YIRKOVSKY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 259 F. 3d 704.

No. 01-9390. *LOUGH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 24 Fed. Appx. 830.

No. 01-9406. *CHRISTOPHER, PERSONAL REPRESENTATIVE OF CHRISTOPHER, DECEASED v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 29 Fed. Appx. 102.

No. 01-9418. *SINGLETERY v. UNITED STATES*; and

No. 01-9440. *RUSS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 198.

No. 01-9454. *BROWN v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 01-9469. *BROADNAX v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 825 So. 2d 233.

No. 01-9856. *ROWELL v. DEL PAPA, ATTORNEY GENERAL OF NEVADA*. C. A. 9th Cir. Certiorari denied.

No. 01-9858. *ABDUL-MUQSIT v. FEDERATED DEPARTMENT STORES, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 281 F. 3d 218.

No. 01-9859. *ENLOW v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied.

No. 01-9860. *DAVIS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 01-9861. *DE LA FUENTE v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied.

No. 01-9862. *HUNTER v. YUKINS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 01-9863. *EASTERWOOD v. CHOCTAW COUNTY DISTRICT ATTORNEY ET AL.* Ct. Civ. App. Okla. Certiorari denied. Reported below: 45 P. 3d 436.

No. 01-9866. *TURNER v. PARKER*. C. A. 8th Cir. Certiorari denied.

No. 01-9869. *REEVES v. ST. MARY'S COUNTY, MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 139 Md. App. 750.

No. 01-9876. *ELLIS v. NEWLAND, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 23 Fed. Appx. 734.

No. 01-9886. *PFEIFFER-EL v. JACKSON, SUPERINTENDENT, BROWN CREEK CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 302.

No. 01-9893. *OWENS v. STINE*. C. A. 6th Cir. Certiorari denied. Reported below: 27 Fed. Appx. 351.

No. 01-9896. *WRENCHER v. RIVER FALLS SCHOOL DISTRICT ET AL.* C. A. 7th Cir. Certiorari denied.

No. 01-9897. *WRIGHT v. KNOX COUNTY BOARD OF EDUCATION*. C. A. 6th Cir. Certiorari denied. Reported below: 23 Fed. Appx. 519.

No. 01-9898. *TAYLOR v. CAMPBELL, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTION, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 23 Fed. Appx. 518.

No. 01-9901. *KNOX v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 805 So. 2d 527.

No. 01-9903. *HADIX v. WILSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CRESSON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 01-9911. *MCCRAW v. LOCKYER, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 01-9916. *EDWARDS v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 793 So. 2d 943.

No. 01-9922. *PRICE v. CRESTAR SECURITIES CORP. ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 01-9923. *JAMES v. GREINER, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 29 Fed. Appx. 654.

No. 01-9931. *SPAULDING v. BRILEY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 01-9932. *LOONEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 803 So. 2d 656.

No. 01-9933. *BLANCO LERMA v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 01-9934. *MASSEY v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 01-9935. *MOORE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 01-9936. *SWITZER v. SMITH ET AL.* Sup. Ct. Va. Certiorari denied.

No. 01-9937. *JONES v. BASKERVILLE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 19 Fed. Appx. 150.

No. 01-9938. *JUMP v. GIBSON, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 764.

No. 01-9942. *BEASLEY v. STEWART, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 641.

No. 01-9943. *ADDLEMAN v. PAYNE, SUPERINTENDENT, MCNEIL ISLAND CORRECTIONS CENTER*. Ct. App. Wash. Certiorari denied.

No. 01-9944. *WEINSTEIN v. GRABELLE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 281 F. 3d 226.

No. 01-9948. *COFFMAN v. JONES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 01–9949. *CARPENTER v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 147 N. C. App. 386, 556 S. E. 2d 316.

No. 01–9950. *EASLEY v. TEXAS*. C. A. 5th Cir. Certiorari denied. Reported below: 273 F. 3d 1094.

No. 01–9974. *TILGHMAN v. GALLEY, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 311.

No. 01–10022. *DAVIS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 01–10028. *PATTERSON v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 703.

No. 01–10060. *BECKTEL v. COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT (MORISSETTE, REAL PARTY IN INTEREST)*. Sup. Ct. Cal. Certiorari denied.

No. 01–10074. *ROBINSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 01–10081. *TAYLOR v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 26 Cal. 4th 1155, 34 P. 3d 937.

No. 01–10087. *MOSS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 205 Ill. 2d 139, 792 N. E. 2d 1217.

No. 01–10118. *ABOUHALIMA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 261 F. 3d 271 and 16 Fed. Appx. 73.

No. 01–10122. *MCGEE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 01–10132. *NEWSOME v. PHELPS MEMORIAL HOSPITAL CENTER ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 24 Fed. Appx. 33.

No. 01–10141. *HERRERO v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 324 Ill. App. 3d 876, 756 N. E. 2d 234.

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No. 01-10162. *McKINNEY v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 59 S. W. 3d 304.

No. 01-10213. *BOWMAN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 325 Ill. App. 3d 411, 758 N. E. 2d 408.

No. 01-10221. *WHITE v. RIVERFRONT STATE PRISON ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 250 F. 3d 737.

No. 01-10233. *HANDY v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 26 Fed. Appx. 977.

No. 01-10240. *MOBLEY v. HEAD, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 267 F. 3d 1312.

No. 01-10278. *THOMPSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 276 F. 3d 582.

No. 01-10323. *GREEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 34 Fed. Appx. 968.

No. 01-10337. *LACORSE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 20 Fed. Appx. 183.

No. 01-10372. *AVANTS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 F. 3d 510.

No. 01-10391. *DIXON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 53.

No. 01-10410. *NELSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129.

No. 01-10411. *JENKINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 30 Fed. Appx. 462.

