

ORDERS FOR JUNE 2 THROUGH
OCTOBER 2, 2003

JUNE 2, 2003

Certiorari Granted—Reversed and Remanded. (See No. 02–1295, *ante*, p. 52.)

Certiorari Granted—Vacated and Remanded

No. 01–1840. DELTA FAMILY-CARE DISABILITY AND SURVIVORSHIP PLAN *v.* REGULA. C. A. 9th Cir. Motions of Bert Bell/Pete Rozelle NFL Player Retirement Plan and ERISA Industry Committee for leave to file briefs as *amici curiae* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Black & Decker Disability Plan v. Nord*, 538 U. S. 822 (2003). Reported below: 266 F. 3d 1130.

Certiorari Dismissed

No. 02–9867. MOORE *v.* PLASTER ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 313 F. 3d 442.

No. 02–9969. TILLI *v.* SMITH. Super. Ct. Pa. 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: 806 A. 2d 475.

Miscellaneous Orders

No. 02–763. BARNHART, COMMISSIONER OF SOCIAL SECURITY *v.* THOMAS. C. A. 3d Cir. [Certiorari granted, 537 U. S. 1187.]

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Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 02–9579. *IN RE STEELE*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [538 U.S. 960] denied.

No. 02–10267. *CHEH v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until June 23, 2003, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 02–10326. *IN RE BARCLAY*. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until June 23, 2003, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 02–9897. *IN RE BREWER*; and

No. 02–10054. *IN RE FLYNN*. Petitions for writs of mandamus denied.

Certiorari Denied

No. 02–925. *BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS ET AL. v. NANDA ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 303 F. 3d 817.

No. 02–1191. *DONATO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 306 F. 3d 1217.

No. 02–1253. *RIGGS ET AL. v. SAN JUAN COUNTY, UTAH, ET AL.*;

No. 02–1444. *SAN JUAN COUNTY, UTAH, ET AL. v. RIGGS ET AL.*; and

No. 02–1445. *SAN JUAN HEALTH SERVICES ET AL. v. RIGGS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 309 F. 3d 1216.

No. 02–1272. *DEPAOLI ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 41 Fed. Appx. 543.

No. 02–1273. *ARMENDARIZ-MONTOYA v. SONCHIK, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 9th Cir. Certiorari denied. Reported below: 291 F. 3d 1116.

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No. 02-1291. *TAX & ACCOUNTING SOFTWARE CORP. ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 301 F. 3d 1254.

No. 02-1367. *EUSTACE ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. Reported below: 312 F. 3d 905.

No. 02-1375. *SCHALL v. COLORADO*. Sup. Ct. Colo. Certiorari denied. Reported below: 59 P. 3d 848.

No. 02-1406. *CALLOWHILL CENTER ASSOCIATES, LLP v. SOCIETY CREATED TO REDUCE URBAN BLIGHT ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 804 A. 2d 116.

No. 02-1417. *CREDIT LYONNAIS ROUSE, LTD. v. OCEAN VIEW CAPITAL, INC., ET AL.*;

No. 02-1418. *SUMITOMO CORPORATION OF AMERICA ET AL. v. OCEAN VIEW CAPITAL, INC., FKA TRIANGLE WIRE & CABLE, INC.*; and

No. 02-1434. *GLOBAL MINERALS & METALS CORP. ET AL. v. VIACOM INC. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 306 F. 3d 469.

No. 02-1426. *CALHOUN v. LILLENAS PUBLISHING ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 298 F. 3d 1228.

No. 02-1428. *SLADEK v. ZEMAN*. C. A. 10th Cir. Certiorari denied. Reported below: 44 Fed. Appx. 448.

No. 02-1435. *SALUGA v. TUREK*. C. A. 6th Cir. Certiorari denied. Reported below: 47 Fed. Appx. 746.

No. 02-1437. *RAISER v. DASCHLE, UNITED STATES SENATOR, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 305.

No. 02-1440. *MEADE v. DECISIONS OF THE ORPHANS COURT FOR ANNE ARUNDEL COUNTY ET AL.* Cir. Ct. Anne Arundel County, Md. Certiorari denied.

No. 02-1446. *EDWIN L. WIEGAND DIVISION, EMERSON ELECTRIC Co. v. MT. OLIVET TABERNACLE CHURCH*. Sup. Ct. Pa. Certiorari denied. Reported below: 571 Pa. 60, 811 A. 2d 565.

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No. 02-1447. *NORTHWEST AIRLINES CORP. ET AL. v. CHASE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 310 F. 3d 953.

No. 02-1460. *VAUGHAN v. COX ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 316 F. 3d 1210.

No. 02-1461. *SHERIDAN v. TRUSTEES OF COLUMBIA UNIVERSITY.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 296 App. Div. 2d 314, 745 N. Y. S. 2d 18.

No. 02-1509. *MINISTRY OF FINANCE OF THE REPUBLIC OF INDONESIA v. KARAH BODAS Co., L. L. C.; and*

No. 02-1510. *PERUSAHAAN PERTAMBANGAN MINYAK DAN GAS BUMI NEGARA v. KARAH BODAS Co., L. L. C.* C. A. 2d Cir. Certiorari denied. Reported below: 313 F. 3d 70.

No. 02-1517. *TOWLE, DENISON, SMITH & TAVERA, LLP, ET AL. v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.* C. A. Fed. Cir. Certiorari denied. Reported below: 56 Fed. Appx. 488.

No. 02-1525. *NORMAN v. UNITED STATES PUBLIC HEALTH SERVICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 596.

No. 02-1539. *BESTOR v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied.

No. 02-1549. *YAMASHITA v. JOHNSON, ACTING SECRETARY OF THE NAVY, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 02-1558. *REES v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 258 Wis. 2d 981, 654 N. W. 2d 94.

No. 02-1572. *RAPIER v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 64 Fed. Appx. 417.

No. 02-7782. *MAYES ET AL. v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied. Reported below: 827 So. 2d 967.

No. 02-9054. *KAFELE v. KARNES ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 97 Ohio St. 3d 1475, 779 N. E. 2d 1049.

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No. 02–9719. *DANIELS v. MOORE, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–9720. *HONESTY v. LAVAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–9804. *NELSON v. GIOFFREDI AND ASSOCIATES ET AL.* Ct. App. Tex., 7th Dist. Certiorari denied.

No. 02–9808. *BROWN v. MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 145 Md. App. 726.

No. 02–9809. *ARNOLD v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 835 So. 2d 1112.

No. 02–9810. *NGHIEM v. AGHA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 489.

No. 02–9811. *WENDT v. WAKEFIELD.* C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 596.

No. 02–9813. *MASON v. SPENDER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 02–9816. *WASHINGTON v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 02–9823. *FRANKLIN v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 97 Ohio St. 3d 1, 776 N. E. 2d 26.

No. 02–9833. *HISTON v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 02–9839. *WALKER v. MOSLEY, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 901.

No. 02–9841. *EDWARDS v. LAVIGNE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 02–9848. *BILBREY v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 02–9850. *WHITE v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 414.

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No. 02-9855. *DARBY v. FRANK, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS, ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 258 Wis. 2d 270, 653 N.W. 2d 160.

No. 02-9857. *DORSEY v. JOHNSON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.* Ct. App. Tex., 10th Dist. Certiorari denied.

No. 02-9861. *DEDEAUX v. MISSISSIPPI.* Ct. App. Miss. Certiorari denied. Reported below: 834 So. 2d 712.

No. 02-9862. *DRASAR v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 02-9865. *JONES v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 02-9866. *MYERS v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 97 Ohio St. 3d 335, 780 N.E. 2d 186.

No. 02-9870. *MILLER v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 02-9871. *METTERS v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 02-9874. *LAZARD v. LOUISIANA.* C. A. 5th Cir. Certiorari denied.

No. 02-9882. *MEDINA v. FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 834 So. 2d 176.

No. 02-9885. *BRANCH v. TEXAS*; and *BRANCH v. COURT OF APPEALS OF TEXAS, FIFTH DISTRICT.* Ct. Crim. App. Tex. Certiorari denied.

No. 02-9893. *YOVEV v. CALIFORNIA FAIR PLAN ASSN. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 02-9899. *BUI PHU XUAN v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 02-9900. *TURNER v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

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No. 02-9906. *GRAMS v. MORGENSTERN*. Sup. Ct. Mont. Certiorari denied. Reported below: 313 Mont. 421, 63 P. 3d 512.

No. 02-9964. *SMITH v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 97 Ohio St. 3d 367, 780 N. E. 2d 221.

No. 02-9974. *STROHL v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 813 A. 2d 909.

No. 02-9991. *JONES v. LOUISIANA*. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 825 So. 2d 604.

No. 02-10041. *MITCHELL v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 438 Mass. 535, 781 N. E. 2d 1237.

No. 02-10043. *ELLIS v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS*. C. A. 7th Cir. Certiorari denied.

No. 02-10084. *DORENBOS v. GORMAN, SUPERINTENDENT, LARCH CORRECTIONAL CENTER*. C. A. 9th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 882.

No. 02-10109. *NOLING v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 98 Ohio St. 3d 44, 781 N. E. 2d 88.

No. 02-10138. *BARRITT v. COLEMAN, ACTING WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 51 Fed. Appx. 480.

No. 02-10157. *WILLIAMS v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 351 Ark. 215, 91 S. W. 3d 54.

No. 02-10168. *DAVIS v. CASTRO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 02-10196. *BEDOYA v. FISCHER, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 02-10256. *PURNELL v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02-10304. *GLOVER v. BENNETT, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 02-10327. *HARRISON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 670.

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No. 02–10347. *BOWEN, AKA TUMA v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10360. *OVEAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 596.

No. 02–10380. *HAYNES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 02–10388. *DYSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 821 A. 2d 363.

No. 02–10390. *LESTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 302.

No. 02–10396. *GUERRERO-CABRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 921.

No. 02–10398. *FULBRIGHT v. DEPARTMENT OF THE TREASURY*. C. A. Fed. Cir. Certiorari denied. Reported below: 51 Fed. Appx. 866.

No. 02–10405. *TREJO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 597.

No. 02–10413. *QUIROS-ACOSTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 450.

No. 02–10414. *SANCHEZ-LLAMAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 259.

No. 02–10423. *LAI v. CHANDLER, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 51 Fed. Appx. 929.

No. 02–10429. *CASTLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 02–10430. *CHANCEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 507.

No. 02–10432. *ESKRIDGE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 16 Fed. Appx. 817.

No. 02–10435. *KING, AKA KLAUS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 291.

No. 02–10438. *MILLER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 314 F. 3d 265.

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No. 02–10439. *PAYNE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 397.

No. 02–10440. *STOVER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 351.

No. 02–10441. *RIVIERE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 55 Fed. Appx. 102.

No. 02–10448. *CARRATALA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 45 Fed. Appx. 877.

No. 02–10451. *WALTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 657.

No. 02–10452. *WADE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 168.

No. 02–10453. *AVILEZ-LA GUARDIA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 46 Fed. Appx. 38.

No. 02–10454. *RODRIGUEZ BARRON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 345.

No. 02–10456. *HOLLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 639.

No. 02–10460. *CONGDON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 636.

No. 02–10463. *SERENA-CHAVEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 42 Fed. Appx. 918.

No. 02–10464. *BANKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10465. *FLORES v. LUND, SUPERINTENDENT, CLARINDA CORRECTIONAL FACILITY*. C. A. 8th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 868.

No. 02–10466. *WILLS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 703.

No. 02–10467. *GLORIA-COLUNGA v. UNITED STATES*; and *TAMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 119 (first judgment) and 920 (second judgment).

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No. 02–10468. *BRAXTON v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 684.

No. 02–10472. *ALEXANDER v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 119.

No. 02–10478. *EDWARDS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 02–10479. *DIAZ v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 718.

No. 02–10480. *SANTOS-MORENO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 119.

No. 02–10483. *GARCIA-GARCIA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 319 F. 3d 726.

No. 02–10484. *HERNANDEZ-MENDEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 119.

No. 02–10497. *KELLY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 64 Fed. Appx. 361.

No. 02–10503. *RENTERIA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 828.

No. 02–10513. *HOLLAND v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 902.

No. 02–10514. *HERNANDEZ-GONZALEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 318 F. 3d 1299.

No. 02–10524. *OKORO v. CALLAGHAN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 324 F. 3d 488.

No. 02–1226. *SCHISM ET AL. v. UNITED STATES.* C. A. Fed. Cir. Motion of Mary Jane Schism Short for substitution as petitioner in place of William O. Schism, deceased, granted. Certiorari denied. Reported below: 316 F. 3d 1259.

No. 02–1429. *MARIE ET AL. v. MCGREEVEY, GOVERNOR OF NEW JERSEY, ET AL.* C. A. 3d Cir. Motion of Sandra Cano, former “Doe” of *Doe v. Bolton*, 410 U.S. 179 (1973), et al. for

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leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 314 F. 3d 136.

Rehearing Denied

No. 02–1202. EWEALTH USA, INC., ET AL. *v.* LINCOLN BENEFIT LIFE Co., INC., 538 U.S. 961;

No. 02–7812. RICE *v.* DOVE, WARDEN, ET AL., 537 U.S. 1198;

No. 02–8445. TATAI *v.* YOSHINA, 537 U.S. 1238;

No. 02–8579. GIEGLER *v.* JAMROG, WARDEN, 538 U.S. 930;

No. 02–8837. MARTINEZ *v.* NEW YORK, 538 U.S. 963;

No. 02–9034. HALL *v.* ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, 538 U.S. 951; and

No. 02–9121. CONDIT *v.* KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER, 538 U.S. 966. Petitions for rehearing denied.

No. 01–10795. BROWN *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 537 U.S. 864. Motion for leave to file petition for rehearing denied.

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Dismissal Under Rule 46

No. 02–1503. CITY OF HAWTHORNE, CALIFORNIA, ET AL. *v.* CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL ET AL. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 309 F. 3d 1113.

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Miscellaneous Order

No. 02–10977 (02A1020). IN RE CHARM. 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.

Probable Jurisdiction Noted

No. 02–1674. McCONNELL, UNITED STATES SENATOR, ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1675. NATIONAL RIFLE ASSN. ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

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No. 02–1676. FEDERAL ELECTION COMMISSION ET AL. *v.* MCCONNELL, UNITED STATES SENATOR, ET AL.;

No. 02–1702. MCCAIN, UNITED STATES SENATOR, ET AL. *v.* MCCONNELL, UNITED STATES SENATOR, ET AL.;

No. 02–1727. REPUBLICAN NATIONAL COMMITTEE ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1733. NATIONAL RIGHT TO LIFE COMMITTEE, INC., ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1734. AMERICAN CIVIL LIBERTIES UNION *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1740. ADAMS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1747. PAUL, UNITED STATES CONGRESSMAN, ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1753. CALIFORNIA DEMOCRATIC PARTY ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1755. AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.; and

No. 02–1756. CHAMBER OF COMMERCE OF THE UNITED STATES ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL. Appeals from D. C. D. C. Probable jurisdiction noted, cases consolidated, and a total of four hours allotted for oral argument. Briefs of the parties who were plaintiffs in the District Court are to address the questions presented in the jurisdictional statements and are to be filed with the Clerk of the Court and served upon the parties who were defendants in the District Court on or before 3 p.m., Tuesday, July 8, 2003. Briefs of the parties who were defendants in the District Court are to be filed with the Clerk of the Court and served upon the parties who were plaintiffs in the District Court on or before 3 p.m., Tuesday, August 5, 2003. Any reply briefs by parties who were plaintiffs in the District Court are to be filed with the Clerk of the Court and served upon parties who were defendants in the District Court on or before 3 p.m., Thursday, August 21, 2003. Cases set for oral argument at 10:00 a.m., Monday, September 8, 2003. Reported below: 251 F. Supp. 2d 176 and 948.

