

ORDERS FOR MARCH 6 THROUGH
JUNE 20, 2006

MARCH 6, 2006

Certiorari Dismissed

No. 05-8566. NIMMONS *v.* CRIST ET AL.; and NIMMONS *v.* McDONOUGH, INTERIM 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.

No. 05-9111. JAMES *v.* UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA. 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. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 05-9113. FLEMING *v.* ADAMS, WARDEN. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 138 Fed. Appx. 527.

Miscellaneous Orders

No. 05M64. BUCKLEY *v.* POWELL, WARDEN; and

No. 05M65. NICHOLS *v.* WASHINGTON HOSPITAL CENTER ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 04-1739. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS *v.* BANKS, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. C. A. 3d Cir. [Certiorari granted, 546 U.S. 1015.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided

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argument granted. JUSTICE ALITO took no part in the consideration or decision of this motion.

No. 05–7053. *DIXON v. UNITED STATES*. C. A. 5th Cir. [Certiorari granted, 546 U. S. 1135.] Motion of petitioner for appointment of counsel granted. J. Craig Jett, Esq., of Dallas, Tex., is appointed to serve as counsel for petitioner in this case.

No. 05–9173. *IN RE DILLON*; and

No. 05–9201. *IN RE PERKINS*. Petitions for writs of habeas corpus denied.

No. 05–8429. *IN RE SCOTT*; and

No. 05–9058. *IN RE GRIFFITH*. Petitions for writs of mandamus denied.

No. 05–9050. *IN RE HUNDLEY*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 05–7058. *JONES v. BOCK, WARDEN, ET AL.*; and

No. 05–7142. *WILLIAMS v. OVERTON ET AL.*; and *WALTON v. BOUCHARD ET AL.* C. A. 6th Cir. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: No. 05–7058, 135 Fed. Appx. 837; No. 05–7142, 136 Fed. Appx. 846 (second judgment) and 859 (first judgment).

Certiorari Denied

No. 04–1501. *INDEPENDENT INK, INC. v. ILLINOIS TOOL WORKS INC. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 396 F. 3d 1342.

No. 05–596. *PEREZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 414 F. 3d 302 and 138 Fed. Appx. 379.

No. 05–666. *SEINFELD v. GRAY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 404 F. 3d 645.

No. 05–677. *GOSSELIN WORLD WIDE MOVING, N. V., ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 411 F. 3d 502.

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No. 05–682. *McMULLEN ET UX. v. MEDTRONIC, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 421 F. 3d 482.

No. 05–690. *HSBC BANK USA ET AL. v. UNITED AIR LINES, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 416 F. 3d 609.

No. 05–711. *GREENE, EXECUTRIX OF THE ESTATE OF GREENE, DECEASED v. B. F. GOODRICH AVIONICS SYSTEMS, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 409 F. 3d 784.

No. 05–818. *GROVER ET AL. v. NORTHWEST STEELHEADERS ASSN., INC., ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 199 Ore. App. 471, 112 P. 3d 383.

No. 05–825. *NEW PROCESS STEEL, LP v. YOUNG ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 419 F. 3d 1201.

No. 05–831. *SADLOWSKI ET UX. v. BENOIT.* C. A. 1st Cir. Certiorari denied.

No. 05–834. *WILLIAMS v. LOZOSKY, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 422 F. 3d 1006.

No. 05–836. *PHL, INC., ET AL. v. PULLMAN BANK & TRUST Co. ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 216 Ill. 2d 250, 836 N. E. 2d 351.

No. 05–837. *O’CONNOR ET AL. v. WASHBURN UNIVERSITY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 416 F. 3d 1216.

No. 05–838. *MURRAY ET AL. v. COLORADO ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 772.

No. 05–839. *PROFFITT v. METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE.* C. A. 6th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 439.

No. 05–842. *AVERY ET AL. v. STATE FARM MUTUAL AUTOMOBILE INSURANCE Co.* Sup. Ct. Ill. Certiorari denied. Reported below: 216 Ill. 2d 100, 835 N. E. 2d 801.