No. 01-10415. *MARMOLEJO-HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 38 Fed. Appx. 372.

No. 01-10416. *LOPEZ-TORRES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

No. 01-10419. *GOMEZ-LEPE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 665.

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No. 01–10420. *HERRERA-RAMIREZ v. UNITED STATES*; and *SANCHEZ-ESPINOSA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129 (second judgment) and 130 (first judgment).

No. 01–10421. *HARRIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 130.

No. 01–10423. *RUELAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 388.

No. 01–10424. *SHARAF v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 38 Fed. Appx. 366.

No. 01–10425. *RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 35 Fed. Appx. 332.

No. 01–10426. *OTT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 534.

No. 01–10429. *COSBY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129.

No. 01–10430. *BENNETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 936.

No. 01–10431. *TOMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129.

No. 01–10432. *URENA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 31 Fed. Appx. 9.

No. 01–10434. *BOARDLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 20 Fed. Appx. 165.

No. 01–10436. *HICKMAN v. NASH, WARDEN*. C. A. 2d Cir. Certiorari denied. Reported below: 12 Fed. Appx. 42.

No. 01–10438. *HERNANDEZ v. SWOPE, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 281 F. 3d 1286.

No. 01–10446. *MORENO-AGUILAR, AKA MORENO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

No. 01–10447. *PEREZ-OVIEDO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 281 F. 3d 400.

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No. 01-10449. *MOORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 01-10451. *AZURE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 34 Fed. Appx. 292.

No. 01-10453. *PARTIDA-RAMIREZ, AKA RAMIREZ-PARTIDA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 22 Fed. Appx. 923.

No. 01-10455. *BENITEZ v. ELLIS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 27 Fed. Appx. 917.

No. 01-10456. *NUNEZ-RODRIGUEZ, AKA DIAZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 28 Fed. Appx. 340.

No. 01-10457. *LEDEZMA-LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 387.

No. 01-10458. *DIAZ-VALENCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 260.

No. 01-10461. *RANDOLPH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 24 Fed. Appx. 215.

No. 01-10463. *ROSTAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 275 F. 3d 1086.

No. 01-10464. *DANIELS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 01-10466. *CASTELAN-PEREZ, AKA GONZALEZ PEREZ, AKA CASTELAN MONDRAGON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

No. 01-10467. *CORNOG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 34 Fed. Appx. 389.

No. 01-10475. *TELESCO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 01-10476. *VALDEZ-ESCOBEDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 130.

No. 01-10477. *ZAPATA-DIAZ, AKA RENDON-LEOBOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 128.

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No. 01-10478. *YOUNG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 01-10480. *McMILLON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 26 Fed. Appx. 289.

No. 01-10484. *MONTROYA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 941.

No. 01-10486. *ANDERSON ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 288 F. 3d 335.

No. 01-10487. *HAMILTON v. REED ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 29 Fed. Appx. 202.

No. 01-10491. *HAWKINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129.

No. 01-10492. *CAIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 599.

No. 01-10493. *GUO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 01-10495. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 17 Fed. Appx. 184.

No. 01-10503. *ANDUJAR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 281 F. 3d 1283.

No. 01-10506. *PARKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 21 Fed. Appx. 156.

No. 01-10507. *PEREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 129.

No. 01-10508. *MOLINA-NAVARRATE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 992.

No. 01-10511. *BOARD v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 01-10512. *MORALES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 929.

No. 01-10513. *ELIECER PALACIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 01-10514. RICHARDSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 34 Fed. Appx. 968.

No. 01-10515. GOMEZ-SOLANO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 440.

No. 01-10517. SCHETTLER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 32 Fed. Appx. 14.

No. 01-10518. GIBSON *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 792 A. 2d 1059.

No. 01-10519. GONZALEZ-RIVERA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 29 Fed. Appx. 848.

No. 01-10520. TRIBBLE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 704.

No. 01-10525. TREJO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 01-10534. MANUEL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 121.

No. 01-1631. BASS *v.* E. I. DU PONT DE NEMOURS & CO. C. A. 4th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 28 Fed. Appx. 201.

No. 01-1632. TEXAS *v.* MCCARTHY. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 65 S. W. 3d 47.

No. 01-9960. SUAREZ MEDINA *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Motion of petitioner to amend petition for writ of certiorari granted. Certiorari denied. Reported below: 31 Fed. Appx. 835.

Rehearing Denied

No. 01-895. FIORE *v.* UNITED STATES, 534 U. S. 1133;

No. 01-1401. WALL ET AL. *v.* CHEVERIE ET AL., 535 U. S. 1078;

No. 01-7831. CAMPBELL, AKA LEE *v.* PETERS ET AL., 535 U. S. 957;

No. 01-8251. KNOX *v.* SICKLES ET AL., 535 U. S. 996;

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No. 01-8329. *WOODFORD v. INDIANA*, 535 U.S. 999;
No. 01-8413. *PODOPRIGORA v. IMMIGRATION AND NATURALIZA-
TION SERVICE*, 535 U.S. 961;
No. 01-8486. *BAGLEY v. VANCE ET AL.*, 535 U.S. 1021;
No. 01-8600. *BEATON v. MOORE, SECRETARY, FLORIDA DE-
PARTMENT OF CORRECTIONS*, 535 U.S. 1037;
No. 01-8715. *FRIES v. ALAMEIDA, DIRECTOR, CALIFORNIA DE-
PARTMENT OF CORRECTIONS*, 535 U.S. 1039;
No. 01-8720. *PIERCE v. PRICE, FORMER SUPERINTENDENT,
STATE CORRECTIONAL INSTITUTION AT GREEN, ET AL.*, 535 U.S.
1039;
No. 01-9067. *CAMPOS v. UNITED STATES*, 535 U.S. 1010;
No. 01-9198. *CUNNINGHAM v. BARNHART, COMMISSIONER OF
SOCIAL SECURITY*, 535 U.S. 1066; and
No. 01-9460. *IN RE WALKER*, 535 U.S. 1033. Petitions for
rehearing denied.