Certiorari Denied

No. 02–10979 (02A1021). CHARM *v.* OKLAHOMA. Ct. Crim. App. Okla. Application for stay of execution of sentence of death,

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

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Certiorari Granted—Remanded

No. 02–312. H & R BLOCK, INC. *v.* ANDERSON ET AL. C. A. 11th Cir. The Court reversed the judgment below in *Beneficial Nat. Bank v. Anderson*, ante, p. 1. Therefore, certiorari granted, and case remanded for further proceedings. Reported below: 287 F. 3d 1038.

Certiorari Dismissed

No. 02–9903. STRABLE *v.* STRABLE. Ct. App. S. C. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 02–9936. ELDRIDGE *v.* DISTRICT OF COLUMBIA ET AL. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 02–9957. SHELTON *v.* EIKERMAN. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 02A932. VENGADASALAM *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 11th Cir. Application for stay, addressed to JUSTICE O'CONNOR and referred to the Court, denied.

No. 02M100. PFEIFFER *v.* GEORGIA DEPARTMENT OF TRANSPORTATION. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 02–10676. IN RE PHELPS;

No. 02–10690. IN RE STEVENSON;

No. 02–10728. IN RE VINCENT; and

No. 02–10734. IN RE BUSH. Petitions for writs of habeas corpus denied.

No. 02–10583. IN RE WOOD. Petition for writ of mandamus denied.

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Certiorari Granted

No. 02-1343. ENGINE MANUFACTURERS ASSN. ET AL. *v.* SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 309 F. 3d 550.

No. 02-9410. CRAWFORD *v.* WASHINGTON. Sup. Ct. Wash. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 147 Wash. 2d 424, 54 P. 3d 656.

Certiorari Denied

No. 02-529. TRANSMISSION AGENCY OF NORTHERN CALIFORNIA *v.* SIERRA PACIFIC POWER CO. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 295 F. 3d 918.

No. 02-1131. NKOUNKOU *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari denied. Reported below: 35 Fed. Appx. 680.

No. 02-1251. HEINRICH ET AL. *v.* SWEET ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 308 F. 3d 48.

No. 02-1276. DE LA O, ADMINISTRATRIX FOR THE ESTATE OF DE LA O *v.* HOUSING AUTHORITY OF THE CITY OF EL PASO, TEXAS. C. A. 5th Cir. Certiorari denied.

No. 02-1292. NEMESIS VERITAS, L. P., FKA McMAHAN & CO., ET AL. *v.* TOTO. C. A. 11th Cir. Certiorari denied. Reported below: 311 F. 3d 1077.

No. 02-1297. SIGNATURE PROPERTIES INTERNATIONAL, LIMITED PARTNERSHIP *v.* CITY OF EDMOND, OKLAHOMA. C. A. 10th Cir. Certiorari denied. Reported below: 310 F. 3d 1258.

No. 02-1308. Ho *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 311 F. 3d 589.

No. 02-1311. PHILLIPS, ON BEHALF OF THE WRONGFUL DEATH BENEFICIARIES OF PHILLIPS, DECEASED *v.* MONROE COUNTY, MISSISSIPPI, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 311 F. 3d 369.

No. 02-1342. ADAMS *v.* CITY OF AUBURN, INDIANA. C. A. 7th Cir. Certiorari denied. Reported below: 33 Fed. Appx. 811.

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No. 02-1422. BRELSFORD ET AL. *v.* RUTTER & WILBANKS CORP. ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 314 F. 3d 1180.

No. 02-1452. CITY OF CINCINNATI, OHIO *v.* JOHNSON ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 310 F. 3d 484.

No. 02-1454. SEMINOLE ENTERTAINMENT, INC., DBA RACHEL'S *v.* CITY OF CASSELBERRY, FLORIDA. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 813 So. 2d 186.

No. 02-1457. PTASYSKI ET AL. *v.* RUTTER & WILBANKS CORP. ET AL.; and BAILEY ET AL. *v.* RUTTER & WILBANKS CORP. ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 498 (first judgment) and 501 (second judgment).

No. 02-1458. DAZET ET AL., INDIVIDUALLY AND ON BEHALF OF ALL THOSE SIMILARLY SITUATED *v.* FOSTER ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 318 F. 3d 644.

No. 02-1462. COHEN *v.* KREMEN. C. A. 9th Cir. Certiorari denied. Reported below: 45 Fed. Appx. 746.

No. 02-1465. GODWIN *v.* MOORE, CHIEF JUSTICE, SUPREME COURT OF ALABAMA, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 958.

No. 02-1467. GREEN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 02-1468. GONZALEZ ET AL. *v.* KOKOT ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 314 F. 3d 311.

No. 02-1475. MEYER *v.* DRELL ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 483.

No. 02-1476. SHERIFF, WASHOE COUNTY, NEVADA, ET AL. *v.* BURDG ET AL. Sup. Ct. Nev. Certiorari denied. Reported below: 118 Nev. 853, 59 P. 3d 484.

No. 02-1477. NIVENS ET AL. *v.* GILCHRIST. C. A. 4th Cir. Certiorari denied. Reported below: 319 F. 3d 151.

No. 02-1479. BISHAY *v.* CITIZENS BANK OF MASSACHUSETTS. App. Ct. Mass. Certiorari denied. Reported below: 56 Mass. App. 1104, 776 N. E. 2d 1040.

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No. 02-1480. *ISTVANIK v. ROGGE*. C. A. 3d Cir. Certiorari denied. Reported below: 50 Fed. Appx. 533.

No. 02-1561. *BOWLES v. HARRIS COUNTY, TEXAS*. C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 596.

No. 02-1565. *SWARTZ v. PATENT AND TRADEMARK OFFICE, BOARD OF PATENT APPEALS AND INTERFERENCES*. C. A. Fed. Cir. Certiorari denied. Reported below: 50 Fed. Appx. 422.

No. 02-1567. *MORGAN, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY v. PIRTLE*. C. A. 9th Cir. Certiorari denied. Reported below: 313 F. 3d 1160.

No. 02-1602. *HEALTHCARE RECOVERIES, INC. v. HAMILTON*. C. A. 5th Cir. Certiorari denied. Reported below: 310 F. 3d 385.

No. 02-1614. *WHARTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 320 F. 3d 526.

No. 02-8719. *HOLDER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 247 F. 3d 741.

No. 02-9096. *ROBISON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 887.

No. 02-9408. *EVANS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 314 F. 3d 329.

No. 02-9418. *SUN BEAR, AKA JAMES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 307 F. 3d 747.

No. 02-9476. *RIPKOWSKI v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 61 S. W. 3d 378.

No. 02-9779. *THOMAS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 97 Ohio St. 3d 309, 779 N. E. 2d 1017.

No. 02-9852. *BOTTENFIELD v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 77 S. W. 3d 349.

No. 02-9918. *COOPER v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 02-9919. *CHHOUN v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 02–9921. *COOMBS v. MYERS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 52 Fed. Appx. 187.

No. 02–9922. *NORTON v. HOLDEN, GOVERNOR OF MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 666.

No. 02–9924. *BARNHILL v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 834 So. 2d 836.

No. 02–9925. *MEADER v. HATHAWAY, SHERIFF, CADDO PARISH, LOUISIANA, ET AL.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 825 So. 2d 596.

No. 02–9926. *ROGERS v. TARRANT COUNTY, TEXAS.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 02–9928. *SPECHT v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 02–9929. *SONNIER v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 43 Fed. Appx. 693.

No. 02–9933. *CRUTCHER v. HATCHER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 02–9935. *CHATMON v. EASTON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 261.

No. 02–9938. *CONTRERAS v. COLLINS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 351.

No. 02–9942. *COOPER v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 02–9944. *MOORE v. TEXAS.* Ct. App. Tex., 11th Dist. Certiorari denied.

No. 02–9958. *ROSAS v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 02–9965. *BOYD v. WARD, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 849.

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No. 02–9968. *WHITE v. COLORADO ET AL.* C. A. 10th Cir. Certiorari denied.

No. 02–9970. *PHILLIPS v. LOUISIANA.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 806 So. 2d 964.

No. 02–9973. *BAKER v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied. Reported below: 321 F. 3d 769.

No. 02–9978. *MARTIN v. NEBRASKA BOARD OF PAROLE ET AL.* Ct. App. Neb. Certiorari denied.

No. 02–9983. *CLARK v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 02–9984. *COUSIN v. LENSING, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 310 F. 3d 843.

No. 02–9989. *PARNELL v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 02–9996. *HAAG v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 570 Pa. 289, 809 A. 2d 271.

No. 02–10001. *MOSSO v. MATESANZ, SUPERINTENDENT, BAY STATE CORRECTIONAL CENTER.* C. A. 1st Cir. Certiorari denied.

No. 02–10002. *MURAWSKI v. MATTOLA.* Super. Ct. Pa. Certiorari denied. Reported below: 808 A. 2d 258.

No. 02–10008. *PARKER v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 02–10009. *PAYNE v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 212.

No. 02–10010. *BURTON v. SMITH, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 02–10012. *ANGLETON v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 773 N. E. 2d 915.

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No. 02–10018. *CARTER v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 02–10027. *OLIVER v. GREINER, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 02–10048. *PAGAN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 830 So. 2d 792.

No. 02–10071. *DRUMHELLER v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 570 Pa. 117, 808 A. 2d 893.

No. 02–10076. *WILSON v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 02–10090. *MATHIS v. VARNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS*. C. A. 3d Cir. Certiorari denied.

No. 02–10103. *MICKEY v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Randolph County, N. C. Certiorari denied.

No. 02–10156. *BOWMAN v. DRAGOVICH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMP HILL, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–10166. *DE URIOSTE v. FINN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 439.

No. 02–10182. *DRAYTON v. KYLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–10193. *AGRAMONTE v. WALSH, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 02–10194. *ANDERSON v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–10206. *MURRAY v. JOHNSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 02–10213. *HUNES v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 02–10227. *CRICLOW v. KINGSBROOK JEWISH MEDICAL CENTER*. C. A. 2d Cir. Certiorari denied. Reported below: 34 Fed. Appx. 31.

No. 02–10254. *FRENCH v. BUSH, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 02–10275. *ROARK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 743.

No. 02–10276. *SMITH v. BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION*. C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 142.

No. 02–10288. *BURKE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 806 A. 2d 457.

No. 02–10355. *YOUNG v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–10421. *SCAFF-MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10431. *CHAMBERS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10473. *ROSS v. SOBINA, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–10474. *TISIUS v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 92 S. W. 3d 751.

No. 02–10489. *CASTRO v. ANDREWS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 48 Fed. Appx. 655.

No. 02–10501. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 02–10504. *VASQUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 484.

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No. 02–10508. *HORN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 02–10522. *NELSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10525. *JACOB v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 36.

No. 02–10527. *LEACH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 794.

No. 02–10529. *WALKER, AKA WARD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 59 Fed. Appx. 278.

No. 02–10531. *GONZALEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 319 F. 3d 291.

No. 02–10534. *REDD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 318 F. 3d 778.

No. 02–10538. *KING v. THOMS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 435.

No. 02–10540. *HANNUM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 872.

No. 02–10541. *GONZALEZ-RAMIREZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 59 Fed. Appx. 36.

No. 02–10545. *STEWART v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 892.

No. 02–10548. *ARRINGTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 935.

No. 02–10551. *RIVERA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 1.

No. 02–10553. *SANTORO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10554. *STRONG v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 02–10557. *MYERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 02–10561. *BOWEN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10563. *NINO v. CASTERLINE, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 67 Fed. Appx. 241.

No. 02–10569. *EVANS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 318 F. 3d 1011.

No. 02–10570. *DUKES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10571. *ELGIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 659.

No. 02–10572. *DEAR v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10573. *DIXON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 F. 3d 585.

No. 02–10577. *TRAINOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 02–10579. *ZUNIGA-HERNANDEZ v. REESE, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 02–10581. *TURNER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 02–10582. *TUNICK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 48 Fed. Appx. 420.

No. 02–10587. *BRISENO-AVILA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 120.

No. 02–10590. *PERDOMO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10593. *BIGGINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10594. *REYES-OLVERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 121.

No. 02–10595. *ARREOLA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 55.

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No. 02–10602. *ARIAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 318.

No. 02–1471. *WRIGHT v. EMC MORTGAGE CORP. ET AL.* Ct. App. Tex., 5th Dist. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 02–1507. *TORROMEO ET AL. v. TOWN OF FREMONT, NEW HAMPSHIRE*. Sup. Ct. N. H. Motions of Pacific Legal Foundation and Defenders of Property Rights for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 148 N. H. 640, 813 A. 2d 389.

Rehearing Denied

No. 02–7099. *OGUNDE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*, 537 U.S. 1076;

No. 02–7635. *CAHN v. UNITED STATES ET AL.*, 537 U.S. 1234;

No. 02–8385. *FRANKLIN v. HENSON ET AL.*, 537 U.S. 1219;

No. 02–8458. *PADILLA v. UNITED STATES*, 537 U.S. 1220;

No. 02–8865. *JENKINS v. UNIVERSAL AMERICAN MORTGAGE CORP.*, 538 U.S. 963;

No. 02–8973. *PACK v. RUMSFELD, SECRETARY OF DEFENSE*, 538 U.S. 951;

No. 02–9092. *PAYNE v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 538 U.S. 985;

No. 02–9243. *SHIVERS v. UNITED STATES*, 538 U.S. 955;

No. 02–9432. *WOODFIN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*, 538 U.S. 990; and

No. 02–9470. *BRANNIC v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA*, 538 U.S. 991. Petitions for rehearing denied.

JUNE 10, 2003

Certiorari Denied

No. 02–11011 (02A1036). *TRUEBLOOD v. INDIANA*. Sup. Ct. Ind. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied.

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JUNE 11, 2003

Miscellaneous Order

No. 02A1052. *IN RE JOHNSON*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

JUNE 12, 2003

Dismissal Under Rule 46

No. 02–1388. *TOSCO CORP. ET AL. v. SAN FRANCISCO BAY-KEEPER, INC.* C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 309 F. 3d 1153.

Certiorari Denied

No. 02–11146 (02A1055). *TRUEBLOOD v. INDIANA PAROLE BOARD ET AL.* C. A. 7th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied.

JUNE 16, 2003

Certiorari Granted—Vacated and Remanded

No. 01–1865. *ODEN v. NORTHERN MARIANAS COLLEGE.* C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Nguyen v. United States*, ante, p. 69. Reported below: 284 F. 3d 1058.

Miscellaneous Orders

No. 02M101. *MCKENZIE v. BROOKS, WARDEN.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 02M102. *TROWBRIDGE v. DEPARTMENT OF THE TREASURY ET AL.* Motion for leave to file objection in the nature of a writ of error denied.

No. 65, Orig. *TEXAS v. NEW MEXICO.* Motion of the River Master for fees and reimbursement of expenses granted, and the River Master is awarded a total of \$7,172.37 for the period January 1 through March 31, 2003. [For earlier order herein, see, e. g., 537 U.S. 806.]

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No. 132, Orig. ALABAMA ET AL. *v.* NORTH CAROLINA. Motion for leave to file bill of complaint granted. Defendant is allowed 30 days within which to file an answer. [For earlier order herein, see 537 U.S. 806.]

No. 02–1318. ZAPATA HERMANOS SUCESORES, S. A. *v.* HEARTHSIDE BAKING CO., INC., DBA MAURICE LENELL COOKY CO. C. A. 7th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 02–10791. IN RE MARTIN; and

No. 02–10815. IN RE MOORE. Petitions for writs of habeas corpus denied.

No. 02–10148. IN RE DOCKERAY. Petition for writ of mandamus denied.

No. 02–10029. IN RE REED. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 02–1016. TILL ET UX. *v.* SCS CREDIT CORP. C. A. 7th Cir. Certiorari granted. Reported below: 301 F. 3d 583.