No. 05–844. *BRUMFIELD v. BRUMFIELD.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 355 Ill. App. 3d 1203, 885 N. E. 2d 586.

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No. 05–845. *BLAIR v. WILLS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 420 F. 3d 823.

No. 05–846. *BJY, INC., ET AL. v. EL-HAKEM.* C. A. 9th Cir. Certiorari denied. Reported below: 415 F. 3d 1068.

No. 05–865. *PACIFIC ROCK CORP. v. PEREZ, DIRECTOR OF ADMINISTRATION, GOVERNMENT OF GUAM.* Sup. Ct. Guam. Certiorari denied. Reported below: 2004 Guam 1.

No. 05–871. *COLLIER v. HARROLD ET UX.* Sup. Ct. Ohio. Certiorari denied. Reported below: 107 Ohio St. 3d 44, 836 N. E. 2d 1165.

No. 05–872. *THOMAS v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 05–873. *CHUN WANG v. DEPARTMENT OF JUSTICE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 140 Fed. Appx. 312.

No. 05–898. *BETTIS v. KELLY, COMMISSIONER, NEW YORK CITY POLICE DEPARTMENT, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 137 Fed. Appx. 381.

No. 05–938. *WERNISING ET AL. v. THOMPSON.* C. A. 7th Cir. Certiorari denied. Reported below: 423 F. 3d 732.

No. 05–939. *HOAGLAND ET UX. v. TOWN OF CLEAR LAKE, INDIANA, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 415 F. 3d 693.

No. 05–949. *BRYANT v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 148.

No. 05–955. *KRILICH v. WINN.* C. A. 1st Cir. Certiorari denied.

No. 05–968. *SODERSTRAND v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 412 F. 3d 1146.

No. 05–975. *BRUSH v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 05–984. *BROWN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 628.

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No. 05–7013. *TIROUDA ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 394 F. 3d 683.

No. 05–7134. *CRENSHAW v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 836.

No. 05–7266. *THOMPSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 421 F. 3d 278.

No. 05–7297. *BECERRA-GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 397 F. 3d 1167.

No. 05–7410. *PALMER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 417 F. 3d 741.

No. 05–7445. *ALEXANDER v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 143 Fed. Appx. 340.

No. 05–7892. *HARDRIDGE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 746.

No. 05–7942. *GREEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 05–7966. *WINGATE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 415 F. 3d 885.

No. 05–7991. *STROBEHN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 421 F. 3d 1017.

No. 05–8327. *EMERY v. CHANOS, ATTORNEY GENERAL OF NEVADA*. C. A. 9th Cir. Certiorari denied. Reported below: 139 Fed. Appx. 817.

No. 05–8329. *KOU LO VANG v. NEVADA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 151.

No. 05–8334. *MILLS v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 170 S. W. 3d 310.

No. 05–8335. *PARTIN v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 168 S. W. 3d 23.

No. 05–8344. *ALLEN v. HINES, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 744.

No. 05–8345. *BROWN v. CATHEL, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 05–8346. *BURNSIDE v. DAVIS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–8349. *ALEXANDER v. MARSH & MCLENNAN, INC., ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 354 Ill. App. 3d 1154, 883 N. E. 2d 1146.

No. 05–8354. *MADRID SALAZAR v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 419 F. 3d 384.

No. 05–8371. *BLAIR v. WASHINGTON.* Ct. App. Wash. Certiorari denied.

No. 05–8374. *BIRKS v. GALAZA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 139 Fed. Appx. 820.

No. 05–8376. *PERRY v. JOHNSON, COMMISSIONER, NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 150 Fed. Appx. 22.

No. 05–8384. *GLAUDE v. BRAZELTON ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–8387. *TURNPAUGH v. MICHIGAN.* Sup. Ct. Mich. Certiorari denied. Reported below: 474 Mich. 937, 706 N. W. 2d 26.

No. 05–8396. *EDWARDS v. EVANS, ACTING WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 515.

No. 05–8417. *PERRY v. MCQUIGGIN.* C. A. 6th Cir. Certiorari denied.

No. 05–8421. *JONES v. MICHIGAN.* C. A. 6th Cir. Certiorari denied.