No. 01-1353. *LEE v. DOW CHEMICAL CO. ET AL.*, 535 U.S.
1073. Petition for rehearing denied. JUSTICE O'CONNOR took no
part in the consideration or decision of this petition.

JULY 10, 2002

Miscellaneous Orders

No. 02A34. *MOORE, SECRETARY, FLORIDA DEPARTMENT OF
CORRECTIONS v. BOTTOSON*. Application to vacate stay of execu-
tion of sentence of death entered by the Supreme Court of Florida
on July 8, 2002, presented to JUSTICE KENNEDY, and by him
referred to the Court, denied.

No. 02A35. *MOORE, SECRETARY, FLORIDA DEPARTMENT OF
CORRECTIONS v. KING*. Application to vacate stay of execution
of sentence of death entered by the Supreme Court of Florida on
July 8, 2002, presented to JUSTICE KENNEDY, and by him referred
to the Court, denied.

JULY 17, 2002

Certiorari Denied

No. 02-5240 (02A46). *HANSEN v. MISSISSIPPI*. Sup. Ct. Miss.
Application for stay of execution of sentence of death, presented
to JUSTICE SCALIA, and by him referred to the Court, denied.
Certiorari denied.

July 23, 29, August 5, 2002

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JULY 23, 2002

Certiorari Denied

No. 02–5376 (02A62). *CANNON v. OKLAHOMA*. Ct. Crim. App. Okla. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS took no part in the consideration or decision of this application and this petition.

JULY 29, 2002

Miscellaneous Order

No. 01–1500. *CLAY v. UNITED STATES*. C. A. 7th Cir. [Certiorari granted, *ante*, p. 957.] David W. DeBruin, Esq., of Washington, D. C., is invited to brief and argue this case, as *amicus curiae*, in support of the judgment below.

AUGUST 5, 2002

Miscellaneous Orders

No. D–1943. *IN RE DISBARMENT OF KANTOR*. Disbarment entered. [For earlier order herein, see 523 U. S. 1092.]

No. D–2288. *IN RE DISBARMENT OF FRIESEN*. Disbarment entered. [For earlier order herein, see 535 U. S. 902.]

No. D–2289. *IN RE DISBARMENT OF TUCKER*. Disbarment entered. [For earlier order herein, see 535 U. S. 902.]

No. D–2292. *IN RE DISBARMENT OF ALTSCHULER*. Disbarment entered. [For earlier order herein, see 535 U. S. 983.]

No. D–2293. *IN RE DISBARMENT OF WILCOX*. Disbarment entered. [For earlier order herein, see 535 U. S. 984.]

No. D–2294. *IN RE DISBARMENT OF ELLIOTT*. Disbarment entered. [For earlier order herein, see 535 U. S. 984.]

No. D–2295. *IN RE DISBARMENT OF WITTENBERG*. Disbarment entered. [For earlier order herein, see 535 U. S. 984.]

No. D–2296. *IN RE DISBARMENT OF MAGNOTTI*. Disbarment entered. [For earlier order herein, see 535 U. S. 984.]

No. D–2297. *IN RE DISBARMENT OF RODRIGUEZ*. Disbarment entered. [For earlier order herein, see 535 U. S. 984.]

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No. D-2298. IN RE DISBARMENT OF WEISS. Disbarment entered. [For earlier order herein, see 535 U.S. 1015.]

No. D-2299. IN RE DISBARMENT OF GAVLICK. Disbarment entered. [For earlier order herein, see 535 U.S. 1015.]

No. D-2302. IN RE DISBARMENT OF GILLILAND. Disbarment entered. [For earlier order herein, see 535 U.S. 1032.]

No. D-2303. IN RE DISBARMENT OF WRIGHT. Disbarment entered. [For earlier order herein, see 535 U.S. 1032.]

No. D-2304. IN RE DISBARMENT OF HALPERN. Disbarment entered. [For earlier order herein, see 535 U.S. 1032.]

No. D-2305. IN RE DISBARMENT OF FREJLICH. Disbarment entered. [For earlier order herein, see 535 U.S. 1033.]

No. D-2307. IN RE DISBARMENT OF O'BRIEN. Disbarment entered. [For earlier order herein, see 535 U.S. 1092.]

No. D-2331. IN RE DISCIPLINE OF STEVENS. Richard Stevens, of New York, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2332. IN RE DISCIPLINE OF HARLEY. Robert G. Harley, of Brooklyn, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2333. IN RE DISCIPLINE OF WEINSTOCK. Israel Weinstock, of Belle Harbor, 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-2334. IN RE DISBARMENT OF LOCKENVITZ. Bradley Harold Lockenvitz, of Linn, Mo., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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Rehearing Denied