No. 02–9065. MUHAMMAD, AKA MEASE *v.* CLOSE. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted, and certiorari granted limited to the following questions: “1. Whether a plaintiff who wishes to bring a § 1983 suit challenging only the conditions, rather than the fact or duration, of his confinement, must satisfy the favorable termination requirement of *Heck v. Humphrey*, 512 U.S. 477 (1994). 2. Whether a prison inmate who has been, but is no longer, in administrative segregation may bring a § 1983 suit challenging the conditions of his confinement (*i. e.*, his prior placement in administrative segregation) without first satisfying the favorable termination requirement of *Heck v. Humphrey*.” Corinne Beckwith, Esq., of Washington, D. C., is appointed to serve as counsel for petitioner in this case. Reported below: 47 Fed. Appx. 738.

Certiorari Denied

No. 02–938. CASTLE ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 301 F. 3d 1328.

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No. 02–1121. *SANDSTAD v. CB RICHARDS ELLIS, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 309 F. 3d 893.

No. 02–1178. *McKILLOP v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 301 F. 3d 1270.

No. 02–1186. *PRONSOLINO ET AL. v. NASTRI, REGIONAL ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY, REGION 9, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 291 F. 3d 1123.

No. 02–1225. *TOCCO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 306 F. 3d 279.

No. 02–1271. *CITY OF CHARLESTON, SOUTH CAROLINA v. A FISHERMAN’S BEST, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 310 F. 3d 155.

No. 02–1304. *ESPLANADE PROPERTIES, LLC v. CITY OF SEATTLE, WASHINGTON.* C. A. 9th Cir. Certiorari denied. Reported below: 307 F. 3d 978.

No. 02–1314. *KANSAS ET AL. v. ROBINSON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 295 F. 3d 1183.

No. 02–1317. *COOK v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 318 F. 3d 1334.

No. 02–1326. *MICK v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 252.

No. 02–1344. *DIAS v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 1st Cir. Certiorari denied. Reported below: 311 F. 3d 456.

No. 02–1353. *TENENBAUM v. WHITE, SECRETARY OF THE ARMY.* C. A. 6th Cir. Certiorari denied. Reported below: 45 Fed. Appx. 416.

No. 02–1355. *BARSTOW v. INTERNAL REVENUE SERVICE.* C. A. 9th Cir. Certiorari denied. Reported below: 308 F. 3d 1038.

No. 02–1482. *OAKLEY-AVALON, L. P. v. DEAN ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

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No. 02–1487. *IN RE MIDDLESTEAD*. C. A. 11th Cir. Certiorari denied.

No. 02–1490. *BANKS v. COMMITTEE ON UNAUTHORIZED PRACTICE OF LAW ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 805 A. 2d 990.

No. 02–1493. *CUMMINGS, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED v. CONNELL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 316 F. 3d 886.

No. 02–1494. *RAMTULLA v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 301 F. 3d 202.

No. 02–1495. *MIGUEL v. BANK OF NEW YORK, TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT SERIES 1995 B, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 309 F. 3d 1161.

No. 02–1496. *WRAY v. JOHNSON ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 118 Nev. 1161.

No. 02–1497. *PAIVA ET VIR v. COUNTRYWIDE HOME LOANS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 371.

No. 02–1505. *CAREY, WARDEN v. SAFFOLD*. C. A. 9th Cir. Certiorari denied. Reported below: 312 F. 3d 1031.

No. 02–1506. *TPI, AKA THAI PETROCHEMICAL INDUSTRY PUBLIC CO. LTD. ET AL. v. WINTER STORM SHIPPING, LTD.* C. A. 2d Cir. Certiorari denied. Reported below: 310 F. 3d 263.

No. 02–1508. *MCNEIL v. SCOTLAND COUNTY, NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 242.

No. 02–1519. *MOSS ET UX., ON BEHALF OF THEIR MINOR CHILD, MOSS, ET AL. v. CARRIER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 596.

No. 02–1520. *BEHLEN v. MERRILL LYNCH & Co., INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 311 F. 3d 1087.

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No. 02–1528. *CITY OF CHARLESTON, SOUTH CAROLINA, ET AL. v. FERGUSON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 308 F. 3d 380.

No. 02–1535. *DAISEY v. NATIONAL TRANSPORTATION SAFETY BOARD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 51 Fed. Appx. 272.

No. 02–1555. *MARTIN ET AL. v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied. Reported below: 96 S. W. 3d 38.

No. 02–1556. *GARAAS v. DISCIPLINARY BOARD OF THE SUPREME COURT OF NORTH DAKOTA ET AL.* Sup. Ct. N. D. Certiorari denied. Reported below: 652 N. W. 2d 918.

No. 02–1585. *BAYSTATE TECHNOLOGIES, INC. v. BOWERS, DBA HLB TECHNOLOGY.* C. A. Fed. Cir. Certiorari denied. Reported below: 320 F. 3d 1317.

No. 02–1587. *DAHL v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 314 F. 3d 976.

No. 02–1588. *DENARDO v. BARRANS ET AL.* Sup. Ct. Alaska. Certiorari denied. Reported below: 59 P. 3d 266.

No. 02–1618. *MOORING v. EAST CAROLINA UNIVERSITY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 250.

No. 02–1621. *ROCKEFELLER v. ABRAHAM, SECRETARY OF ENERGY.* C. A. 10th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 425.

No. 02–1639. *HIBBARD v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 58 M. J. 71.

No. 02–1650. *CARIBE-GARCIA v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 319 F. 3d 12.

No. 02–1659. *RIVERA-PEREZ v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 319 F. 3d 12.

No. 02–8448. *VIALVA v. UNITED STATES;* and
No. 02–8492. *BERNARD v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 299 F. 3d 467.

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No. 02–8960. *URBAEZ, AKA ALCANTARA SANTANA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 289.

No. 02–10025. *QUINTERO v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 02–10032. *SMITH v. KIRBY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 14.

No. 02–10034. *STANTON v. BENNETT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 59 Fed. Appx. 593.

No. 02–10037. *BELTON v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 02–10052. *WILLIAMS v. WILKINSON, DIRECTOR, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 51 Fed. Appx. 553.

No. 02–10053. *HARVEY v. LOMASON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 389.

No. 02–10057. *SMITH v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 298 App. Div. 2d 414, 751 N. Y. S. 2d 405.

No. 02–10060. *CORNTASSEL v. RAY, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 784.

No. 02–10062. *THOMAS v. LOVELL, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 02–10063. *GARBUSH v. WORKERS' COMPENSATION APPEAL BOARD OF PENNSYLVANIA*. Commw. Ct. Pa. Certiorari denied.

No. 02–10069. *BURKE v. DARK ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 52 Fed. Appx. 187.

No. 02–10073. *CHENG v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 02–10077. *VETA v. ARIZONA*. Super. Ct. Ariz., Pima County. Certiorari denied.

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No. 02–10078. *McCLARAN v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 595.

No. 02–10080. *HARRIS v. CAMPBELL*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 66.

No. 02–10081. *GAMEZ v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 02–10082. *COOK v. LAVAN*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL. C. A. 3d Cir. Certiorari denied.

No. 02–10085. *CARTER v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 02–10093. *MOORE v. KINNEY*, WARDEN. C. A. 8th Cir. Certiorari denied. Reported below: 320 F. 3d 767.

No. 02–10101. *WEIK v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 356 S. C. 76, 587 S. E. 2d 683.

No. 02–10104. *ERVIN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 02–10106. *HILL v. HUNT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 21 Fed. Appx. 204.

No. 02–10110. *OSTEEN v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 918.

No. 02–10119. *NAVARRO v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 02–10125. *REESE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 02–10127. *PICKENS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 02–10128. *BINNS v. KNOWLES*, WARDEN. C. A. 9th Cir. Certiorari denied.

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No. 02–10133. *GOWANS v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 02–10135. *HENRY v. JOHNSON*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH. C. A. 3d Cir. Certiorari denied.

No. 02–10136. *HOWARD v. LOUISIANA*. Ct. App. La., 5th Cir. Certiorari denied. Reported below: 810 So. 2d 588.

No. 02–10137. *HOCUTT v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 02–10141. *ISRAEL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 837 So. 2d 381.

No. 02–10146. *HUTCHINSON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 02–10150. *CANTY v. CASON*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 660.

No. 02–10152. *KING v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 798.

No. 02–10153. *BOZMAN v. CITY OF ELYRIA, OHIO*. Ct. App. Ohio, Lorain County. Certiorari denied.

No. 02–10162. *NIXON v. ELO*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 02–10172. *BRITT v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 02–10183. *DiSANTO v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied.

No. 02–10186. *SWANKO v. WINN-DIXIE STORES, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 902.

No. 02–10190. *PANKOV v. PRECISION INTERCONNECT*, A DIVISION OF LUDLOW Co., LP. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 771.

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No. 02–10202. *LAKE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10212. *FURTICK v. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES*. Sup. Ct. S. C. Certiorari denied. Reported below: 352 S. C. 594, 576 S. E. 2d 146.

No. 02–10228. *MAUPIN v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 860.

No. 02–10241. *HOSEA v. HAMMONDS*. C. A. 11th Cir. Certiorari denied.

No. 02–10244. *GRUENWALD v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 30 Kan. App. 2d xxxii, 56 P. 3d 315.

No. 02–10253. *FARGO v. PHILLIPS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 603.

No. 02–10266. *BYNUM v. SPARKMAN, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied.

No. 02–10281. *BYRD v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 595.

No. 02–10283. *BATES v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–10289. *STEVENSON v. ST. LUKE'S HOSPITAL ET AL.* C. A. 9th Cir. Certiorari denied.

No. 02–10292. *ROBERTSON v. LOUISIANA STATE UNIVERSITY MEDICAL CENTER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 591.

No. 02–10321. *SHANNON v. CROUSE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 809.

No. 02–10332. *WEASE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 628.

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No. 02–10340. *MBAKPUO v. DISCIPLINARY COUNSEL, SUPREME COURT OF OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 98 Ohio St. 3d 177, 781 N. E. 2d 208.

No. 02–10357. *MISELIS v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 56 Mass. App. 1113, 779 N. E. 2d 1004.

No. 02–10368. *BARNES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 144.

No. 02–10370. *FORD v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 02–10387. *CONLEY v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 02–10407. *WILSON v. ALAMEIDA, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 319 F. 3d 477.

No. 02–10409. *TAYLOR v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 02–10412. *TURNER v. KAPTURE, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 630.

No. 02–10420. *RANDOLPH v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 02–10428. *CHANDLER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 02–10449. *COVINGTON v. BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION* (two judgments). C. A. 4th Cir. Certiorari denied. Reported below: 45 Fed. Appx. 276.

No. 02–10458. *CHARLES, AKA MCGHEE v. UNITED STATES*; and No. 02–10596. *AUGUSTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 313 F. 3d 1278.

No. 02–10502. *BEERY v. AULT, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 312 F. 3d 948.

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No. 02–10509. *HARRELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10512. *FOSTER v. PAINTER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 172.

No. 02–10516. *HATFIELD v. FOX, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 161.

No. 02–10552. *KORNAFEL v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 55 Fed. Appx. 551.

No. 02–10588. *MERCADO v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 333 Ill. App. 3d 994, 777 N. E. 2d 641.

No. 02–10591. *EDMONSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 212.

No. 02–10592. *ERNESTO CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 121.

No. 02–10597. *PEARL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 324 F. 3d 1210.

No. 02–10598. *KEEPER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 666.

No. 02–10599. *MARQUINA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 02–10604. *WILLIAMS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10606. *VIEUX v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10608. *GORMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 60 Fed. Appx. 14.

No. 02–10609. *HERDER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 59 Fed. Appx. 257.

No. 02–10613. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 972.

No. 02–10614. *CALIX-ZAPATA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 121.

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No. 02–10615. *CASTRO-JIMENEZ v. UNITED STATES* (Reported below: 61 Fed. Appx. 921); *CUERO-VALENCIA v. UNITED STATES* (61 Fed. Appx. 920); *LARA-MACHUCA v. UNITED STATES* (61 Fed. Appx. 922); *VARGAS-SAUCEDO v. UNITED STATES* (61 Fed. Appx. 920); *ACOSTA-MONTES v. UNITED STATES* (61 Fed. Appx. 919); *BALDERAS-CANALES v. UNITED STATES* (61 Fed. Appx. 922); *HERNANDEZ-BAUTISTA v. UNITED STATES* (61 Fed. Appx. 922); *LICEA-FEREGRINO v. UNITED STATES* (61 Fed. Appx. 922); *RAMIREZ-HERNANDEZ v. UNITED STATES* (61 Fed. Appx. 921); and *SAAVEDRA-RIOS v. UNITED STATES* (61 Fed. Appx. 922). C. A. 5th Cir. Certiorari denied.

No. 02–10616. *REDHOUSE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 59 Fed. Appx. 257.

No. 02–10618. *RICKETTS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 317 F.3d 540.

No. 02–10621. *LOPEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10622. *DAY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 02–10625. *BECKSTEAD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 633.

No. 02–10626. *OVANDO-ROCHOL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 121.

No. 02–10628. *NUNGARAY-BELTRAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 59 Fed. Appx. 909.

No. 02–10631. *DAY v. CHANDLER, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 211.

No. 02–10633. *PEYTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10639. *LOWERY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 587.

No. 02–10642. *PEPPERS, AKA CAIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 58 Fed. Appx. 940.

No. 02–10643. *MORONTA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 56 Fed. Appx. 6.

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No. 02–10649. *RUBY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 406.

No. 02–10654. *PHILOGENE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 932.

No. 02–10656. *BARBER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 175.

No. 02–10660. *CASTILLO v. UNITED STATES*; *JESSE v. UNITED STATES*; *MCNEAL v. UNITED STATES*; *NAGEL v. UNITED STATES*; *RIVERA v. UNITED STATES*; *SHERIDAN v. UNITED STATES*; and *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 920 (fifth and seventh judgments), 921 (first and second judgments), and 922 (third judgment); 67 Fed. Appx. 245 (fourth judgment) and 246 (sixth judgment).

No. 02–10664. *ZHANG AI PING, AKA AH GOW v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 57 Fed. Appx. 879.

No. 02–10667. *TARIN-MENDOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 67 Fed. Appx. 243.

No. 02–10669. *AYALA-BERMUDES, AKA AYALA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 917.

No. 02–10671. *DE LA GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 918.

No. 02–10677. *MUNOZ-MOSQUERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 02–10680. *BYRD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 205.

No. 02–10682. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10686. *HENDERSON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 320 F. 3d 92.

No. 02–10687. *HANNAH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 416.

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No. 02–10688. FLORES-FLORES *v.* UNITED STATES; HERNANDEZ PRADO *v.* UNITED STATES; LARA-QUINTANILLA *v.* UNITED STATES; SOLARES-CUBA *v.* UNITED STATES; GARCIA-SANCHEZ *v.* UNITED STATES; ROSALES *v.* UNITED STATES; RODRIGUEZ-PEREZ *v.* UNITED STATES; and MONDRAGON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 920 (first judgment), 921 (third through eighth judgments), and 922 (second judgment).

No. 02–10698. JOHNSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 731.

No. 02–10699. MILLS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 02–10706. DAVIS, AKA SWANSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 719.

No. 02–712. PATTEN *v.* WAL-MART STORES EAST, INC. C. A. 1st Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 300 F. 3d 21.

No. 02–1485. TOWN OF MIDDLEBURY, CONNECTICUT, ET AL. *v.* GOODRICH CORP., FKA B. F. GOODRICH CO., ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 311 F. 3d 154.

No. 02–1339. ILLINOIS *v.* COX. App. Ct. Ill., 5th Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 318 Ill. App. 3d 161, 739 N. E. 2d 1066.

No. 02–1425. BELL, WARDEN *v.* HOUSE. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 311 F. 3d 767.

No. 02–10105 (02A949). HILL *v.* HILL ET AL. Sup. Ct. N. C. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied. Certiorari denied. Reported below: 356 N. C. 301, 570 S. E. 2d 507.