No. 05–8423. *SABBIA v. LOMBARDI.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 355 Ill. App. 3d 1189, 885 N. E. 2d 581.

No. 05–8426. *MARTELLO v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

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No. 05–8438. *SCOTT v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–8440. *SAVAGE v. VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 640.

No. 05–8442. *ROSS v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 05–8444. *SANTIAGO v. LANTZ, COMMISSIONER, CONNECTICUT DEPARTMENT OF CORRECTION.* App. Ct. Conn. Certiorari denied. Reported below: 90 Conn. App. 420, 876 A. 2d 1277.

No. 05–8445. *SAINT-FLEUR v. FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 05–8450. *ALLGOOD v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 355 Ill. App. 3d 1194, 885 N. E. 2d 583.

No. 05–8453. *WALKER v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY.* Sup. Ct. Cal. Certiorari denied.

No. 05–8454. *THOMAS v. SCRIBNER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05–8457. *VANDERWALL v. CITY OF VIRGINIA BEACH, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 137 Fed. Appx. 592.

No. 05–8462. *WHEELER v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 355 Ill. App. 3d 1207, 885 N. E. 2d 588.

No. 05–8464. *THOMAS v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 139 Fed. Appx. 620.

No. 05–8467. *MILLS v. HELLING, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–8470. *ANDERSON v. DONALD, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS.* Super. Ct. Coffee County, Ga. Certiorari denied.

No. 05–8471. *BARTLETT v. NORTH CAROLINA DEPARTMENT OF CORRECTION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 505.

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No. 05–8479. *COOKE v. KANE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–8480. *CLAIBORNE v. HOLLAND ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–8496. *DIAZ v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 05–8514. *BUTLER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 917 So. 2d 192.

No. 05–8517. *BOUIE v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 911 So. 2d 1236.

No. 05–8574. *ROSALES v. WOODFORD, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 626.

No. 05–8617. *WILSON v. EVANS, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 719.

No. 05–8629. *CHAMBERS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 05–8695. *VILLA-CARDENAS v. VARE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 537.

No. 05–8703. *MONTGOMERY v. UCHTMAN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 426 F. 3d 905.

No. 05–8724. *ALEXANDER v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 578.

No. 05–8799. *PRATT v. CONWAY, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 582.

No. 05–8841. *TOWNSEND v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 270 Va. 325, 619 S. E. 2d 71.

No. 05–8853. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 424 F. 3d 992.

No. 05–8886. *BOROUGHES v. COTTON, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

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No. 05–9000. *HEMRIC v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 316.

No. 05–9001. *HAMMONS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 492.

No. 05–9002. *GOMEZ-BENABE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–9003. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 882.

No. 05–9005. *FLUTE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 363 F. 3d 676.

No. 05–9010. *SHIVERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9011. *RAYFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9013. *MENDEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9014. *MYERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 413.

No. 05–9016. *KURT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 848.

No. 05–9018. *CHAUNCEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 420 F. 3d 864.

No. 05–9021. *ECKLES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 190.

No. 05–9022. *LENNON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 383.

No. 05–9024. *KING v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9027. *RAMIREZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 721.

No. 05–9030. *SUMRELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 05–9033. *BEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 414.

No. 05–9036. *BARNES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 232.

No. 05–9039. *ROBINSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–9051. *CLEVELAND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 266.

No. 05–9053. *CALZADA-VILLA v. UNITED STATES; CRUZ-HERNANDEZ, AKA HERNANDEZ v. UNITED STATES; ELIAS, AKA ELIAS-ELIAS v. UNITED STATES; ESPINOZA-DE LA CRUZ v. UNITED STATES; GARCIA-CASTANEDA v. UNITED STATES; HERNANDEZ-GONZALEZ v. UNITED STATES; ALVARADO-ESCARCEGA, AKA ESCARCEGA v. UNITED STATES; and CARRERA-MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 416 (third judgment), 421 (seventh judgment), and 427 (fifth judgment); 148 Fed. Appx. 236 (eighth judgment); 153 Fed. Appx. 276 (first judgment), 315 (second judgment), 322 (fourth judgment), and 940 (sixth judgment).