- No. 00-9545. SWOYER *v.* KERCHER ET AL., 534 U. S. 831;
No. 00-9551. SWOYER *v.* MERCHANTS BANK, 534 U. S. 831;
No. 00-9554. SWOYER *v.* REED, 534 U. S. 832;
No. 00-9686. BAEZ *v.* HALL ET AL., 535 U. S. 904;
No. 00-9726. SWOYER *v.* EDGARS ET AL., 534 U. S. 832;
No. 00-10271. JARAMILLO *v.* PINKERTON ET AL., 534 U. S. 849;
No. 00-10422. YON *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 534 U. S. 857;
No. 01-144. FULTON COUNTY, GEORGIA, ET AL. *v.* FLANIGAN'S ENTERPRISES, INC. OF GEORGIA, ET AL., *ante*, p. 904;
No. 01-400. BELL, WARDEN *v.* CONE, 535 U. S. 685;
No. 01-1277. KRILICH *v.* UNITED STATES, *ante*, p. 904;
No. 01-1299. WATTS *v.* CITY OF NORMAN, 535 U. S. 1055;
No. 01-1367. BARNETT *v.* DENVER PUBLISHING CO., DBA ROCKY MOUNTAIN NEWS, INC., 535 U. S. 1056;
No. 01-1379. SPANAGEL *v.* SUPPORTIVE CARE SERVICES, INC., 535 U. S. 1078;
No. 01-1391. SMITH *v.* FRIEDMAN ET AL., 535 U. S. 1057;
No. 01-1430. SIENKIEWICZ *v.* HART ET AL., 535 U. S. 1097;
No. 01-1448. HAGENBUCH ET AL. *v.* COMPAQ COMPUTER CORP. ET AL., 535 U. S. 1112;
No. 01-1526. BROWN *v.* CITY OF WILMINGTON ET AL., *ante*, p. 906;
No. 01-1539. SUDARSKY *v.* CITY OF NEW YORK ET AL., *ante*, p. 918;
No. 01-5074. HICKS *v.* SNYDER, WARDEN, 534 U. S. 901;
No. 01-6035. TAYBORN *v.* SCOTT, WARDEN, 534 U. S. 965;
No. 01-7219. MITCHELL *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY, 535 U. S. 933;
No. 01-7844. MORENO *v.* METHODIST HOSPITALS, INC., 535 U. S. 957;
No. 01-7926. HEDRICK *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 535 U. S. 959;
No. 01-8315. MANLEY *v.* INDIANA, 535 U. S. 998;
No. 01-8404. BEN YISRAYL, AKA CANNON *v.* NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, 535 U. S. 1001;
No. 01-8431. DAVIS *v.* DAVIS, 535 U. S. 1020;
No. 01-8445. OSAYANDE *v.* UNITED STATES, 535 U. S. 962;
No. 01-8596. BARREIRO *v.* UNITED STATES, 535 U. S. 1099;

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- No. 01-8809. ROWELL *v.* NEVADA, 535 U.S. 1060;
No. 01-8823. ABDULLAH *v.* UNITED STATES, 535 U.S. 1004;
No. 01-8828. TEAGUE *v.* HOLIDAY INN EXPRESS ET AL., 535 U.S. 1061;
No. 01-8832. COOK *v.* ASHCROFT, ATTORNEY GENERAL, ET AL., 535 U.S. 1024;
No. 01-8843. MORRIS *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION (two judgments), 535 U.S. 1061;
No. 01-8875. BANKS *v.* HORN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL., 535 U.S. 1099;
No. 01-8911. METTS *v.* NORTH CAROLINA DEPARTMENT OF REVENUE, 535 U.S. 1062;
No. 01-8970. DUBOSE *v.* KELLY ET AL., 535 U.S. 1064;
No. 01-8983. HORNER *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 535 U.S. 1080;
No. 01-9045. MENCHACA *v.* BUTLER, CHIEF DEPUTY WARDEN, ET AL., 535 U.S. 1082;
No. 01-9050. TSHIWALA *v.* MARYLAND, 535 U.S. 1065;
No. 01-9059. WILLIAMS *v.* UNITED STATES, 535 U.S. 1010;
No. 01-9071. MANLEY *v.* MONROE COUNTY SHERIFF'S DEPARTMENT ET AL., 535 U.S. 1082;
No. 01-9075. DOERR *v.* CITY OF REDLANDS ET AL., 535 U.S. 1083;
No. 01-9083. COLE *v.* CARR ET AL., 535 U.S. 1083;
No. 01-9108. TAYLOR *v.* REDDISH, WARDEN, 535 U.S. 1083;
No. 01-9160. HEGWOOD *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 535 U.S. 1100;
No. 01-9180. NABELEK *v.* TEXAS (two judgments), 535 U.S. 1101;
No. 01-9223. IN RE WILLIAMS, 535 U.S. 1077;
No. 01-9257. VIVONE *v.* KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER, 535 U.S. 1086;
No. 01-9274. JONES *v.* LUEBBERS, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, 535 U.S. 1066;
No. 01-9283. IN RE NABELEK (three judgments), 535 U.S. 1103;
No. 01-9327. CHAMBERS *v.* TURLEY ET AL., 535 U.S. 1114;
No. 01-9391. TRICE *v.* HALL, WARDEN, 535 U.S. 1116;