Rehearing Denied

No. 02–1194. CAMPBELL *v.* FLORIDA DEPARTMENT OF CORRECTIONS, 538 U.S. 978;

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No. 02-1259. *STEVENS v. DEPARTMENTAL DISCIPLINARY COMMITTEE FOR THE APPELLATE DIVISION, SUPREME COURT OF NEW YORK, FIRST JUDICIAL DEPARTMENT*, 538 U. S. 979;

No. 02-1296. *BROWN, SPECIAL REPRESENTATIVE FOR REEVES, DECEASED v. MUND ET AL.*, 538 U. S. 979;

No. 02-8686. *BEGOVIC v. CITY OF DOVER, NEW HAMPSHIRE*, 538 U. S. 949;

No. 02-8964. *SLATE v. BURGE, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*, 538 U. S. 982;

No. 02-8984. *SWAFFORD v. FLORIDA*, 538 U. S. 982;

No. 02-9029. *VAUGHN v. MONEY, WARDEN*, 538 U. S. 984;

No. 02-9110. *DRAGER v. ILLINOIS*, 538 U. S. 986;

No. 02-9224. *BENJAMIN-ANDERSON v. FLORIDA POWER CORP. ET AL.*, 538 U. S. 1003; and

No. 02-9593. *BOYD v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, ET AL.*, 538 U. S. 1018. Petitions for rehearing denied.

No. 02-889. *CRUMP v. UNITED STATES ET AL.*, 538 U. S. 922; and

No. 02-8084. *JOHNSON v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 537 U. S. 1206. Motions for leave to file petitions for rehearing denied.

JUNE 17, 2003

Dismissal Under Rule 46

No. 02-6980. *STOKES, AKA MUHAMMED v. UNITED STATES PAROLE COMMISSION*. C. A. D. C. Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 40 Fed. Appx. 610.

Certiorari Denied

No. 02-11122 (02A1047). *MARTIN v. MITCHELL, WARDEN*. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 280 F. 3d 594.

JUNE 19, 2003

Miscellaneous Order

No. 02-1674. *MCCONNELL, UNITED STATES SENATOR, ET AL. v. FEDERAL ELECTION COMMISSION ET AL.*;

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No. 02–1675. NATIONAL RIFLE ASSN. ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1676. FEDERAL ELECTION COMMISSION ET AL. *v.* MCCONNELL, UNITED STATES SENATOR, ET AL.;

No. 02–1702. MCCAIN, UNITED STATES SENATOR, ET AL. *v.* MCCONNELL, UNITED STATES SENATOR, ET AL.;

No. 02–1727. REPUBLICAN NATIONAL COMMITTEE ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1733. NATIONAL RIGHT TO LIFE COMMITTEE, INC., ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1734. AMERICAN CIVIL LIBERTIES UNION *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1740. ADAMS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1747. PAUL, UNITED STATES CONGRESSMAN, ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1753. CALIFORNIA DEMOCRATIC PARTY ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1755. AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.; and

No. 02–1756. CHAMBER OF COMMERCE OF THE UNITED STATES ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL. D. C. D. C. [Probable jurisdiction noted, *ante*, p. 911.] Briefs of the parties who were plaintiffs in the District Court are not to exceed 50 pages for the opening briefs and 20 pages for the reply briefs, except that the plaintiffs in No. 02–1674 may file an opening brief not to exceed 75 pages, and the political party plaintiffs in Nos. 02–1727, 02–1733, and 02–1753 may file a consolidated opening brief not to exceed 100 pages. The Solicitor General may file a brief not to exceed 140 pages, and the intervenor-defendants may file a brief not to exceed 75 pages.

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Certiorari Granted—Vacated and Remanded

No. 02–7118. GOMES, AKA KEATON *v.* UNITED STATES. C. A. 2d 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 *Sell v. United States*, *ante*, p. 166. Reported below: 289 F. 3d 71.

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Certiorari Dismissed

No. 02-10475. SMITH *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. 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-2348. IN RE DISBARMENT OF APPLEBERRY. Disbarment entered. [For earlier order herein, see 538 U. S. 903.]

No. D-2349. IN RE DISBARMENT OF DANERI. Disbarment entered. [For earlier order herein, see 538 U. S. 903.]

No. D-2350. IN RE DISBARMENT OF CARSEY. Disbarment entered. [For earlier order herein, see 538 U. S. 903.]

No. D-2351. IN RE DISBARMENT OF LAYER. Disbarment entered. [For earlier order herein, see 538 U. S. 903.]

No. D-2352. IN RE DISBARMENT OF MONAHAN. Disbarment entered. [For earlier order herein, see 538 U. S. 903.]

No. D-2353. IN RE DISBARMENT OF GIBBONS. Disbarment entered. [For earlier order herein, see 538 U. S. 903.]

No. 02M76. IN RE HERRING ET AL. Motion for leave to file petition for writ of error *coram nobis* denied.

No. 02M103. HALL *v.* TEXAS. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 01-1531. MAYNES *v.* COLORADO, 536 U. S. 906. Motion of petitioner to strike petition for writ of certiorari denied.

No. 02-10934. IN RE HUTCHING. Petition for writ of habeas corpus denied.

No. 02-10175. IN RE BRUNER; and

No. 02-10335. IN RE CLARK. Petitions for writs of mandamus denied.

Certiorari Granted

No. 02-1389. UNITED STATES *v.* GALLETTI ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 314 F. 3d 336.

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No. 02–1238. NIXON, ATTORNEY GENERAL OF MISSOURI *v.* MISSOURI MUNICIPAL LEAGUE ET AL.;

No. 02–1386. FEDERAL COMMUNICATIONS COMMISSION ET AL. *v.* MISSOURI MUNICIPAL LEAGUE ET AL.; and

No. 02–1405. SOUTHWESTERN BELL TELEPHONE, L. P., FKA SOUTHWESTERN BELL TELEPHONE CO. *v.* MISSOURI MUNICIPAL LEAGUE ET AL. C. A. 8th Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 299 F. 3d 949.

No. 02–1667. TENNESSEE *v.* LANE ET AL. C. A. 6th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 315 F. 3d 680.

Certiorari Denied

No. 02–1123. ASHCROFT, ATTORNEY GENERAL *v.* SINGH. C. A. 9th Cir. Certiorari denied. Reported below: 295 F. 3d 1037.

No. 02–1350. CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS *v.* FIRST UNITARIAN CHURCH OF SALT LAKE CITY ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 308 F. 3d 1114.

No. 02–1364. WIENER *v.* LAWRENCE-PICASSO, INC., ET AL. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 295 App. Div. 2d 273, 744 N. Y. S. 2d 392.

No. 02–1374. ALBRECHTSEN *v.* BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM. C. A. 7th Cir. Certiorari denied. Reported below: 309 F. 3d 433.

No. 02–1384. JOE’S STONE CRAB, INC. *v.* EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. C. A. 11th Cir. Certiorari denied. Reported below: 296 F. 3d 1265.

No. 02–1393. SAUCERMAN ET AL. *v.* NORTON, SECRETARY OF THE INTERIOR, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 51 Fed. Appx. 241.

No. 02–1464. SNYDER, WARDEN, ET AL. *v.* ROSALES-GARCIA ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 322 F. 3d 386.

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No. 02–1512. *ARBON STEEL & SERVICE CO., INC. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 315 F. 3d 1332.

No. 02–1516. *ISI INTERNATIONAL, INC. v. BORDEN LADNER GERVAIS, LLP, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 316 F. 3d 731.

No. 02–1518. *SANDERS v. MAY DEPARTMENT STORES CO.* C. A. 8th Cir. Certiorari denied. Reported below: 315 F. 3d 940.

No. 02–1526. *POWELL v. ALLEGHANY CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 18.

No. 02–1527. *ROGALSKI v. JANSEN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 53 Fed. Appx. 227.

No. 02–1530. *FURST ET AL. v. FEINBERG ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 54 Fed. Appx. 94.

No. 02–1531. *FINDLEY v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 213 W. Va. 80, 576 S. E. 2d 807.

No. 02–1533. *NELSON v. COLEMAN*. Sup. Ct. Ala. Certiorari denied. Reported below: 881 So. 2d 549.

No. 02–1534. *BODELL v. ANDERSON ET AL.* Ct. App. Ky. Certiorari denied.

No. 02–1536. *BOROUGH OF TENAFLY, NEW JERSEY, ET AL. v. TENAFLY ERUV ASSN., INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 309 F. 3d 144.

No. 02–1538. *MARTIN v. BMW MANUFACTURING CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 143.

No. 02–1542. *TANCREDI ET AL. v. METROPOLITAN LIFE INSURANCE CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 316 F. 3d 308.

No. 02–1548. *NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES v. ESTATE OF RADUAZO, DECEASED*. Sup. Ct. N. H. Certiorari denied. Reported below: 148 N. H. 687, 814 A. 2d 147.

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No. 02–1551. *GAYMAN v. PRINCIPAL FINANCIAL SERVICES, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 311 F. 3d 851.

No. 02–1554. *GADDA v. STATE BAR OF CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 02–1560. *VENGADASALAM v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 48 Fed. Appx. 327.

No. 02–1571. *DWIGHT v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 288.

No. 02–1586. *SELIMI v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 7th Cir. Certiorari denied. Reported below: 312 F. 3d 854.

No. 02–1589. *BALDI ET UX. v. FARRIN ET AL.* C. A. 1st Cir. Certiorari denied.

No. 02–1598. *BISHOP v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA.* C. A. 11th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 493.

No. 02–1599. *NEBRASKA PUBLIC SERVICE COMMISSION v. LINCOLN ELECTRIC SYSTEM ET AL.* Sup. Ct. Neb. Certiorari denied. Reported below: 265 Neb. 70, 655 N. W. 2d 363.

No. 02–1601. *RATCLIFF v. EXXONMOBIL CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 210.

No. 02–1622. *WEAVER v. JONES, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 02–1630. *WALLACE v. RELIANCE STANDARD LIFE INSURANCE CO.* C. A. 7th Cir. Certiorari denied. Reported below: 318 F. 3d 723.

No. 02–1652. *CITY OF CHICAGO, ILLINOIS, ET AL. v. NEWSOME.* C. A. 7th Cir. Certiorari denied. Reported below: 319 F. 3d 301.

No. 02–1654. *VETERINARY SURGICAL CONSULTANTS, P. C. v. COMMISSIONER OF INTERNAL REVENUE; and*

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No. 02-1682. *YEAGLE DRYWALL Co., INC. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. Reported below: 54 Fed. Appx. 100.

No. 02-1664. *BECHHOEFER v. DRUG ENFORCEMENT ADMINISTRATION*. C. A. 2d Cir. Certiorari denied. Reported below: 312 F. 3d 563.

No. 02-1669. *SWIFT v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 318 F. 3d 250.

No. 02-1706. *SWAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 886.

No. 02-8550. *MURPHY v. REINHARD, COMMISSIONER, VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES*. Sup. Ct. Va. Certiorari denied.

No. 02-9745. *DORSEY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 02-9792. *WILLIAMS v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 97 S. W. 3d 462.

No. 02-10107. *HUTCHISON v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 303 F. 3d 720.

No. 02-10160. *MENOTTI v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 326 Ill. App. 3d 1156, 811 N. E. 2d 788.

No. 02-10161. *NICKENS v. PEARSON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 730.

No. 02-10165. *CHALFANT v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 02-10167. *BARBER v. HURLEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 02-10169. *TYNER v. SIZER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 145.

No. 02-10170. *WILLIAMS v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

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No. 02–10176. *LUTHER v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 02–10177. *PIERRE v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 02–10178. *ROBINSON v. DAVIS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 632.

No. 02–10179. *STOCKS v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 02–10181. *CURTIS v. OHIO*. Ct. App. Ohio, Jefferson County. Certiorari denied.

No. 02–10184. *WHITE v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 02–10185. *CALLOWAY v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 301.

No. 02–10187. *APPLEBERRY v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 02–10188. *ALEXANDER v. STRAUB, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 823.

No. 02–10203. *SARGENT v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 02–10210. *GIRARD v. DONALD W. WYATT DETENTION FACILITY INC. ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 50 Fed. Appx. 5.

No. 02–10211. *GOMEZ v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 02–10215. *HARMON v. MASSACHUSETTS*. C. A. 1st Cir. Certiorari denied.

No. 02–10216. *HUEY v. RAYMOND ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 329.

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No. 02–10218. *GARNER v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied.

No. 02–10226. *CRAWFORD v. COCKRELL*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 716.

No. 02–10229. *MCCLINTON v. KARLEN*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 02–10230. *JONES v. COOPER*, ATTORNEY GENERAL OF NORTH CAROLINA, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 311 F. 3d 306.

No. 02–10232. *JOHNSON v. WALLS*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 02–10234. *HOPKINS v. INDETERMINATE SENTENCE REVIEW BOARD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 43 Fed. Appx. 123.

No. 02–10236. *GUYTON v. WALLS*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 02–10238. *HENDERSON v. VISA U. S. A. INC. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 355.

No. 02–10239. *HOSTETTER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 02–10240. *HUNTER v. OKLAHOMA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 867.

No. 02–10242. *GLASS v. VANNATTA*, SUPERINTENDENT, MIAMI CORRECTIONAL FACILITY. C. A. 7th Cir. Certiorari denied.

No. 02–10243. *JONES v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 02–10249. *JOHNSON v. CORNELL CORRECTIONS, INC., ET AL.* Sup. Ct. R. I. Certiorari denied.

No. 02–10251. *HUSKETH v. BECK*, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 157.

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No. 02–10252. *GARY v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 02–10255. *HARVEY v. PORTUONDO, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 02–10262. *LEVER v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 02–10263. *JENKINS v. BRADSHAW ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 570.

No. 02–10271. *J. B. C. v. P. A. B.* Super. Ct. Pa. Certiorari denied. Reported below: 813 A. 2d 897 and 898.

No. 02–10272. *MARVEL v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 829 A. 2d 141.

No. 02–10279. *ZIMMERMAN v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 59 Fed. Appx. 174.

No. 02–10280. *ROBINSON v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 02–10282. *PATTON v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 02–10285. *PRENATT v. SUPERIOR COURT OF CALIFORNIA, SACRAMENTO COUNTY*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 02–10287. *RIVERA v. ALAMEIDA, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 431.

No. 02–10293. *SPYCHALA v. LEWIS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 02–10295. *FARRIS v. NATIONS Banc MORTGAGE CORP. ET AL.* Ct. App. Ga. Certiorari denied.

No. 02–10297. *CHAVEZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 832 So. 2d 730.

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No. 02–10302. *MORRIS, AKA MARKS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 02–10309. *WRIGHT v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 02–10322. *BROWN v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 322 F. 3d 768.

No. 02–10323. *APPLEBY v. RECHT, JUDGE, CIRCUIT COURT OF WEST VIRGINIA, OHIO COUNTY*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 213 W. Va. 503, 583 S. E. 2d 800.

No. 02–10337. *COLBY v. CZERNIAK, SUPERINTENDENT, OREGON STATE PENITENTIARY*. Ct. App. Ore. Certiorari denied. Reported below: 183 Ore. App. 311, 52 P. 3d 1058.

No. 02–10348. *DIAZ ARMAS v. GARCIA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 02–10399. *DYSON v. JONES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 02–10411. *THOMPSON v. ROWLEY, SUPERINTENDENT, NORTHEAST CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 02–10424. *LIGHTNER v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 02–10461. *HARVEY v. WARD, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 02–10481. *BIDAS v. JENIFER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 6th Cir. Certiorari denied.

No. 02–10492. *DOUGLAS v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP*. C. A. 3d Cir. Certiorari denied.

No. 02–10505. *TEAL v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 776.

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No. 02–10506. *WILLIAMS v. STRAUB, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 259.

No. 02–10510. *KING v. KELCHNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MUNCY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–10515. *HILL v. MISSOURI*. Ct. App. Mo., Southern Dist. Certiorari denied.

No. 02–10518. *HACKNEY v. TURNER, SUPERINTENDENT, SOUTH MISSISSIPPI CORRECTIONAL FACILITY*. C. A. 5th Cir. Certiorari denied.

No. 02–10537. *BITTICK v. MOONEY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 664.

No. 02–10544. *SHARWELL v. SHARWELL ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 66 Fed. Appx. 847.

No. 02–10567. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 02–10629. *CARROLL v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 356 N. C. 526, 573 S. E. 2d 899.