No. 05–9054. *BRESETT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9055. *GORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9059. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 132 Fed. Appx. 821.

No. 05–9061. *PATRICK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 127 Fed. Appx. 470.

No. 05–9062. *ROOKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 323.

No. 05–9063. *SANTA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 475.

No. 05–9064. *RADFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9066. *DIAL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

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No. 05–9067. *PLEITEZ-MARTINEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–9070. *LANGFORD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 936.

No. 05–9076. *CONTRERAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 278.

No. 05–9080. *PUGH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9081. *CURTIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9082. *DUPAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 419 F. 3d 916.

No. 05–9083. *COBBS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 430.

No. 05–9084. *ALEXANDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 241.

No. 05–9087. *ARTIAGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 636.

No. 05–9089. *BARTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9090. *ATAYDE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 726.

No. 05–9091. *ADAMS v. DAVIS, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–9095. *BOST v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9096. *GARTRELL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 879 A. 2d 693.

No. 05–9098. *HITE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 425 F. 3d 365.

No. 05–9099. *GALLOWAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 222.

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No. 05–9100. *HIGUERA-PINEDA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 137 Fed. Appx. 925.

No. 05–9122. *ROCHA-CERDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 320.

No. 05–9123. *ROMERO-PINA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 34.

No. 05–9125. *LUKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 412.

No. 05–9126. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 239.

No. 05–9127. *CERDA-TOVAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 303.

No. 05–9130. *ANDREWS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 943.

No. 05–9131. *ALLEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 425 F. 3d 1231.

No. 05–9132. *ARREOLA-AMAYA v. UNITED STATES* (Reported below: 153 Fed. Appx. 305); *TORRES-DIAZ v. UNITED STATES* (438 F. 3d 529); *CARBAJAL-HERNANDEZ v. UNITED STATES*; *GONZALEZ-OROZCO v. UNITED STATES* (161 Fed. Appx. 426); *DE LA CRUZ-GONZALEZ v. UNITED STATES* (155 Fed. Appx. 801); *NUNCIO-RODRIGUEZ v. UNITED STATES*; *SERAVIA-MELENDEZ v. UNITED STATES* (154 Fed. Appx. 419); *MONDRAGON-JIMENEZ v. UNITED STATES* (154 Fed. Appx. 419); *RODRIGUEZ-ZUNIGA v. UNITED STATES* (155 Fed. Appx. 741); *REYES-QUINTANILLA v. UNITED STATES* (154 Fed. Appx. 415); *HUEZO-FRANCO v. UNITED STATES* (147 Fed. Appx. 432); *SANTOS-PADILLA v. UNITED STATES* (147 Fed. Appx. 417); *MONOTO v. UNITED STATES* (162 Fed. Appx. 377); *HINOJOSA-SOTO v. UNITED STATES* (153 Fed. Appx. 309); *GANDARILLA-HERNANDEZ v. UNITED STATES* (157 Fed. Appx. 772); *MARTINEZ-CORPUS v. UNITED STATES* (152 Fed. Appx. 426); and *MORALES-CORDOVA v. UNITED STATES* (153 Fed. Appx. 282). C. A. 5th Cir. Certiorari denied.

No. 05–9133. *ALEXIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 469.

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No. 05–9137. *RIVAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 245.

No. 05–9140. *ARIAS-SETINA v. UNITED STATES* (Reported below: 147 Fed. Appx. 420); *BORUNDA-RIVERA v. UNITED STATES* (153 Fed. Appx. 317); *CABRERA-IBARRA v. UNITED STATES* (153 Fed. Appx. 941); *CAMPOS-MENDOZA v. UNITED STATES* (153 Fed. Appx. 320); *CARO-PAYAN v. UNITED STATES* (153 Fed. Appx. 267); *CISNEROS-LOPEZ v. UNITED STATES* (147 Fed. Appx. 419); *ESCOBAR-GALDAMEZ v. UNITED STATES* (153 Fed. Appx. 321); *FLORES-FORTIER v. UNITED STATES* (147 Fed. Appx. 419); *GARCIA v. UNITED STATES* (153 Fed. Appx. 324); *GARCIA-GONZALEZ v. UNITED STATES* (153 Fed. Appx. 277); *MORALES-CHIRINOS v. UNITED STATES* (147 Fed. Appx. 432); *PAZ-GONZALEZ v. UNITED STATES* (153 Fed. Appx. 274); *RAMIREZ-NAVARRO v. UNITED STATES* (153 Fed. Appx. 310); and *SANCHEZ-PARRA v. UNITED STATES* (153 Fed. Appx. 938). C. A. 5th Cir. Certiorari denied.