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- No. 01-9393. *MCDOWELL v. CORNELL CORRECTIONS ET AL.*, 535 U. S. 1116;
No. 01-9416. *MOULTRIE v. UNITED STATES*, 535 U. S. 1067;
No. 01-9437. *BURNETT v. TENET HEALTHSYSTEM HOSPITALS, INC., DBA LUTHERAN MEDICAL CENTER*, 535 U. S. 1104;
No. 01-9475. *CARROLL v. PFEFFER*, *ante*, p. 907;
No. 01-9502. *DEAVALT v. UNITED STATES*, 535 U. S. 1069;
No. 01-9507. *NATERA-SOSA v. UNITED STATES*, 535 U. S. 1069;
No. 01-9532. *ABDUR'RAHMAN v. TENNESSEE*, 535 U. S. 1070;
No. 01-9566. *MCCOY v. INDIANA*, *ante*, p. 925;
No. 01-9567. *NIXON v. UNITED STATES*, 535 U. S. 1071;
No. 01-9619. *MEJIAS NEGRON v. UNITED STATES*, 535 U. S. 1086;
No. 01-9624. *NICOLAISON v. MILCZART ET AL.*, *ante*, p. 910;
No. 01-9663. *MARCELLO ET UX. v. MAINE DEPARTMENT OF HUMAN SERVICES*, *ante*, p. 920;
No. 01-9682. *ASHTON v. UNITED STATES*, 535 U. S. 1087;
No. 01-9731. *ARMSTRONG v. CITY OF GREENSBORO ET AL.*, *ante*, p. 930;
No. 01-9819. *WILLIAMS v. UNITED STATES*, 535 U. S. 1106;
No. 01-9832. *HOLUB v. UNITED STATES*, 535 U. S. 1090;
No. 01-9884. *NAGY v. UNITED STATES*, 535 U. S. 1107;
No. 01-10013. *BLACKBURN v. ASHCROFT, ATTORNEY GENERAL, ET AL.*, *ante*, p. 911;
No. 01-10094. *DIX v. UNITED STATES*, *ante*, p. 913; and
No. 01-10166. *LOCKETT v. UNITED STATES*, *ante*, p. 915. Petitions for rehearing denied.
No. 01-7942. *PORTER v. DIECAST CORP. ET AL.*, 535 U. S. 960;
No. 01-9316. *OKEN v. MARYLAND*, 535 U. S. 1074; and
No. 01-9317. *BORCHARDT v. MARYLAND*, 535 U. S. 1104. Motions for leave to file petitions for rehearing denied.

AUGUST 7, 2002

Miscellaneous Order

No. 02A95. *IN RE FEDERAL-MOGUL GLOBAL, INC.* C. A. 3d Cir. Application for stay, presented to JUSTICE KENNEDY, and by him referred to the Court, denied.

Certiorari Denied

No. 02-5698 (02A109). *KUTZNER v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DI-*

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August 7, 8, 14, 15, 2002

VISION. 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: 303 F. 3d 333.

AUGUST 8, 2002

Dismissals Under Rule 46

No. 01-1390. ROSMER *v.* PFIZER, INC. C. A. 4th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 263 F. 3d 110.

No. 01-1793. DUKE UNIVERSITY ET AL. *v.* MILON ET UX. Sup. Ct. N. C. Certiorari dismissed under this Court's Rule 46.1. Reported below: 355 N. C. 263, 559 S. E. 2d 789.

AUGUST 14, 2002

Dismissal Under Rule 46

No. 74, Orig. GEORGIA *v.* SOUTH CAROLINA. Bill of complaint dismissed under this Court's Rule 46.1. [For earlier decision herein, see, *e. g.*, 497 U.S. 376.]

Miscellaneous Order

No. 02-5827 (02A138). IN RE BASILE. 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. 02-5752 (02A122). SUAREZ MEDINA *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 15, 2002

Miscellaneous Order

No. 02-5823 (02A136). IN RE FUGATE. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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Certiorari Denied

No. 02-5822 (02A135). *FUGATE v. GEORGIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 301 F. 3d 1287.

AUGUST 16, 2002

Certiorari Denied

No. 02-5892 (02A147). *FUGATE v. GEORGIA BOARD OF PAR- DONS AND PAROLES ET AL.* Super. Ct. Fulton County, Ga. Ap- plication for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

AUGUST 20, 2002

Miscellaneous Order

No. 02-5330 (02A71). *IN RE ETHERIDGE.* 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 23, 2002

Miscellaneous Order

No. 02A159. *GREEN v. HODGES, GOVERNOR OF SOUTH CARO- LINA, ET AL.* Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

Certiorari Denied

No. 02-5648 (02A103). *GREEN v. MAYNARD, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS.* Application for stay of execution of sentence of death, presented to THE CHIEF JUS- TICE, and by him referred to the Court, denied. Certiorari de- nied. Reported below: 349 S. C. 535, 564 S. E. 2d 83.

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Miscellaneous Orders

No. D-2308. *IN RE DISBARMENT OF EDMONDS.* Disbarment entered. [For earlier order herein, see 535 U.S. 1092.]

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No. D-2309. IN RE DISBARMENT OF GRAYSON. Disbarment entered. [For earlier order herein, see 535 U.S. 1093.]

No. D-2310. IN RE DISBARMENT OF LESTER. Disbarment entered. [For earlier order herein, see 535 U.S. 1093.]

No. D-2312. IN RE DISBARMENT OF RIGGS. Disbarment entered. [For earlier order herein, see 535 U.S. 1093.]

No. D-2313. IN RE DISBARMENT OF SHANAHAN. Disbarment entered. [For earlier order herein, see 535 U.S. 1093.]

No. 01-1067. UNITED STATES *v.* WHITE MOUNTAIN APACHE TRIBE. C. A. Fed. Cir. [Certiorari granted, 535 U.S. 1016.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 01-1118. SCHEIDLER ET AL. *v.* NATIONAL ORGANIZATION FOR WOMEN, INC., ET AL.; and

No. 01-1119. OPERATION RESCUE *v.* NATIONAL ORGANIZATION FOR WOMEN, INC., ET AL. C. A. 7th Cir. [Certiorari granted, 535 U.S. 1016.] Motion of Alan Ernest to represent children unborn and born alive denied.

No. 01-1209. BOEING CO. ET AL. *v.* UNITED STATES; and

No. 01-1382. UNITED STATES *v.* BOEING SALES CORP. ET AL. C. A. 9th Cir. [Certiorari granted, 535 U.S. 1094.] Motion of Boeing Co. et al. to dispense with printing the joint appendix granted.

No. 01-1243. BORDEN RANCH PARTNERSHIP ET AL. *v.* UNITED STATES ARMY CORPS OF ENGINEERS ET AL. C. A. 9th Cir. [Certiorari granted, *ante*, p. 903.] Motion of petitioners Borden Ranch et al. to dispense with printing the joint appendix granted. JUSTICE KENNEDY took no part in the consideration or decision of this motion.