No. 02–10645. *ARREOLA RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 122.

No. 02–10655. *BARTLETT v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10657. *ALLEN v. VIRGINIA*. Ct. App. Va. Certiorari denied.

No. 02–10675. *JACKSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 668.

No. 02–10679. *WALTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 51 Fed. Appx. 129.

No. 02–10683. *WISE v. SOBINA, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 02–10685. *GOMEZ-HERRERA, AKA GOMEZ, AKA HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 67 Fed. Appx. 245.

No. 02–10697. *MAREK v. GROSSHANS*. C. A. 7th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 841.

No. 02–10701. *GRICE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 319 F. 3d 1174.

No. 02–10704. *WYNN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 917.

No. 02–10705. *RIVERA-PEREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 322 F. 3d 350.

No. 02–10710. *GUEVARA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 58 Fed. Appx. 595.

No. 02–10713. *WESNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 37 Fed. Appx. 501.

No. 02–10714. *TOLENTINO-TAVERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 398.

No. 02–10718. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 315 F. 3d 399.

No. 02–10722. *GANT v. KYLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 02–10723. *PEVELER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 02–10727. *WALTON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 321 F. 3d 442.

No. 02–10729. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 69 Fed. Appx. 106.

No. 02–10730. *ORTEGA-BRITO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 311 F. 3d 1136.

No. 02–10733. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 51 Fed. Appx. 419.

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No. 02–10736. *ARAUJO-AVILA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 02–10737. *MADRID v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 423.

No. 02–10738. *RUIZ-MOTA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 917.

No. 02–10739. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 318.

No. 02–10741. *DIAZ-CLARK, AKA LNU v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 319.

No. 02–10742. *WHITESSELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 314 F. 3d 1251.

No. 02–10743. *VILLAREAL-RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 322.

No. 02–10746. *EMBREY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 02–10747. *CHAVEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 02–10749. *CARLISLE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 311 F. 3d 866.

No. 02–10750. *DINNALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 02–10754. *MARTINEZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 59 Fed. Appx. 638.

No. 02–10759. *CORONA-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 67 Fed. Appx. 245.

No. 02–10764. *WALLS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 02–10765. *WILLIAMSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 698.

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No. 02–10772. JACKSON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 301 F. 3d 59.

No. 02–10773. BOUCHER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 869.

No. 02–10776. BROOKS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 920.

No. 02–10777. ORTEGA-TINOCO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 920.

No. 02–10781. JOHNSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 47 Fed. Appx. 211.

No. 02–10782. MARTINEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 02–10783. SANTIAGO RAMIREZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 869.

No. 02–10784. RIGGS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 314 F. 3d 796.

No. 02–10785. SOROLA-GOMEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 67 Fed. Appx. 245.

No. 02–10787. WINEMAN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 60 Fed. Appx. 73.

No. 02–10788. NEGRON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 02–10793. WALLACE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 02–10807. JACKSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 901.

No. 02–10821. WHITTENBURG *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 02–10822. GARCIA-FLORES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 02–10823. GARCIA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 421.

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No. 02–10825. *GARZA-HERNANDEZ v. UNITED STATES* (Reported below: 61 Fed. Appx. 921); *PEREZ-HUERTA v. UNITED STATES* (61 Fed. Appx. 922); *ZAPATA-MARTINEZ v. UNITED STATES* (61 Fed. Appx. 921); *SOLIS-BRIONES v. UNITED STATES* (61 Fed. Appx. 920); *CARBAJAL-TAGLE v. UNITED STATES* (61 Fed. Appx. 921); *MARTINEZ-RODRIGUEZ v. UNITED STATES* (61 Fed. Appx. 920); *SALINAS-RODRIGUEZ v. UNITED STATES* (61 Fed. Appx. 922); *CORTES-GALLEGOS v. UNITED STATES* (61 Fed. Appx. 922); *MENDOZA-MARTINEZ v. UNITED STATES* (61 Fed. Appx. 921); *HERNANDEZ-HERNANDEZ v. UNITED STATES* (61 Fed. Appx. 922); *GONZALEZ-MEDRANO v. UNITED STATES* (61 Fed. Appx. 921); *MELGAR-PEREZ v. UNITED STATES* (67 Fed. Appx. 243); *BARDALES STRURBER, AKA FIGUEROA-LANDEROS v. UNITED STATES* (67 Fed. Appx. 243); *AMAYA-ZAPATA v. UNITED STATES* (67 Fed. Appx. 243); *CATETE-FLORES, AKA MORENO v. UNITED STATES* (67 Fed. Appx. 243); *DELGADO-MEDELLIN v. UNITED STATES* (67 Fed. Appx. 243); *GUILLERMO PARRA v. UNITED STATES* (67 Fed. Appx. 243); *SANCHEZ-POMPA v. UNITED STATES* (67 Fed. Appx. 246); *MENDOZA-JIMENEZ, AKA JIMENEZ MENDOZA v. UNITED STATES* (67 Fed. Appx. 246); *ESPINOSA-VALLES, AKA ESPINOZA v. UNITED STATES* (67 Fed. Appx. 246); *GONZALEZ-DAVILA v. UNITED STATES* (67 Fed. Appx. 246); *SALAZAR-PALACIOS v. UNITED STATES* (67 Fed. Appx. 247); *YANEZ NORIEGA v. UNITED STATES* (67 Fed. Appx. 246); *GALLEGOS-GARZA v. UNITED STATES* (67 Fed. Appx. 246); and *PEREZ-MEZA v. UNITED STATES* (67 Fed. Appx. 247). C. A. 5th Cir. Certiorari denied.

No. 02–10827. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 325 F. 3d 1032.

No. 02–10828. *BAUMANN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 60 Fed. Appx. 63.

No. 02–10831. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 02–1305. *DICKSON ET AL. v. MICROSOFT CORP. ET AL.* C. A. 4th Cir. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition. Reported below: 309 F. 3d 193.

No. 02–1514. *SWARTZ v. SCHERING-PLOUGH CORP. ET AL.* C. A. 1st Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

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No. 02-1591. NEBRASKA TELECOMMUNICATIONS ASSN. ET AL. *v.* CITY OF LINCOLN, NEBRASKA, DBA LINCOLN ELECTRIC SYSTEM. Sup. Ct. Neb. Motion of Independent Telephone and Telecommunications Alliance et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 265 Neb. 70, 655 N. W. 2d 363.

Rehearing Denied

No. 01-10784. MORRISON *v.* UNITED STATES, 537 U. S. 863;

No. 02-1138. STEPHENS *v.* UNION CARBIDE CORP. ET AL., 538 U. S. 961;

No. 02-1208. MEADE *v.* DECISIONS OF THE ORPHANS' COURT FOR ANNE ARUNDEL COUNTY, MARYLAND, ET AL. (three judgments), 538 U. S. 998;

No. 02-1266. McDONALD *v.* TENNESSEE, 538 U. S. 1025;

No. 02-1274. MIDDLESTEAD *v.* TAYLOR, CIRCUIT JUDGE, DADE COUNTY, FLORIDA, ET AL., 538 U. S. 1013;

No. 02-1412. BIRD *v.* DAVIS, GOVERNOR OF CALIFORNIA, ET AL., 538 U. S. 1014;

No. 02-7612. BROOKS *v.* WALLS, WARDEN, 538 U. S. 1001;

No. 02-8659. SMITH *v.* ILLINOIS DEPARTMENT OF CORRECTIONS ET AL., 538 U. S. 948;

No. 02-9044. HALL *v.* LENDIS, 538 U. S. 984;

No. 02-9108. CROWELL *v.* MISSISSIPPI ET AL., 538 U. S. 986;

No. 02-9221. PALMER *v.* DEPARTMENT OF JUSTICE ET AL., 538 U. S. 987;

No. 02-9244. IN RE SACCO, 538 U. S. 998;

No. 02-9285. VERA *v.* OGDEN CITY, UTAH, 538 U. S. 1014;

No. 02-9291. BOLTZ *v.* UNITED STATES, 538 U. S. 968;

No. 02-9335. NEWLAND *v.* TURPIN, WARDEN, 538 U. S. 1015;

No. 02-9363. STROUPE *v.* TANDY CORP. ET AL., 538 U. S. 1004;

No. 02-9364. BROWN *v.* FLORIDA, 538 U. S. 1004;

No. 02-9678. ADAMS *v.* TEXAS, 538 U. S. 1020;

No. 02-9782. BOONE *v.* UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT, 538 U. S. 1022; and

No. 02-9916. IN RE PEDRAZA, 538 U. S. 997. Petitions for rehearing denied.

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Dismissal Under Rule 46

No. 02–1563. SAC & FOX TRIBE OF THE MISSISSIPPI IN IOWA *v.* IOWA MANAGEMENT & CONSULTANTS, INC. Sup. Ct. Iowa. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 656 N. W. 2d 167.

JUNE 27, 2003

Affirmed on Appeal

No. 02–1577. CITY OF COMBES, TEXAS, ET AL. *v.* EAST RIO HONDO WATER SUPPLY CORP. ET AL. Affirmed on appeal from D. C. S. D. Tex. Reported below: 244 F. Supp. 2d 778.

Certiorari Granted—Vacated and Remanded

No. 02–583. LIMON *v.* KANSAS. Ct. App. Kan. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Lawrence v. Texas*, *ante*, p. 558. Reported below: 30 Kan. App. 2d xxxv, 41 P. 3d 303.

Certiorari Granted—Remanded

No. 02–733. GERLING GLOBAL REINSURANCE CORPORATION OF AMERICA ET AL. *v.* GARAMENDI, INSURANCE COMMISSIONER, STATE OF CALIFORNIA. C. A. 9th Cir. The Court reversed the judgment below in *American Ins. Assn. v. Garamendi*, *ante*, p. 396. Therefore, certiorari granted, and case remanded for further proceedings. Reported below: 296 F. 3d 832.

Certiorari Dismissed

No. 02–10444. SHELTON *v.* COFFMAN ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 02–10446. MCBRIDE *v.* GEORGIA DEPARTMENT OF CORRECTIONS 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–2336. IN RE DISBARMENT OF KLIMOW. Disbarment entered. [For earlier order herein, see 537 U.S. 1183.]

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No. D-2354. *IN RE DISBARMENT OF PORRO*. Disbarment entered. [For earlier order herein, see 538 U. S. 919.]

No. 02M89. *MEDINA v. UNITED STATES*. Renewed motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 02M104. *STANDARD v. UNITED STATES*;

No. 02M105. *SIMS v. NEW PROVIDENCE ET AL.*;

No. 02M107. *MYERS v. DEPARTMENT OF AGRICULTURE*; and

No. 02M108. *BROWN v. HENRY, WARDEN*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 02M106. *JONES v. CALIFORNIA*. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. 02-182. *GEORGIA v. ASHCROFT, ATTORNEY GENERAL, ET AL. D. C. D. C.* [Probable jurisdiction noted, 537 U. S. 1151.] Motion of appellant to dispense with printing the joint appendix granted.

No. 02-693. *LAMIE v. UNITED STATES TRUSTEE*. C. A. 4th Cir. [Certiorari granted, 538 U. S. 905.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 02-1774. *IN RE RIGGS ET AL.* Motion of petitioners to expedite consideration of petition for writ of mandamus and/or prohibition denied.

No. 02-9486. *SLAGEL v. RUTH ET AL.* App. Ct. Ill., 5th Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [538 U. S. 1028] denied.

No. 02-10324. *REGAN v. GOVERNING BOARD OF THE SONORA UNION HIGH SCHOOL DISTRICT ET AL.* Ct. App. Cal., 5th App. Dist.; and

No. 02-10638. *JASKOT v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 18, 2003, 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. 02-1596. *IN RE HEIMBECKER*; and

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No. 02-10326. IN RE BARCLAY. Petitions for writs of mandamus denied.

Probable Jurisdiction Noted

No. 02-1580. VIETH ET AL. *v.* JUBELIRER, PRESIDENT OF THE PENNSYLVANIA SENATE, ET AL. Appeal from D. C. M. D. Pa. Probable jurisdiction noted. Reported below: 241 F. Supp. 2d 478.

Certiorari Granted

No. 02-458. RAYMOND B. YATES, M. D., P. C. PROFIT SHARING PLAN ET AL. *v.* HENDON, TRUSTEE. C. A. 6th Cir. Certiorari granted. Reported below: 287 F. 3d 521.

No. 02-857. HOUSEHOLD CREDIT SERVICES, INC., ET AL. *v.* PFENNIG. C. A. 6th Cir. Certiorari granted. Reported below: 295 F. 3d 522.

No. 02-1377. DOE *v.* CHAO, SECRETARY OF LABOR. C. A. 4th Cir. Certiorari granted. Reported below: 306 F. 3d 170.

No. 02-626. SOUTH FLORIDA WATER MANAGEMENT DISTRICT *v.* MICCOSUKEE TRIBE OF INDIANS ET AL. C. A. 11th Cir. Motions of Pacific Legal Foundation, Lake Worth Drainage District et al., Florida Fruit and Vegetable Association et al., National Water Resources Association et al., and City of New York et al. for leave to file briefs as *amici curiae* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 280 F. 3d 1364.

Certiorari Denied

No. 02-117. MINNESOTA *v.* MARTIN, GUARDIAN AD LITEM FOR HOFF. Sup. Ct. Minn. Certiorari denied. Reported below: 642 N. W. 2d 1.

No. 02-197. MONSANTO CO. *v.* BAYER CROPSCIENCE, S. A. C. A. Fed. Cir. Certiorari denied. Reported below: 284 F. 3d 1323.

No. 02-429. DETHMERS MANUFACTURING CO., INC. *v.* AUTOMATIC EQUIPMENT MANUFACTURING CO. C. A. Fed. Cir. Certiorari denied. Reported below: 272 F. 3d 1365.

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No. 02-434. *WOODFORD, WARDEN v. KARIS*; and
No. 02-6265. *KARIS v. WOODFORD, WARDEN*. C. A. 9th Cir.
Certiorari denied. Reported below: 283 F. 3d 1117.

No. 02-563. *AMERICAN COALITION OF LIFE ACTIVISTS ET AL.
v. PLANNED PARENTHOOD OF THE COLUMBIA/WILLAMETTE, INC.,
ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 290
F. 3d 1058.

No. 02-597. *WOODFORD, WARDEN v. JENNINGS*. C. A. 9th Cir.
Certiorari denied. Reported below: 290 F. 3d 1006.

No. 02-815. *CITY OF SACRAMENTO, CALIFORNIA, ET AL. v.
BARDEN ET AL.* C. A. 9th Cir. Certiorari denied. Reported
below: 292 F. 3d 1073.

No. 02-1007. *DUKE UNIVERSITY v. MADEY*. C. A. Fed. Cir.
Certiorari denied. Reported below: 307 F. 3d 1351.

No. 02-1213. *XU LIU ET AL. v. PRICE WATERHOUSE LLP
ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 302
F. 3d 749.

No. 02-1349. *MERLINO v. UNITED STATES*. C. A. 3d Cir.
Certiorari denied. Reported below: 310 F. 3d 137.

No. 02-1409. *CABLE CAR ADVERTISERS, INC., DBA CABLE CAR
CHARTERS v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A.
9th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 467.

No. 02-1419. *SHENANGO INC. ET AL. v. BARNHART, COMMIS-
SIONER OF SOCIAL SECURITY, ET AL.* C. A. 3d Cir. Certiorari
denied. Reported below: 307 F. 3d 174.

No. 02-1430. *KRZALIC ET AL. v. REPUBLIC TITLE Co.* C. A.
7th Cir. Certiorari denied. Reported below: 314 F. 3d 875.

No. 02-1441. *PAPPAS v. BLOOMBERG, MAYOR OF THE CITY OF
NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported
below: 290 F. 3d 143.

No. 02-1500. *EYL v. CIBA-GEIGY CORP. ET AL.* Sup. Ct. Neb.
Certiorari denied. Reported below: 264 Neb. 582, 650 N.W.
2d 744.