No. 05–9147. *PERRY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 272.

No. 05–9150. *TORRES-AMADOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9160. *WASHINGTON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 884 A. 2d 1080.

No. 05–589. *WHORTON, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS, ET AL. v. COLLIER*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 408 F. 3d 1279.

No. 05–841. *TEAMSTERS PENSION TRUST FUND OF PHILADELPHIA AND VICINITY v. DIGIACOMO*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 420 F. 3d 220.

No. 05–902. *BRAMLAGE ET UX. v. WELLS FARGO HOME MORTGAGE, INC.* C. A. 6th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 144 Fed. Appx. 489.

No. 05–923. *BUNTON v. BENTLEY*. Ct. App. Tex., 12th Dist. Motion of Reporters Committee for Freedom of the Press for

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leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 176 S. W. 3d 21.

No. 05–8388. *YOUNG v. DESUTA, SUPERINTENDENT, STATE REGIONAL CORRECTIONAL FACILITY AT MERCER, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–8539. *HODGE v. HARVEY, SECRETARY OF THE ARMY, ET AL.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

Rehearing Denied

No. 04–721. *EVANS, ACTING WARDEN v. CHAVIS*, 546 U. S. 189;
No. 05–6735. *SUAREZ v. FLORIDA*, 546 U. S. 1063;
No. 05–6928. *NATION v. UNITED STATES*, 546 U. S. 1011;
No. 05–7287. *DAY-PETRANO v. CIRCUIT COURT OF FLORIDA, PINELLAS COUNTY, ET AL.*, 546 U. S. 1105;

No. 05–7477. *LEHMKUHL v. COLORADO*, 546 U. S. 1109;
No. 05–7512. *ALLEN v. POTTER, POSTMASTER GENERAL, ET AL.*, 546 U. S. 1110;

No. 05–7533. *BUMPUS v. WILEY, WARDEN*, 546 U. S. 1110;
No. 05–7562. *DIXON v. ILLINOIS DEPARTMENT OF EMPLOYMENT SECURITY ET AL.*, 546 U. S. 1141;

No. 05–7585. *MISIAK v. WASHINGTON ET AL.*, 546 U. S. 1142;
No. 05–7604. *DUNLAP v. MICHIGAN*, 546 U. S. 1113;
No. 05–7678. *RICHARDSON v. UNITED STATES*, 546 U. S. 1117;
No. 05–7679. *AKMAL v. RAWERS, WARDEN*, 546 U. S. 1151;
No. 05–7680. *AKMAL v. RAWERS, WARDEN*, 546 U. S. 1152;
No. 05–7681. *AKMAL v. RAWERS, WARDEN*, 546 U. S. 1152;
No. 05–7803. *SALDANA v. UNITED STATES*, 546 U. S. 1122;
No. 05–7981. *ARNAIZ v. UNITED STATES*, 546 U. S. 1127;
No. 05–8127. *BALSEWICZ v. KINGSTON, WARDEN*, 546 U. S. 1144; and

No. 05–8132. *IN RE FAUST*, 546 U. S. 1088. Petitions for rehearing denied.

No. 05–479. *MICHAU v. JONES*, 546 U. S. 1130. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 05–140. *KEYTER v. BUSH, PRESIDENT OF THE UNITED STATES*, 546 U. S. 875; and

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No. 05–6625. GORDON *v.* HENDRICKS, 546 U. S. 1040. Motions for leave to file petitions for rehearing denied.

MARCH 15, 2006

Certiorari Denied

No. 05–9721 (05A853). HUGHES *v.* LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 170 Fed. Appx. 878.