No. 01-1437. BRANCH ET AL. *v.* SMITH ET AL. D. C. S. D. Miss. [Probable jurisdiction noted, *ante*, p. 903.] Motion of Nationalist Movement for leave to file a brief as *amicus curiae* granted.

No. 01-1500. CLAY *v.* UNITED STATES. C. A. 7th Cir. [Certiorari granted, *ante*, p. 957.] Motion of the Solicitor General to amend the order granting petition for writ of certiorari and stat-

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ing the question presented granted. Order granting petition for writ of certiorari amended to read as follows: Certiorari granted limited to the following question: “Whether petitioner’s judgment of conviction became ‘final’ within the meaning of 28 U.S.C. § 2255, par. 6(1), when the Court of Appeals issued its mandate on direct appeal or when his time for filing a petition for writ of certiorari expired.”

Rehearing Denied

No. 00–1852. *JETT v. WASHINGTON COUNTY SCHOOL BOARD*, *ante*, p. 921;

No. 00–9913. *INGLE v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 534 U. S. 837;

No. 00–9976. *KING v. GEORGIA*, *ante*, p. 957;

No. 01–339. *STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS v. SMITH*, *ante*, p. 856;

No. 01–1177. *CATERINA ET AL. v. UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA ET AL.*, 535 U. S. 988;

No. 01–1259. *GOELZ v. PAUL REVERE LIFE INSURANCE CO. ET AL.*, 535 U. S. 1035;

No. 01–1385. *HORN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. v. BANKS*, *ante*, p. 266;

No. 01–1457. *CLANTON v. GREENWOOD TRUST CO.*, 535 U. S. 1112;

No. 01–1474. *BLEDSE v. NUCOR-YAMATO STEEL CO.*, *ante*, p. 904;

No. 01–1565. *HAWORTH v. OFFICE OF PERSONNEL MANAGEMENT*, 535 U. S. 1113;

No. 01–1597. *DUNN v. KEAN*, *ante*, p. 940;

No. 01–1615. *MCLACHLAN, TRUSTEE OF THE MARY BUTSCHEK LIVING TRUST, ET AL. v. SIMON, AN INDIVIDUAL AND FORMER TRUSTEE OF THE NAVELLIER SERIES FUND, ET AL.*, *ante*, p. 941;

No. 01–8374. *VARGAS v. JORGENSEN*, 535 U. S. 1000;

No. 01–8494. *HILTON v. MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, 535 U. S. 1021;

No. 01–8555. *LIVINGSTON v. UNITED STATES*, 535 U. S. 977;

No. 01–8673. *OLIVER v. KYLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON*, 535 U. S. 1038;

No. 01–8674. *PELLEGRINO v. WEBER, WARDEN, ET AL.*, 535 U. S. 1038;

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- No. 01-8718. JONES *v.* UNITED STATES, 535 U. S. 979;
No. 01-8719. ZARRILLI *v.* FEDERAL DEPOSIT INSURANCE CORPORATION ET AL., 535 U. S. 1002;
No. 01-8860. BLACK *v.* STEWART, WARDEN, 535 U. S. 1080;
No. 01-9104. RHODE *v.* GEORGIA, *ante*, p. 925;
No. 01-9126. RICHARDSON *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 535 U. S. 1084;
No. 01-9153. GREEN *v.* NEWELL ET AL., *ante*, p. 942;
No. 01-9360. SMITH *v.* UNITED STATES, *ante*, p. 964;
No. 01-9481. IN RE HUBBARD, 535 U. S. 1033;
No. 01-9482. GIBBS *v.* SNYDER, WARDEN, ET AL., *ante*, p. 907;
No. 01-9506. TAYLOR *v.* REYNOLDS ET AL., *ante*, p. 908;
No. 01-9555. LUGO *v.* FLORIDA, *ante*, p. 909;
No. 01-9613. REDIC *v.* MOSKOWITZ ET AL., *ante*, p. 926;
No. 01-9626. BEATON *v.* MOORE, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 927;
No. 01-9658. GONZALEZ LORA *v.* UNITED STATES, 535 U. S. 1087;
No. 01-9672. MILLER *v.* DORMIRE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER, *ante*, p. 928;
No. 01-9713. CASTILLE *v.* COMPLIANCE SOLUTIONS, *ante*, p. 910;
No. 01-9774. REED *v.* OHIO, 535 U. S. 1089;
No. 01-9783. IN RE PETERSON, *ante*, p. 938;
No. 01-9839. ENGEL *v.* PENNSYLVANIA ET AL., *ante*, p. 946;
No. 01-9842. DICKERSON *v.* UNITED STATES, 535 U. S. 1106;
No. 01-9864. MILANO *v.* NORTH CAROLINA, *ante*, p. 930;
No. 01-9886. PFEIFFER-EL *v.* JACKSON, SUPERINTENDENT, BROWN CREEK CORRECTIONAL INSTITUTION, *ante*, p. 965;
No. 01-9898. TAYLOR *v.* CAMPBELL, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTION, ET AL., *ante*, p. 965;
No. 01-9906. STEINBRECHER *v.* STEINBRECHER ET AL., *ante*, p. 911;
No. 01-9922. PRICE *v.* CRESTAR SECURITIES CORP. ET AL., *ante*, p. 966;
No. 01-9949. CARPENTER *v.* NORTH CAROLINA, *ante*, p. 967;
No. 01-10060. BECKTEL *v.* COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT (MORISSETTE, REAL PARTY IN INTEREST), *ante*, p. 967;

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No. 01-10071. *HAMM v. UNITED STATES*, *ante*, p. 913; and
No. 01-10248. *SHINGLETON v. OHIO*, *ante*, p. 933. Petitions
for rehearing denied.