No. 02-1545. *ABRAMS ET AL. v. CITY OF SAN DIEGO, CALIFOR-
NIA, ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 02-1550. *LAL v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 703.

No. 02-1557. *ROADEN v. DERMOTT ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 332.

No. 02-1559. *HARLOW CORP. v. NORTON, SECRETARY OF THE INTERIOR, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 56 Fed. Appx. 513.

No. 02-1562. *MADIGAN v. NABISCO BRANDS, INC./RJ REYNOLDS CO., INC.* C. A. 6th Cir. Certiorari denied. Reported below: 46 Fed. Appx. 329.

No. 02-1564. *RANEY v. RANEY*. Sup. Ct. Va. Certiorari denied.

No. 02-1570. *COTTER, INDIVIDUALLY AND AS TRUSTEE OF THE VERLA DOYLE FAMILY TRUST v. BURKHALTER ET AL.* Ct. App. Tenn. Certiorari denied.

No. 02-1573. *JOHNSON v. BUFFALO POLICE DEPARTMENT*. C. A. 2d Cir. Certiorari denied. Reported below: 46 Fed. Appx. 11.

No. 02-1575. *SNYDER-FALKINHAM ET AL. v. STOCKBURGER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 243.

No. 02-1578. *CONRAIL, C/O TRANSPORTATION DISPLAYS, INC. v. SOCIETY CREATED TO REDUCE URBAN BLIGHT ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 772 A. 2d 1040.

No. 02-1582. *YOUNG v. WESTCHESTER COUNTY DEPARTMENT OF SOCIAL SERVICES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 57 Fed. Appx. 492.

No. 02-1592. *MILLS ET AL. v. DAVIS, GOVERNOR OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 480.

No. 02-1600. *PATEL v. THOMPSON, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 319 F. 3d 1317.

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No. 02-1612. *HOLLOWAY v. JOHNSON, ACTING SECRETARY OF THE NAVY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 836.

No. 02-1625. *DAWKINS ET UX. v. WITT, DIRECTOR, FEDERAL EMERGENCY MANAGEMENT AGENCY.* C. A. 4th Cir. Certiorari denied. Reported below: 318 F. 3d 606.

No. 02-1627. *CAVELY v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 318 F. 3d 987.

No. 02-1636. *ALEMAN v. STERNES, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 320 F. 3d 687.

No. 02-1641. *WILSON v. CIRCUIT COURT OF MADISON COUNTY, ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 855 So. 2d 489.

No. 02-1656. *PHONOMETRICS, INC. v. WESTIN HOTEL CO.* C. A. Fed. Cir. Certiorari denied. Reported below: 319 F. 3d 1328.

No. 02-1661. *MAHORNER v. BUSH, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 02-1683. *WEAVER v. JONES, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 02-1693. *TRI, INC. v. BOISE CASCADE OFFICE PRODUCTS, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 315 F. 3d 915.

No. 02-1714. *NAGEL v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 258 Wis. 2d 983, 654 N. W. 2d 95.

No. 02-1738. *PROL v. PROL.* Super. Ct. Pa. Certiorari denied. Reported below: 804 A. 2d 69.

No. 02-7489. *ROSALES v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 48 Fed. Appx. 103.

No. 02-7669. *GREY BEAR v. NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES.* Sup. Ct. N. D. Certiorari denied. Reported below: 651 N. W. 2d 611.

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No. 02-9131. *BOWIE v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Catawba County, N. C. Certiorari denied.

No. 02-9456. *LIPSCOMB v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 11th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 487.

No. 02-9825. *GIRALDO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 52 Fed. Appx. 584.

No. 02-9907. *HUSBAND v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 312 F. 3d 247.

No. 02-9934. *DEWITT v. WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS*. C. A. 1st Cir. Certiorari denied. Reported below: 41 Fed. Appx. 481.

No. 02-10310. *SHELTON v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 48 Fed. Appx. 106.

No. 02-10311. *SMITH v. EHRLICH, GOVERNOR OF MARYLAND, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 45 Fed. Appx. 317.

No. 02-10312. *STONE v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 02-10314. *SHEARS v. MICHIGAN*. Cir. Ct. Muskegon County, Mich. Certiorari denied.

No. 02-10315. *SERRANO v. MEJIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 469.

No. 02-10325. *SPIGNER v. AUSTIN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 479.

No. 02-10329. *GARRETT v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 02-10331. *WEST v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

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No. 02–10334. *S. C. ET VIR v. W. F. S. ET AL.* Sup. Ct. Miss. Certiorari denied.

No. 02–10338. *CROWDER v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 02–10339. *DUNLAP v. FRANK, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS.* C. A. 7th Cir. Certiorari denied. Reported below: 301 F. 3d 873.

No. 02–10343. *JONES v. MENDEZ, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 52 Fed. Appx. 188.

No. 02–10346. *HERNANDEZ, AKA HERNANDEZ LLANAS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 02–10349. *SCOTT v. 183RD DISTRICT COURT, HARRIS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 02–10351. *BOWLING v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 642.

No. 02–10352. *SHIELDS v. LEWIS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 02–10366. *KRONCKE v. SALDATE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 02–10369. *PANNELL v. DAVIS, SUPERINTENDENT, INDIANA STATE PRISON.* C. A. 7th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 632.

No. 02–10379. *DOORBAL v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 837 So. 2d 940.

No. 02–10382. *PATRICK v. COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 02–10389. *DEFOY v. MCCULLOUGH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 53 Fed. Appx. 199.

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No. 02-10392. *NASH v. BLUMEX U.S. A., INC.* C. A. 2d Cir. Certiorari denied. Reported below: 50 Fed. Appx. 500.

No. 02-10393. *PRIEST v. ORTIZ, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 60 Fed. Appx. 243.

No. 02-10401. *JACKSON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 837 So. 2d 410.

No. 02-10402. *ALONSO LECHUGA v. AYERS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 02-10410. *WHITE v. TEXAS.* Ct. App. Tex., 3d Dist. Certiorari denied.

No. 02-10415. *MULAZIM, AKA CARPENTER v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 635.

No. 02-10416. *McGHEE v. SMITH, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 02-10417. *STEPHENS v. DAIMLERCHRYSLER CORP. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 817.

No. 02-10418. *SHELTON v. MAKEL, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 02-10419. *SIMUEL v. CURRY, SUPERINTENDENT, POLK YOUTH INSTITUTION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 168.

No. 02-10422. *BULLARD v. HEAD, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 491.

No. 02-10425. *POWELL v. COWAN, WARDEN.* App. Ct. Ill., 5th Dist. Certiorari denied.

No. 02-10426. *MOORE ET AL. v. JOHNSON, GOVERNOR OF NEW MEXICO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 265.

No. 02-10427. *MOORE v. FRANK, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS.* C. A. 7th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 861.

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No. 02-10433. *BROWN v. MCGINNIS*, SUPERINTENDENT, SOUTHPORT CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 02-10436. *KYLER v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 297 App. Div. 2d 558, 747 N. Y. S. 2d 155.

No. 02-10437. *SMITH v. LEWIS*, SUPERINTENDENT, HALES CREEK CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 02-10442. *AWIIS v. WASHINGTON DEPARTMENT OF CORRECTIONS*. Ct. App. Wash. Certiorari denied.

No. 02-10443. *ALVAREZ v. LAVAN*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL. C. A. 3d Cir. Certiorari denied.

No. 02-10445. *AYRES v. EARNHARDT'S GILBERT DODGE, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 921.

No. 02-10447. *BRAUN v. PLASTOMER CORP.* Ct. App. Mich. Certiorari denied.

No. 02-10450. *CURTIS v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 02-10485. *BAINES v. HORNUNG*, ACTING WARDEN. C. A. 9th Cir. Certiorari denied.

No. 02-10491. *SCHWARTZ v. WILSON*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CRESSON, ET AL. C. A. 3d Cir. Certiorari denied.

No. 02-10507. *VINNIE v. MALONEY*, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION. C. A. 1st Cir. Certiorari denied.

No. 02-10565. *JACKSON v. CROKER ET AL.* C. A. 5th Cir. Certiorari denied.

No. 02-10566. *OGUAGHA v. CRAVENER*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 5th Cir. Certiorari denied. Reported below: 44 Fed. Appx. 651.

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No. 02-10576. *LAIR v. HORN ET AL.* Ct. App. Tex., 13th Dist. Certiorari denied.

No. 02-10603. *WOMACK v. BARNHART, COMMISSIONER OF SOCIAL SECURITY.* C. A. 4th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 678.

No. 02-10624. *BERGLUND v. CITY OF MAPLEWOOD, MINNESOTA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 50 Fed. Appx. 805.

No. 02-10636. *PEABODY v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 02-10647. *MILLER v. NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 301 App. Div. 2d 663, 753 N. Y. S. 2d 872.

No. 02-10650. *SANCHEZ v. WALTERS, SUPERINTENDENT, CASWELL CORRECTIONAL CENTER.* C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 703.

No. 02-10653. *SECRESS v. SECRESS.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 02-10662. *CLARK v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 678.

No. 02-10681. *RUTLEDGE v. ILLINOIS.* App. Ct. Ill., 3d Dist. Certiorari denied.

No. 02-10702. *GULLEY v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

No. 02-10709. *FRACTION v. MINNESOTA.* Ct. App. Minn. Certiorari denied.

No. 02-10717. *ZHENGXING v. TOMLINSON, CHAIRMAN, UNITED STATES BROADCASTING BOARD OF GOVERNORS.* C. A. D. C. Cir. Certiorari denied.

No. 02-10731. *WHITAKER v. DEPARTMENT OF VETERANS AFFAIRS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 53 Fed. Appx. 255.

No. 02-10745. *WILLIAMS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

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No. 02–10767. *McGRATH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 02–10770. *CASTILLO-PEREZ v. UNITED STATES* (Reported below: 61 Fed. Appx. 920); *DURAN-RIVAS v. UNITED STATES* (61 Fed. Appx. 922); *GABARETE-GUARDADO v. UNITED STATES* (67 Fed. Appx. 246); *GUILLEN-SEGURA v. UNITED STATES* (61 Fed. Appx. 921); *HERNANDEZ-SANTIAGO v. UNITED STATES* (61 Fed. Appx. 920); *IRAHETA-BARRERA, AKA DIAZ-HERNANDEZ v. UNITED STATES* (61 Fed. Appx. 920); *JIMENEZ-AGUILERA v. UNITED STATES* (61 Fed. Appx. 921); *LANZA-CHAN v. UNITED STATES* (61 Fed. Appx. 921); *LOPEZ-GUZMAN v. UNITED STATES* (67 Fed. Appx. 247); *LOPEZ-SALAS v. UNITED STATES* (61 Fed. Appx. 921); *ORTIZ-ZACARIAS v. UNITED STATES* (61 Fed. Appx. 920); *CARLOS RIVERA v. UNITED STATES* (61 Fed. Appx. 920); *RODRIGUEZ v. UNITED STATES* (67 Fed. Appx. 246); *SANCHEZ-QUIJANO v. UNITED STATES* (61 Fed. Appx. 920); *SANCHEZ-RAMOS v. UNITED STATES* (67 Fed. Appx. 246); *SERVIN-MENDEZ v. UNITED STATES* (61 Fed. Appx. 920); *MEDELLIN TOVIAS v. UNITED STATES* (61 Fed. Appx. 921); *ZAMORA-RAMIREZ v. UNITED STATES* (61 Fed. Appx. 921); *BOLANOS-MORALES v. UNITED STATES* (61 Fed. Appx. 920); and *TERMINEL-BARRIOS v. UNITED STATES* (67 Fed. Appx. 246). C. A. 5th Cir. Certiorari denied.

No. 02–10774. *BELTRAN-RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 51 Fed. Appx. 688.

No. 02–10780. *KENNEDY v. MENDEZ, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 52 Fed. Appx. 188.

No. 02–10797. *ALVA-OTOYA v. UNITED STATES* (Reported below: 61 Fed. Appx. 920); *AVILA-AGUILAR v. UNITED STATES* (61 Fed. Appx. 921); *CASTILLO-ROSALES, AKA CASTILLO v. UNITED STATES* (61 Fed. Appx. 920); *MAURICIO CONTRERAS v. UNITED STATES* (61 Fed. Appx. 920); *GARCIA-SANDOVAL v. UNITED STATES* (61 Fed. Appx. 920); *HERRERA-MUNIZ v. UNITED STATES* (61 Fed. Appx. 922); *MIRELES-HERNANDEZ v. UNITED STATES* (61 Fed. Appx. 921); *MUNDO-JIMENEZ v. UNITED STATES* (61 Fed. Appx. 921); *RAMIREZ-SOSA v. UNITED STATES* (61 Fed. Appx. 921); *RIOS-GARCIA v. UNITED STATES* (61 Fed. Appx. 920); *RUIZ-LOPEZ v. UNITED STATES* (61 Fed. Appx. 921); *SANCHEZ-LEDEZMA v. UNITED STATES* (61 Fed. Appx. 921); *RODRIGUEZ-CASTILLO v.*

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UNITED STATES (64 Fed. Appx. 416); MORENO-CASTILLO *v.* UNITED STATES (67 Fed. Appx. 246); and URAPO-PACHECO *v.* UNITED STATES (67 Fed. Appx. 245). C. A. 5th Cir. Certiorari denied.

No. 02-10799. AKANA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 890.

No. 02-10802. WEEKS *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY. C. A. 11th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 902.

No. 02-10805. MATHIESON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 317.

No. 02-10812. PENA ROSARIO *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 215.

No. 02-10813. PURCELL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 921.

No. 02-10835. CLAY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 420.

No. 02-10836. VAUGHAN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 02-10843. TURNER *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 521.

No. 02-10845. THOMAS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 02-10851. OLIVER *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02-10852. O'LESKA *v.* WHITE, SECRETARY OF THE ARMY. C. A. 11th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 320.

No. 02-10857. SANCHEZ-GONZALEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 921.

No. 02-10860. HERNANDEZ *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

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No. 02–10861. *GREEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 02–10864. *RASHID v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 02–10865. *RODRIGUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 02–10866. *DAY v. CHANDLER, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 716.

No. 02–10867. *NEVAREZ NUNEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 57 Fed. Appx. 776.

No. 02–10869. *WILSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 315 F. 3d 972.

No. 02–10870. *EADY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 64 Fed. Appx. 874.

No. 02–10871. *DELANCY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 319.

No. 02–10877. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 273 F. 3d 629.

No. 02–10883. *JULIEN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 318 F. 3d 316.

No. 02–10885. *BREDY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 878.

No. 02–10889. *CURRIER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 320 F. 3d 52.

No. 02–10891. *JONES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 02–10895. *PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 52 Fed. Appx. 980.

No. 02–10900. *MARTINEZ-ESPINOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 922.

No. 02–10907. *MCCOY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 02-10908. *SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 921.

No. 02-10911. *PIERCEFIELD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 327 F. 3d 690.

No. 02-10913. *MARCELINO ALVAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 67 Fed. Appx. 588.

No. 02-10920. *CUAUTLE-TAPIA v. UNITED STATES*; and *CORTEZ-VILLANUEVA, AKA TORRES-TORRES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 922 (first judgment) and 923 (second judgment).

No. 02-10921. *WONG CHANG, AKA GONG LING v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 59 Fed. Appx. 361.

No. 02-10923. *DOMINGUEZ-DOMINGUEZ, AKA RIVERA-GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 62 Fed. Appx. 921.

No. 02-355. *SOUTHERN BUILDING CODE CONGRESS INTERNATIONAL, INC. v. VEECK, DBA REGIONAL WEB*. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 293 F. 3d 791.

No. 02-367. *AMERICAN CYANAMID Co. v. GEYE ET AL.* Sup. Ct. Tex. Motion of Croplife America for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 79 S. W. 3d 21.

No. 02-649. *DEE-K ENTERPRISES, INC., ET AL. v. HEVEAFIL SDN. BHD. ET AL.* C. A. 4th Cir. Motion of American Antitrust Institute for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 299 F. 3d 281.