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Certiorari Denied

No. 05–9768 (05A858). MOODY *v.* BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION, ET AL. 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.

MARCH 17, 2006

Miscellaneous Orders

No. 05–130. EBAY INC. ET AL. *v.* MERCExchange, L. L. C. C. A. Fed. Cir. [Certiorari granted, 546 U. S. 1029.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 05–260. SEREBOFF ET UX. *v.* MID ATLANTIC MEDICAL SERVICES, INC. C. A. 4th Cir. [Certiorari granted, 546 U. S. 1030.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

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Affirmed on Appeal

No. 05–526. NITKE ET AL. *v.* GONZALES, ATTORNEY GENERAL. Affirmed on appeal from D. C. S. D. N. Y. Reported below: 413 F. Supp. 2d 262.

Certiorari Dismissed

No. 05–8436. VORA *v.* PENNSYLVANIA STATE POLICE. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pau-*

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peris denied, and certiorari dismissed. See this Court's Rule 39.8. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 140 Fed. Appx. 433.

No. 05–8562. DIXON *v.* CITY OF MINNEAPOLIS, MINNESOTA, 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. 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: 132 Fed. Appx. 677.

Miscellaneous Orders

No. 05M66. QLT, INC. *v.* MASSACHUSETTS EYE AND EAR INFIRMARY. Motion for leave to file a petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 05M67. WALDRIP *v.* TERRY, WARDEN;

No. 05M69. SCHAFLER *v.* SPEAR (two judgments);

No. 05M70. ACOSTA *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION;

No. 05M71. RANDOLPH *v.* FLORIDA COMMISSION ON HUMAN RELATIONS, DIVISION OF ADMINISTRATIVE HEARINGS, ET AL.; and

No. 05M72. THOMAS *v.* SCHNUCKS MARKETS, INC. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 05M68. SCHAFLER *v.* SPEAR ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied. JUSTICE BREYER took no part in the consideration or decision of this motion.

No. 05–184. HAMDAN *v.* RUMSFELD, SECRETARY OF DEFENSE, ET AL. C. A. D. C. Cir. [Certiorari granted, 546 U. S. 1002.] Motion of Scott L. Fenstermaker et al. for leave to file a brief as *amici curiae* out of time denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

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No. 05–204. LEAGUE OF UNITED LATIN AMERICAN CITIZENS ET AL. *v.* PERRY, GOVERNOR OF TEXAS, ET AL.;

No. 05–254. TRAVIS COUNTY, TEXAS, ET AL. *v.* PERRY, GOVERNOR OF TEXAS, ET AL.;

No. 05–276. JACKSON ET AL. *v.* PERRY, GOVERNOR OF TEXAS, ET AL.; and

No. 05–439. GI FORUM OF TEXAS ET AL. *v.* PERRY, GOVERNOR OF TEXAS, ET AL. D. C. E. D. Tex. [Probable jurisdiction noted, 546 U. S. 1074.] Motion of Travis County appellants for leave to file a supplemental brief after argument denied. Motion of appellee Charles Soechting for leave to file a supplemental brief after argument granted.

No. 05–380. GONZALES, ATTORNEY GENERAL *v.* CARHART ET AL. C. A. 8th Cir. [Certiorari granted, 546 U. S. 1169.] Motion of Margie Riley et al. for leave to file a brief as *amici curiae* granted.

No. 05–502. BRIGHAM CITY, UTAH *v.* STUART ET AL. Sup. Ct. Utah. [Certiorari granted, 546 U. S. 1085.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 05–853. MCGOWAN *v.* NJR SERVICE CORP. ET AL. C. A. 3d Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–5966. CLARK *v.* ARIZONA. Ct. App. Ariz. [Certiorari granted, 546 U. S. 1060.] Motion of petitioner for appointment of counsel granted. David Goldberg, Esq., of Flagstaff, Ariz., is appointed to serve as counsel for petitioner in this case.

No. 05–8794. HILL *v.* McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. [Certiorari granted *sub nom.* *Hill v. Crosby, Secretary, Florida Department of Corrections, et al.*, 546 U. S. 1158.] Motion of Bradley A. MacLean et al. for leave to file a brief as *amici curiae* granted.