No. 01-1566. *HAWKINS, INDIVIDUALLY, AND AS TRUSTEE,
HAWKINS FAMILY TRUST v. VASTAR RESOURCES, INC.*, *ante*,
p. 934. Petition for rehearing denied. JUSTICE BREYER took no
part in the consideration or decision of this petition.

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Miscellaneous Order. (See No. 02-6017, *infra*.)

Certiorari Denied

No. 02-6010 (02A164). *PATTERSON v. TEXAS*. Ct. Crim. App.
Tex.; and

No. 02-6017 (02A165). *IN RE PATTERSON*. Applications for
stay of execution of sentence of death, presented to JUSTICE
SCALIA, and by him referred to the Court, denied. *Certiorari*
denied. Petition for writ of habeas corpus denied.

JUSTICE STEVENS, dissenting.

Petitioner was convicted of capital murder and sentenced to death for a crime he committed when he was 17 years old. In his dissenting opinion in *Stanford v. Kentucky*, 492 U. S. 361, 382 (1989), Justice Brennan, writing for four Members of the Court, explained why the Eighth Amendment prohibits the taking of the life of a person as punishment for a crime committed when below the age of 18. I joined that opinion and remain convinced that it correctly interpreted the law. Since that opinion was written, the issue has been the subject of further debate and discussion both in this country and in other civilized nations. Given the apparent consensus that exists among the States and in the international community against the execution of a capital sentence imposed on a juvenile offender, I think it would be appropriate for the Court to revisit the issue at the earliest opportunity. I would therefore grant a stay of this execution to give the Court an opportunity to confront the question at its next scheduled conference in September. Accordingly, I respectfully dissent from the denial of a stay.

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JUSTICE GINSBURG, with whom JUSTICE BREYER joins, dissenting.

This Court's decision in *Atkins v. Virginia*, ante, p. 304, made it tenable for a petitioner to urge reconsideration of *Stanford v. Kentucky*, 492 U.S. 361 (1989), in which the Court rejected an Eighth Amendment challenge to the execution of a person as punishment for a crime committed while under the age of 18. For the reasons stated by JUSTICE STEVENS, I think it appropriate to revisit the issue at this time. I therefore join JUSTICE STEVENS in dissenting from the denial of a stay.

SEPTEMBER 6, 2002

Appointment Orders

It is ordered that Christopher W. Vasil be appointed Chief Deputy Clerk of this Court to succeed Francis J. Lorson effective at the commencement of business September 3, 2002, and that he take the oath of office as required by statute.

It is ordered that Cynthia J. Rapp be appointed Deputy Clerk of this Court, effective at the commencement of business September 3, 2002, and that she take the oath of office as required by statute.

Miscellaneous Orders

No. 01-800. HOWSAM, INDIVIDUALLY AND AS TRUSTEE FOR THE E. RICHARD HOWSAM, JR., IRREVOCABLE LIFE INSURANCE TRUST DATED MAY 14, 1982 *v.* DEAN WITTER REYNOLDS, INC. C. A. 10th Cir. [Certiorari granted, 534 U.S. 1161.] Motion of Competitive Enterprise Institute for leave to file a brief as *amicus curiae* granted. 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 these motions.

No. 01-1231. CONNECTICUT DEPARTMENT OF PUBLIC SAFETY ET AL. *v.* DOE, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. C. A. 2d Cir. [Certiorari granted, 535 U.S. 1077.] Motion of Reporters Committee for Freedom of the Press for leave to file a brief as *amicus curiae* granted.

No. 01-1572. COOK COUNTY, ILLINOIS *v.* UNITED STATES EX REL. CHANDLER. C. A. 7th Cir. [Certiorari granted, ante,

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p. 956.] Motion of the parties to dispense with printing the joint appendix granted.

Certiorari Denied

No. 02–5543 (02A173). *SHAMBURGER v. COCKRELL*, 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: 34 Fed. Appx. 962.

Rehearing Denied

No. 00–10375. *JOHNSON v. DUNCAN*, WARDEN, ET AL., 534 U. S. 854;

No. 01–7992. *SHAW v. PERRY*, GOVERNOR OF TEXAS, ET AL., 535 U. S. 973;

No. 01–8619. *BOWEN v. NORTH CAROLINA*, 535 U. S. 1023;

No. 01–9079. *WALKER v. UNITED STATES*, 535 U. S. 1011;

No. 01–9091. *DIXON v. CITY OF MINNEAPOLIS WATER DEPARTMENT*, 535 U. S. 1065;

No. 01–9092. *DIXON v. HARDIMON*, 535 U. S. 1083;

No. 01–9103. *POUND v. WILLIAMS*, INSURANCE COMMISSIONER OF DELAWARE, AS RECEIVER OF NATIONAL HERITAGE LIFE INSURANCE Co. IN LIQUIDATION, ET AL., 535 U. S. 1083;

No. 01–9430. *LEE, AKA CAMPBELL v. BERGE*, WARDEN, 535 U. S. 1117;

No. 01–9521. *LEWIS v. RADER*, WARDEN, *ante*, p. 908;

No. 01–9544. *MILLER v. HALL*, WARDEN, *ante*, p. 909;

No. 01–9703. *TAYLOR v. KOTECKI*, *ante*, p. 929;

No. 01–9717. *EPPS v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., 535 U. S. 1073;

No. 01–9822. *WEATHERSPOON v. MOORE*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 945;

No. 01–9836. *TYLER v. ASHCROFT*, ATTORNEY GENERAL, ET AL., *ante*, p. 945;

No. 01–9897. *WRIGHT v. KNOX COUNTY BOARD OF EDUCATION*, *ante*, p. 965;

No. 01–9900. *KOCH v. POTTER*, POSTMASTER GENERAL, *ante*, p. 911;

No. 01–10016. *BAD WOUND v. UNITED STATES*, *ante*, p. 911;

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No. 01-10102. CASTRO *v.* CHANDLER, WARDEN, *ante*, p. 914;
No. 01-10331. IN RE WARREN, *ante*, p. 938; and
No. 01-10358. IN RE CALLEN, *ante*, p. 938. Petitions for re-
hearing denied.