No. 02-1149. *KELLY, COMMISSIONER, NEW YORK CITY POLICE DEPARTMENT, ET AL. v. KRIMSTOCK ET AL.* C. A. 2d Cir. Motion of respondent Valerie Krimstock for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 306 F. 3d 40.

No. 02-1411. *BOEING Co. v. UNITED STATES EX REL. ROBY*. C. A. 6th Cir. Motions of Chamber of Commerce of the United States of America and National Defense Industrial Association for

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leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 302 F. 3d 637.

No. 02-1432. HEIMMERMANN ET AL. *v.* FIRST UNION MORTGAGE CORP.; and HIRSCH ET AL. *v.* BANKAMERICA CORP. ET AL. C. A. 11th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 305 F. 3d 1257 (first judgment); 58 Fed. Appx. 835 (second judgment).

No. 02-10383. MASON *v.* NORWEST BANK, N. A., ET AL. C. A. 8th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 53 Fed. Appx. 403.

No. 02-10373. WALTON *v.* SCHWARTZ, WARDEN. C. A. 9th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 43 Fed. Appx. 131.

Rehearing Denied

No. 02-1018. WILSON *v.* JOHNSON, ACTING SECRETARY OF THE NAVY, 537 U. S. 1194;

No. 02-1378. BELL *v.* POTTER, POSTMASTER GENERAL, 538 U. S. 1000;

No. 02-1385. BELL *v.* POTTER, POSTMASTER GENERAL, 538 U. S. 1000;

No. 02-5521. YOUNG *v.* PATRICK ET AL., 537 U. S. 920;

No. 02-6207. IN RE PATTERSON-BEGGS, 537 U. S. 1070;

No. 02-6400. MATHIS *v.* UNITED STATES, 537 U. S. 984;

No. 02-8253. HUNT *v.* LEE COUNTY SHERIFF ET AL., 537 U. S. 1236;

No. 02-9045. SHABTAI *v.* GIULIANI ET AL., 538 U. S. 984;

No. 02-9052. COBAS *v.* BURGESS, 538 U. S. 984;

No. 02-9103. BROOKS *v.* HOOKS, WARDEN, ET AL., 538 U. S. 985;

No. 02-9117. IN RE DOPP, 538 U. S. 997;

No. 02-9162. SHABTAI *v.* CITY OF NEW YORK, NEW YORK, ET AL., 538 U. S. 1002;

No. 02-9307. DAVIS *v.* WILLIAMS, WARDEN, 538 U. S. 1015;

No. 02-9396. BENTLEY *v.* DELAWARE DEPARTMENT OF FAMILY SERVICES ET AL., 538 U. S. 989;

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No. 02-9464. *DUNCAN v. WOOD ET AL.*, 538 U.S. 1017;
No. 02-9783. *BONN v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., 538 U.S. 1008;
No. 02-9902. *THIBEAUX v. TOBIAS ET AL.*, 538 U.S. 1043;
No. 02-9937. *ELDRIDGE v. STEPP*, WARDEN, ET AL., 538 U.S. 1044; and
No. 02-10115. *CAMPBELL v. UNITED STATES*, 538 U.S. 1049. Petitions for rehearing denied.

JULY 1, 2003

Miscellaneous Order

No. 03A14. *GILBERT v. OKLAHOMA*. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. JUSTICE KENNEDY took no part in the consideration or decision of this application.

Certiorari Denied

No. 02-11255 (02A1073). *SWISHER v. TRUE*, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 325 F. 3d 225.

JULY 2, 2003

Dismissal Under Rule 46

No. 02-10894. *PETERSON v. UNITED STATES*. C. A. 2d Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 48 Fed. Appx. 348.

JULY 3, 2003

Miscellaneous Orders

No. 02A1005. *HAWKINS v. UNITED STATES*. Application for stay of sentence pending appeal, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. 02A1060. *PAUL v. MADISON APARTMENTS*. Super. Ct. N. J., Passaic County, Special Civil Part. Application for stay of

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judgment pending appeal, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. 02A1086. *SANTIAGO v. IMMIGRATION AND NATURALIZATION SERVICE ET AL.* Application for stay of removal pending appeal, addressed to JUSTICE GINSBURG and referred to the Court, denied.

JULY 9, 2003

Miscellaneous Order

No. 03–5183 (03A26). *IN RE NOEL*. 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. 03–5168 (03A23). *NOEL v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 322 F. 3d 500.

No. 03–5224 (03A36). *NOEL v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. Sup. Ct. Ark. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. Reported below: 353 Ark. 915, 120 S. W. 3d 599.

JULY 22, 2003

Certiorari Denied

No. 03–5372 (03A48). *TOLES 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.

JULY 23, 2003

Miscellaneous Order

No. 03–5458 (03A68). *IN RE RANSOM*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and

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by him referred to the Court, denied. Petition for writ of mandamus denied.

Certiorari Denied

No. 02–10220 (03A27). *RANSOM 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: 62 Fed. Appx. 557.

JULY 24, 2003

Dismissal Under Rule 46

No. 02–1483. *HAMEROFF ET AL. v. AGENCY FOR HEALTH CARE ADMINISTRATION*. Dist. Ct. App. Fla., 1st Dist. Certiorari dismissed under this Court's Rule 46.1. Reported below: 816 So. 2d 1145.

Miscellaneous Orders

No. 03A76. *BRADSHAW, WARDEN v. COOEY*. Application to vacate stay of execution of sentence of death entered by the United States District Court for the Northern District of Ohio on July 23, 2003, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

No. 03–5429 (03A62). *IN RE COOEY*. 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 mandamus and/or prohibition denied.

Certiorari Denied

No. 03–5254 (03A38). *WILLINGHAM 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.

No. 03–5424 (03A60). *JANECKA v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

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No. 03–5472 (03A69). *COOEY v. OHIO*. Sup. Ct. Ohio. 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: 99 Ohio St. 3d 345, 792 N. E. 2d 720.

AUGUST 4, 2003

Miscellaneous Orders

No. 02–473. *UNITED STATES v. BANKS*. C. A. 9th Cir. [Certiorari granted, 537 U.S. 1187.] Motion of the Solicitor General to allow David B. Salmons to argue *pro hac vice* granted.

No. 02–628. *FREW, ON BEHALF OF HER DAUGHTER, FREW, ET AL. v. HAWKINS, COMMISSIONER, TEXAS HEALTH AND HUMAN SERVICES COMMISSION, ET AL.* C. A. 5th Cir. [Certiorari granted, 538 U.S. 905.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 02–749. *RAYTHEON Co. v. HERNANDEZ*. C. A. 9th Cir. [Certiorari granted, 537 U.S. 1187.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. JUSTICE BREYER took no part in the consideration or decision of this motion.

No. 02–1019. *ARIZONA v. GANT*. Ct. App. Ariz. [Certiorari granted, 538 U.S. 976.] Motion of National Association of Police Organizations for leave to file a brief as *amicus curiae* granted.

No. 02–1290. *UNITED STATES POSTAL SERVICE v. FLAMINGO INDUSTRIES (USA) LTD. ET AL.* C. A. 9th Cir. [Certiorari granted, 538 U.S. 1056.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 02–1674. *McCONNELL, UNITED STATES SENATOR, ET AL. v. FEDERAL ELECTION COMMISSION ET AL.*;

No. 02–1675. *NATIONAL RIFLE ASSN. ET AL. v. FEDERAL ELECTION COMMISSION ET AL.*;

No. 02–1676. *FEDERAL ELECTION COMMISSION ET AL. v. McCONNELL, UNITED STATES SENATOR, ET AL.*;

No. 02–1702. *McCain, UNITED STATES SENATOR, ET AL. v. McCONNELL, UNITED STATES SENATOR, ET AL.*;

No. 02–1727. *REPUBLICAN NATIONAL COMMITTEE ET AL. v. FEDERAL ELECTION COMMISSION ET AL.*;

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No. 02–1733. NATIONAL RIGHT TO LIFE COMMITTEE, INC., ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1734. AMERICAN CIVIL LIBERTIES UNION *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1740. ADAMS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1747. PAUL, UNITED STATES CONGRESSMAN, ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1753. CALIFORNIA DEMOCRATIC PARTY ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1755. AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.; and

No. 02–1756. CHAMBER OF COMMERCE OF THE UNITED STATES ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL. D. C. D. C. [Probable jurisdiction noted, *ante*, p. 911.] Motion for divided argument of plaintiffs in Nos. 02–1674, 02–1727, 02–1733, 02–1734, 02–1753, 02–1755, and 02–1756 granted, except that 60 minutes are allotted for argument on Title I and §213 of the Bipartisan Campaign Reform Act of 2002, and 50 minutes are allotted on the remainder of the challenged provisions. Motion of Emily Echols et al. and Barret Austin O’Brock for divided argument granted limited to 10 minutes for plaintiffs. Motions for divided argument of plaintiffs in Nos. 02–1675, 02–1740, and 02–1747 denied. Motion of the Solicitor General for divided argument granted.

Rehearing Denied

No. 01–7842. WOODALL *v.* UNITED STATES, 535 U.S. 1099;

No. 01–10370. MCCONE *v.* WOODHOUSE, ATTORNEY GENERAL OF WYOMING, 537 U.S. 842;

No. 02–1253. RIGGS ET AL. *v.* SAN JUAN COUNTY, UTAH, ET AL., *ante*, p. 902;

No. 02–1279. ASKEY ET UX. *v.* PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE, 538 U.S. 1013;

No. 02–1359. SCHAFER *v.* FIELD ET AL., 538 U.S. 1034;

No. 02–1382. FISHER ET UX. *v.* NEW YORK STATE COMMISSIONER OF TAXATION AND FINANCE ET AL., 538 U.S. 1057;

No. 02–1440. MEADE *v.* DECISIONS OF THE ORPHANS COURT FOR ANNE ARUNDEL COUNTY ET AL., *ante*, p. 903;

No. 02–1455. SHARPENTER *v.* ILLINOIS, 538 U.S. 1035;

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- No. 02-1539. *BESTOR v. UNITED STATES*, *ante*, p. 904;
No. 02-5276. *YOUNG v. WEIL-McLAIN*, 537 U. S. 905;
No. 02-5552. *McCARRIN v. UNITED STATES*, 537 U. S. 1195;
No. 02-6775. *MERRIWEATHER v. HOFBAUER, WARDEN, ET AL.*,
537 U. S. 1074;
No. 02-7517. *EVANS v. MERIT SYSTEMS PROTECTION BOARD*,
538 U. S. 980;
No. 02-8668. *SORRI v. BELL ATLANTIC*, 538 U. S. 932;
No. 02-8719. *HOLDER v. UNITED STATES*, *ante*, p. 916;
No. 02-9225. *THOMPSON v. COCKRELL, DIRECTOR, TEXAS DE-*
PARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 538
U. S. 1003;
No. 02-9258. *CHILTON v. VIRGINIA*, 538 U. S. 1004;
No. 02-9315. *IN RE MENDEZ*, 538 U. S. 1012;
No. 02-9325. *LANZY v. HARRISON, WARDEN, ET AL.*, 538 U. S.
1015;
No. 02-9420. *DUBOSE v. ANDREWS ET AL.*, 538 U. S. 1036;
No. 02-9436. *BURR v. COCKRELL, DIRECTOR, TEXAS DEPART-*
MENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 538 U. S.
1036;
No. 02-9440. *GROSS v. OHIO*, 538 U. S. 1037;
No. 02-9510. *GIVANS v. UNITED STATES*, 538 U. S. 992;
No. 02-9569. *BRYSON ET AL. v. JOHNSTON, JUDGE, SUPERIOR*
COURT OF NORTH CAROLINA, MECKLENBURG COUNTY, ET AL.,
538 U. S. 1039;
No. 02-9573. *IN RE LOVE*, 538 U. S. 1030;
No. 02-9577. *PAYNE v. COCKRELL, DIRECTOR, TEXAS DEPART-*
MENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 538 U. S.
1040;
No. 02-9597. *JONES v. UNITED STATES*, 538 U. S. 1007;
No. 02-9669. *GREEN v. UNITED STATES*, 538 U. S. 1008;
No. 02-9683. *HALL v. FLORIDA*, 538 U. S. 1059;
No. 02-9764. *IN RE MILLER*, 538 U. S. 1055;
No. 02-9810. *NGHIEM v. AGHA ET AL.*, *ante*, p. 905;
No. 02-9831. *RAMIREZ v. UNITED STATES*, 538 U. S. 1023;
No. 02-9834. *PALMER v. UNITED STATES JUDICIAL BRANCH*
ET AL., 538 U. S. 1042;
No. 02-9845. *IN RE CALLAHAN*, 538 U. S. 976;
No. 02-9851. *WAGENER v. VIRGINIA*, 538 U. S. 1062;
No. 02-9861. *DEDEAUX v. MISSISSIPPI*, *ante*, p. 906;
No. 02-9865. *JONES v. MICHIGAN*, *ante*, p. 906;

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- No. 02–9888. LAWRENCE *v.* YOUNG, WARDEN, 538 U.S. 1043;
No. 02–9898. IN RE MCBRIDE, 538 U.S. 997;
No. 02–9910. MORRIS *v.* COURT OF APPEALS OF NORTH CAROLINA ET AL., 538 U.S. 1044;
No. 02–9920. DAVIES *v.* GOMEZ, WARDEN, 538 U.S. 1044;
No. 02–9938. CONTRERAS *v.* COLLINS ET AL., *ante*, p. 917;
No. 02–9953. IN RE CRANFORD, 538 U.S. 997;
No. 02–9956. STEPHENS *v.* UNITED STATES, 538 U.S. 1044;
No. 02–10009. PAYNE *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 918;
No. 02–10020. DUNCAN *v.* MIRO, WARDEN, ET AL., 538 U.S. 1063;
No. 02–10036. RUIZ *v.* UNITED STATES, 538 U.S. 1046;
No. 02–10044. CALDWELL *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY, 538 U.S. 1064;
No. 02–10047. ATAMIAN *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY, 538 U.S. 1064;
No. 02–10066. VEGA FLEITES *v.* UNITED STATES, 538 U.S. 1047;
No. 02–10073. CHENG *v.* CALIFORNIA, *ante*, p. 929;
No. 02–10134. HOLT *v.* UNITED STATES, 538 U.S. 1049;
No. 02–10164. TAYLOR *v.* UNITED STATES, 538 U.S. 1050;
No. 02–10195. BROCK *v.* UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA, 538 U.S. 1051;
No. 02–10197. VALOIS *v.* UNITED STATES, 538 U.S. 1051; and
No. 02–10345. MALDONADO *v.* UNITED STATES, 538 U.S. 1067. Petitions for rehearing denied.

No. 02–7080. PAGE *v.* DEMORALES, WARDEN, 537 U.S. 1119; and

No. 02–8856. KADYEBO *v.* STATE FARM MUTUAL AUTOMOBILE INSURANCE Co., 538 U.S. 963. Motions for leave to file petitions for rehearing denied.

AUGUST 5, 2003

Dismissal Under Rule 46

No. 02–888. HCA, INC., FKA COLUMBIA/HCA HEALTHCARE CORP. *v.* TENNESSEE LABORERS HEALTH AND WELFARE FUND ET AL. C. A. 6th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 293 F. 3d 289.

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AUGUST 6, 2003

Miscellaneous Order

No. 03–5710 (03A114). *IN RE RIVERA*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 03–5700 (03A111). *RIVERA 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 7, 2003

Certiorari Denied

No. 03–5709 (03A113). *FORTENBERRY v. ALABAMA*. Sup. Ct. Ala. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

AUGUST 8, 2003

Dismissal Under Rule 46

No. 02–340. *CHRISTIE’S INTERNATIONAL PLC ET AL. v. KRUMAN ET AL.* C. A. 2d Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 284 F. 3d 384.

AUGUST 11, 2003

Appointment Order

It is ordered that Judith Ann Gaskell be appointed Librarian of the Court to succeed Shelley Dowling, effective at the commencement of business August 11, 2003, and that she take the oath of office as required by statute.