No. 01-529. HOOVER ET AL. *v.* UNITED STATES, *ante*, p. 958.
Motions of Adrian Bradd and Darrell Branch for leave to proceed
further herein *in forma pauperis* granted. Petition for rehear-
ing denied.

No. 01-1769. WAYNE *v.* UNITED STATES, *ante*, p. 961. Motion
of petitioner for leave to proceed further herein *in forma pau-*
peris granted. Petition for rehearing denied.

No. 01-9592. BOETTNER *v.* KIRKWOOD ET AL., *ante*, p. 925.
Motion for leave to file petition for rehearing denied.

SEPTEMBER 11, 2002

Dismissal Under Rule 46

No. 01-1839. CANAL INSURANCE CO. *v.* UNITED STATES DIS-
TRICT COURT FOR THE MIDDLE DISTRICT OF LOUISIANA. C. A.
5th Cir. Certiorari dismissed under this Court's Rule 46.

SEPTEMBER 12, 2002

Certiorari Denied

No. 02-5047. MAYS *v.* COCKRELL, DIRECTOR, TEXAS DEPART-
MENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A.
5th Cir. Certiorari denied. Reported below: 31 Fed. Appx. 832.

No. 02-5203 (02A195). PATRICK *v.* COCKRELL, DIRECTOR,
TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DI-
VISION. C. A. 5th Cir. Application for stay of execution of sen-
tence 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 execu-
tion. Reported below: 34 Fed. Appx. 150.

SEPTEMBER 13, 2002

Miscellaneous Order

No. 01-896. FORD MOTOR CO. ET AL. *v.* MCCAULEY ET AL.
C. A. 9th Cir. [Certiorari granted, 534 U.S. 1126.] The parties

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are directed to file supplemental briefs addressing the following questions: "Is there appellate jurisdiction when petitioners, as the nominally prevailing party in the District Court, appeal the District Court's dismissal of a complaint for lack of subject matter jurisdiction?" Briefs are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, September 26, 2002. Twenty copies of the briefs prepared under this Court's Rule 33.2 may be filed initially in order to meet the September 26 filing date. Rule 29.2 does not apply. Forty copies of the briefs prepared under Rule 33.1 are to be filed as soon as possible thereafter.

SEPTEMBER 16, 2002

Miscellaneous Order

No. 02A172. *MCCLURE v. GALVIN*, SECRETARY OF COMMONWEALTH OF MASSACHUSETTS. Sup. Jud. Ct. Mass. Application for stay and injunctive relief, addressed to JUSTICE STEVENS and referred to the Court, denied.

SEPTEMBER 17, 2002

Miscellaneous Order

No. 02-6384 (02A244). *IN RE PATRICK*. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Petition for writ of habeas corpus denied. JUSTICE SCALIA took no part in the consideration or decision of this application and this petition.

Certiorari Denied

No. 02-6377 (02A241). *PATRICK v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. JUSTICE SCALIA took no part in the consideration or decision of this application and this petition.

SEPTEMBER 18, 2002

Miscellaneous Order

No. 02-6386 (02A246). *IN RE SHAMBURGER*. Application for stay of execution of sentence of death, presented to JUSTICE

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SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

SEPTEMBER 25, 2002

Miscellaneous Order

No. 02–6525 (02A260). IN RE BUELL. 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. 01–10584 (02A250). KING *v.* COCKRELL, 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: 33 Fed. Appx. 703.

No. 02–6513 (02A257). BUELL *v.* ANDERSON, 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: 48 Fed. Appx. 491.

SEPTEMBER 26, 2002

Dismissal Under Rule 46

No. 02–282. HINCKLEY TOWNSHIP TRUSTEES ET AL. *v.* WERSHING. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 36 Fed. Appx. 179.

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Miscellaneous Order

No. 01–653. FEDERAL COMMUNICATIONS COMMISSION *v.* NEXTWAVE PERSONAL COMMUNICATIONS INC. ET AL.; and

No. 01–657. ARCTIC SLOPE REGIONAL CORP. ET AL. *v.* NEXTWAVE PERSONAL COMMUNICATIONS INC. ET AL. C. A. D. C. Cir. [Certiorari granted, 535 U.S. 904.] Motion of respondents Next-Wave Personal Communications Inc. et al. for leave to file supplemental appendix denied.

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Certiorari Granted

No. 01-1435. CLACKAMAS GASTROENTEROLOGY ASSOCIATES, P. C. *v.* WELLS. C. A. 9th Cir. Certiorari granted. Reported below: 271 F. 3d 903.

No. 01-1559. MASSARO *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. Reported below: 27 Fed. Appx. 26.

No. 01-1766. ZAPATA INDUSTRIES, INC. *v.* W. R. GRACE & Co.-CONN. C. A. Fed. Cir. Certiorari granted. Reported below: 34 Fed. Appx. 688.

No. 01-1862. WOODFORD, WARDEN *v.* GARCEAU. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 275 F. 3d 769.

Certiorari Denied

No. 02-5735 (02A249). POWELL *v.* COCKRELL, 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: 35 Fed. Appx. 386.

OCTOBER 3, 2002

Dismissal Under Rule 46

No. 02-5574. GALLEGOS *v.* PUEBLO OF TESUQUE, DBA CAMEL ROCK GAMING CENTER, ET AL. Sup. Ct. N. M. Certiorari dismissed under this Court's Rule 46. Reported below: 132 N. M. 207, 46 P. 3d 668.