Miscellaneous Orders

No. 02A1001. *NEVAREZ-DIAZ v. UNITED STATES*. Application for certificate of appealability, addressed to JUSTICE KENNEDY and referred to the Court, denied.

No. 02A1048 (03–133). *FERRO v. UNITED STATES*. C. A. 8th Cir. Application for stay of mandate pending disposition of the

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petition for writ of certiorari, addressed to JUSTICE BREYER and referred to the Court, denied.

AUGUST 15, 2003

Certiorari Denied

No. 02–1766 (02A1067). ROBERTSON *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: 325 F. 3d 243.

AUGUST 18, 2003

Dismissal Under Rule 46

No. 02–9493. BACA *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari dismissed under this Court's Rule 46.

AUGUST 19, 2003

Miscellaneous Order

No. 02–1674. McCONNELL, UNITED STATES SENATOR, ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1675. NATIONAL RIFLE ASSN. ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1676. FEDERAL ELECTION COMMISSION ET AL. *v.* McCONNELL, UNITED STATES SENATOR, ET AL.;

No. 02–1702. McCain, UNITED STATES SENATOR, ET AL. *v.* McCONNELL, UNITED STATES SENATOR, ET AL.;

No. 02–1727. REPUBLICAN NATIONAL COMMITTEE ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1733. NATIONAL RIGHT TO LIFE COMMITTEE, INC., ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1734. AMERICAN CIVIL LIBERTIES UNION *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1740. ADAMS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1747. PAUL, UNITED STATES CONGRESSMAN, ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

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No. 02–1753. CALIFORNIA DEMOCRATIC PARTY ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02–1755. AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.; and

No. 02–1756. CHAMBER OF COMMERCE OF THE UNITED STATES ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL. D. C. D. C. [Probable jurisdiction noted, *ante*, p. 911.] Motions of the National Rifle Association and the Paul plaintiffs for reconsideration of the August 4, 2003, order [*ante*, p. 974] concerning divided argument denied.

AUGUST 20, 2003

Miscellaneous Order

No. 03A143 (03–258). IN RE MOORE. D. C. M. D. Ala. Application to recall mandate and to stay enforcement of final judgment, presented to JUSTICE KENNEDY, and by him referred to the Court, denied.

AUGUST 21, 2003

Certiorari Denied

No. 03–5943 (03A142). JONES *v.* NORTH CAROLINA. Sup. Ct. N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 357 N. C. 465, 584 S. E. 2d 296.

AUGUST 25, 2003

Miscellaneous Orders

No. 02–682. VERIZON COMMUNICATIONS INC. *v.* LAW OFFICES OF CURTIS V. TRINKO, LLP. C. A. 2d Cir. [Certiorari granted, 538 U. S. 905.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 02–809. MARYLAND *v.* PRINGLE. Ct. App. Md. [Certiorari granted, 538 U. S. 921.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 02–819. KONTRICK *v.* RYAN. C. A. 7th Cir. [Certiorari granted, 538 U. S. 998.] Motion of the Solicitor General for leave

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

No. 02-1060. ILLINOIS *v.* LIDSTER. Sup. Ct. Ill. [Certiorari granted, 538 U.S. 1012.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 02-954. OFFICE OF INDEPENDENT COUNSEL *v.* FAVISH. C. A. 9th Cir. [Certiorari granted, 538 U.S. 1012.] Motion of the Solicitor General for divided argument granted. Motion of Teresa Earnhardt for leave to file a brief as *amicus curiae* granted.

No. 02-1238. NIXON, ATTORNEY GENERAL OF MISSOURI *v.* MISSOURI MUNICIPAL LEAGUE ET AL.;

No. 02-1386. FEDERAL COMMUNICATIONS COMMISSION ET AL. *v.* MISSOURI MUNICIPAL LEAGUE ET AL.; and

No. 02-1405. SOUTHWESTERN BELL TELEPHONE, L. P., FKA SOUTHWESTERN BELL TELEPHONE CO. *v.* MISSOURI MUNICIPAL LEAGUE ET AL. C. A. 8th Cir. [Certiorari granted, *ante*, p. 941.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 02-1674. MCCONNELL, UNITED STATES SENATOR, ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02-1675. NATIONAL RIFLE ASSN. ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02-1676. FEDERAL ELECTION COMMISSION ET AL. *v.* MCCONNELL, UNITED STATES SENATOR, ET AL.;

No. 02-1702. MCCAIN, UNITED STATES SENATOR, ET AL. *v.* MCCONNELL, UNITED STATES SENATOR, ET AL.;

No. 02-1727. REPUBLICAN NATIONAL COMMITTEE ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02-1733. NATIONAL RIGHT TO LIFE COMMITTEE, INC., ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02-1734. AMERICAN CIVIL LIBERTIES UNION *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02-1740. ADAMS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02-1747. PAUL, UNITED STATES CONGRESSMAN, ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

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No. 02-1753. CALIFORNIA DEMOCRATIC PARTY ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.;

No. 02-1755. AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL.; and

No. 02-1756. CHAMBER OF COMMERCE OF THE UNITED STATES ET AL. *v.* FEDERAL ELECTION COMMISSION ET AL. D. C. D. C. [Probable jurisdiction noted, *ante*, p. 911.] Motion of plaintiffs Senator Mitch McConnell et al. to file volume VI of the joint appendix under seal granted. Motion of the intervenor-defendants to file their brief under seal with redacted copies for the public record granted.

No. 02-9410. CRAWFORD *v.* WASHINGTON. Sup. Ct. Wash. [Certiorari granted, *ante*, p. 914.] Motions of National Association of Criminal Defense Lawyers et al. and Sherman J. Clark et al. for leave to file briefs as *amici curiae* granted.

Rehearing Denied

No. 01-10249. SIMMONS *v.* CITY OF SHREVEPORT CODE ENFORCEMENT BUREAU, 537 U. S. 839;

No. 02-94. OVERTON, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL. *v.* BAZZETTA ET AL., *ante*, p. 126;

No. 02-241. GRUTTER *v.* BOLLINGER ET AL., *ante*, p. 306;

No. 02-722. AMERICAN INSURANCE ASSN. ET AL. *v.* GARAMENDI, INSURANCE COMMISSIONER, STATE OF CALIFORNIA, *ante*, p. 396;

No. 02-1121. SANDSTAD *v.* CB RICHARDS ELLIS, INC., *ante*, p. 926;

No. 02-1518. SANDERS *v.* MAY DEPARTMENT STORES CO., *ante*, p. 942;

No. 02-1562. MADIGAN *v.* NABISCO BRANDS, INC./RJ REYNOLDS Co., INC., *ante*, p. 959;

No. 02-1575. SNYDER-FALKINHAM ET AL. *v.* STOCKBURGER ET AL., *ante*, p. 959;

No. 02-1592. MILLS ET AL. *v.* DAVIS, GOVERNOR OF CALIFORNIA, ET AL., *ante*, p. 959;

No. 02-1601. RATCLIFF *v.* EXXONMOBIL CORP., *ante*, p. 943;

No. 02-5068. SIMMONS *v.* TWIN CITY TOWING Co., 537 U. S. 892;

No. 02-8866. SEARLES *v.* TOWN OF WEST HARTFORD BOARD OF EDUCATION, 538 U. S. 963;

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No. 02-9508. HEDRICK *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, 538 U.S. 1038;

No. 02-9517. HAWTHORNE *v.* CAIN, WARDEN, 538 U.S. 1038;

No. 02-9620. LANCASTER *v.* FINN, WARDEN, ET AL., 538 U.S. 1040;

No. 02-9857. DORSEY *v.* JOHNSON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL., *ante*, p. 906;

No. 02-9899. BUI PHU XUAN *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 906;

No. 02-9989. PARNELL *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 918;

No. 02-10033. SMITH *v.* ENGLISH ET AL., 538 U.S. 1064;

No. 02-10035. SANDERS *v.* NEUMAN, 538 U.S. 1064;

No. 02-10051. BACH *v.* FLORIDA, 538 U.S. 1064;

No. 02-10063. GARBUSH *v.* WORKERS' COMPENSATION APPEAL BOARD OF PENNSYLVANIA, *ante*, p. 929;

No. 02-10082. COOK *v.* LAVAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL., *ante*, p. 930;

No. 02-10107. HUTCHISON *v.* BELL, WARDEN, *ante*, p. 944;

No. 02-10162. NIXON *v.* ELO, WARDEN, *ante*, p. 931;

No. 02-10165. CHALFANT *v.* TEXAS, *ante*, p. 944;

No. 02-10181. CURTIS *v.* OHIO, *ante*, p. 945;

No. 02-10205. JOHNSON *v.* UNITED STATES, 538 U.S. 1051;

No. 02-10266. BYNUM *v.* SPARKMAN, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, *ante*, p. 932;

No. 02-10295. FARRIS *v.* NATIONS Banc MORTGAGE CORP. ET AL., *ante*, p. 947;

No. 02-10310. SHELTON *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 961;

No. 02-10325. SPIGNER *v.* AUSTIN ET AL., *ante*, p. 961;

No. 02-10351. BOWLING *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, *ante*, p. 962;

No. 02-10366. KRONCKE *v.* SALDATE ET AL., *ante*, p. 962;

No. 02-10421. SCAFF-MARTINEZ *v.* UNITED STATES, *ante*, p. 920;

No. 02-10544. SHARWELL *v.* SHARWELL ET AL., *ante*, p. 949;

No. 02-10621. LOPEZ *v.* UNITED STATES, *ante*, p. 935;

No. 02-10698. JOHNSON *v.* UNITED STATES, *ante*, p. 937;

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No. 02-10706. DAVIS, AKA SWANSON *v.* UNITED STATES, *ante*, p. 937;

No. 02-10717. ZHENGXING *v.* TOMLINSON, CHAIRMAN, UNITED STATES BROADCASTING BOARD OF GOVERNORS, *ante*, p. 965;

No. 02-10733. BROWN *v.* UNITED STATES, *ante*, p. 950;

No. 02-10741. DIAZ-CLARK, AKA LNU *v.* UNITED STATES, *ante*, p. 951;

No. 02-10802. WEEKS *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 967;

No. 02-10821. WHITTENBURG *v.* UNITED STATES, *ante*, p. 952; and

No. 02-10852. O'LESKA *v.* BROWNLEE, ACTING SECRETARY OF THE ARMY, *ante*, p. 967. Petitions for rehearing denied.

No. 01-8709. ANUNKA *v.* CAMPBELL ET AL., 535 U. S. 1039. Motion for leave to file petition for rehearing denied.

SEPTEMBER 3, 2003

Miscellaneous Order

No. 03A185. HIRSH ET AL. *v.* FLORIDA. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

SEPTEMBER 5, 2003

Rehearing Denied

No. 02-431. LIEBEL ET AL. *v.* VISITING NURSE ASSN. ET AL., 537 U. S. 1029;

No. 02-1400. MANNING *v.* NEW YORK UNIVERSITY, 538 U. S. 1035;

No. 02-7489. ROSALES *v.* COCKRELL, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, *ante*, p. 960;

No. 02-8282. LUKER *v.* RODERICK, 537 U. S. 1215;

No. 02-8856. KADYEBO *v.* STATE FARM MUTUAL AUTOMOBILE INSURANCE Co., 538 U. S. 963;

No. 02-9897. IN RE BREWER, *ante*, p. 902;

No. 02-9934. DEWITT *v.* WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS, *ante*, p. 961;

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- No. 02-10148. IN RE DOCKERAY, *ante*, p. 925;
No. 02-10166. DE URIOSTE *v.* FINN, WARDEN, ET AL., *ante*,
p. 919;
No. 02-10177. PIERRE *v.* FLORIDA, *ante*, p. 945;
No. 02-10211. GOMEZ *v.* VIRGINIA, *ante*, p. 945;
No. 02-10271. J. B. C. *v.* P. A. B., *ante*, p. 947;
No. 02-10422. BULLARD *v.* HEAD, WARDEN, *ante*, p. 963;
No. 02-10427. MOORE *v.* FRANK, SECRETARY, WISCONSIN DE-
PARTMENT OF CORRECTIONS, *ante*, p. 963;
No. 02-10464. BANKS *v.* UNITED STATES, *ante*, p. 909; and
No. 02-10603. WOMACK *v.* BARNHART, COMMISSIONER OF SO-
CIAL SECURITY, *ante*, p. 965. Petitions for rehearing denied.

No. 02-733. GERLING GLOBAL REINSURANCE CORPORATION
OF AMERICA ET AL. *v.* GARAMENDI, INSURANCE COMMISSIONER,
STATE OF CALIFORNIA, *ante*, p. 955. Motion for leave to file peti-
tion for rehearing denied.

SEPTEMBER 10, 2003

Dismissal Under Rule 46

No. 03-41. MARYVILLE ACADEMY ET AL. *v.* WALLACE, INDI-
VIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF WALLACE,
DECEASED. Sup. Ct. Ill. Certiorari dismissed under this Court's
Rule 46.1. Reported below: 203 Ill. 2d 441, 786 N. E. 2d 980.

SEPTEMBER 11, 2003

Certiorari Denied

No. 03-6283 (03A222). HUNT *v.* NORTH CAROLINA. Sup. Ct.
N. C. Application for stay of execution of sentence of death,
presented to THE CHIEF JUSTICE, and by him referred to the
Court, denied. Certiorari denied. Reported below: 357 N. C.
257, 582 S. E. 2d 593.

No. 03-6302 (03A224). HUNT *v.* NORTH CAROLINA. Sup. Ct.
N. C. Application for stay of execution of sentence of death,
presented to THE CHIEF JUSTICE, and by him referred to the
Court, denied. Certiorari denied. Reported below: 357 N. C.
454, 591 S. E. 2d 502.

September 18, 25, 30, 2003

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SEPTEMBER 18, 2003

Dismissals Under Rule 46

No. 02–1826. *ROARK v. HUMANA, INC., ET AL.* C. A. 5th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 307 F. 3d 298.

No. 03–5983. *TOWERY ET AL. v. ARIZONA.* Sup. Ct. Ariz. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 204 Ariz. 386, 64 P. 3d 828.

SEPTEMBER 25, 2003

Certiorari Denied

No. 03–6551 (03A266). *BATES v. LEE, WARDEN.* Sup. Ct. N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 357 N. C. 508, 587 S. E. 2d 423.

SEPTEMBER 30, 2003

Certiorari Granted

No. 02–1593. *BEDROC LTD., LLC, ET AL. v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 314 F. 3d 1080.

No. 02–1606. *TENNESSEE STUDENT ASSISTANCE CORPORATION v. HOOD.* C. A. 6th Cir. Certiorari granted. Reported below: 319 F. 3d 755.

No. 02–1657. *SCARBOROUGH v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari granted. Reported below: 319 F. 3d 1346.

No. 02–1684. *YARBOROUGH, WARDEN v. ALVARADO.* C. A. 9th Cir. Certiorari granted. Reported below: 316 F. 3d 841.

No. 02–1809. *HIBBS, DIRECTOR, ARIZONA DEPARTMENT OF REVENUE v. WINN ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 307 F. 3d 1011.

No. 02–11309. *SMITH v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVI-*

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SION. C. A. 5th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 311 F. 3d 661.

No. 03-13. REPUBLIC OF AUSTRIA ET AL. *v.* ALTMANN. C. A. 9th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 317 F. 3d 954 and 327 F. 3d 1246.

No. 02-1541. IOWA *v.* TOVAR. Sup. Ct. Iowa. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 656 N. W. 2d 112.

No. 02-1603. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* BANKS. C. A. 3d Cir. Motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* granted. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 316 F. 3d 228.

No. 03-107. UNITED STATES *v.* LARA. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 324 F. 3d 635.

OCTOBER 2, 2003

Certiorari Denied

No. 03-6660 (03A283). HARTMAN *v.* NORTH CAROLINA. Sup. Ct. N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 357 N. C. 509, 588 S. E. 2d 373.

No. 03-6661 (03A284). HARTMAN *v.* NORTH CAROLINA. Sup. Ct. N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 357 N. C. 509, 587 S. E. 2d 424.