No. 05–9191. IN RE REHBERGER;

No. 05–9206. IN RE SHERMAN; and

No. 05–9337. IN RE CAICEDO VARGAS. Petitions for writs of habeas corpus denied.

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No. 05-9105. IN RE HOLT. Petition for writ of prohibition denied.

Certiorari Denied

No. 04-1502. HORN FARMS, INC. *v.* JOHANNIS, SECRETARY OF AGRICULTURE, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 397 F. 3d 472.

No. 05-457. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 399 F. 3d 1057.

No. 05-594. PHILIP MORRIS USA *v.* BOEKEN, TRUSTEE; and No. 05-600. BOEKEN, TRUSTEE *v.* PHILIP MORRIS USA. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 127 Cal. App. 4th 1640, 29 Cal. Rptr. 3d 638.

No. 05-605. MAPU *v.* NICHOLSON, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 397 F. 3d 1375.

No. 05-628. NORTH DAKOTA, THROUGH THE NORTH DAKOTA DEPARTMENT OF HEALTH, ET AL. *v.* UNITED STATES ARMY CORPS OF ENGINEERS ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 418 F. 3d 915.

No. 05-633. KOZIOL ET UX. *v.* BOMBARDIER-ROTAX GMBH MOTORENFABRIK ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 129 Fed. Appx. 543.

No. 05-720. PHAM, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PHAM, DECEASED, ET AL. *v.* HARTFORD FIRE INSURANCE CO. C. A. 4th Cir. Certiorari denied. Reported below: 419 F. 3d 286.

No. 05-754. BRADLEY, PERSONAL REPRESENTATIVE OF THE ESTATE OF BRADLEY, DECEASED *v.* CITY OF FERNDALE, MICHIGAN, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 499.

No. 05-762. WHITE *v.* NICHOLSON, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 412 F. 3d 1314.

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No. 05-775. *STAR INDUSTRIES, INC. v. BACARDI & Co. LTD. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 412 F. 3d 373.

No. 05-847. *SINA ET UX. v. MABLEY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 616.

No. 05-855. *PAUL ET AL. v. MESSING, EXECUTRIX OF THE ESTATE OF MESSING, DECEASED.* C. A. 6th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 437.

No. 05-857. *MADDEN ET AL. v. STEWART ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 133 Fed. Appx. 892.

No. 05-858. *ALSTON v. CITY OF PHILADELPHIA, ZONING BOARD OF ADJUSTMENT, ET AL.* Commw. Ct. Pa. Certiorari denied.

No. 05-859. *NEXBANK, SSB, ET AL. v. AMERICAN HOME-PATIENT, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 414 F. 3d 614.

No. 05-861. *BOWERSOCK v. CITY OF LIMA, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05-863. *HARRIS, AS ADMINISTRATRIX OF THE ESTATE OF DECEDENT HARRIS v. CITY OF CHATTANOOGA, TENNESSEE, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 137 Fed. Appx. 788.

No. 05-868. *JONES ET AL. v. BASS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 764.

No. 05-869. *RINEHART v. SCHMIDT.* Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 05-875. *DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION v. DRAUGHON.* C. A. 5th Cir. Certiorari denied. Reported below: 427 F. 3d 286.

No. 05-880. *LAHAYE v. ISRAEL AIRCRAFT INDUSTRIES.* C. A. 9th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 631.

No. 05-882. *SHEBOYGAN COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES v. RA-*

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CHEL B. Sup. Ct. Wis. Certiorari denied. Reported below: 282 Wis. 2d 150, 698 N. W. 2d 631.

No. 05–885. KOLJCEVIC *v.* GONZALES, ATTORNEY GENERAL. C. A. 6th Cir. Certiorari denied. Reported below: 132 Fed. Appx. 600.

No. 05–886. URBAN *v.* HAAG ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 125 Fed. Appx. 336.

No. 05–887. HARRISON AIRE, INC. *v.* AEROSTAR INTERNATIONAL, INC., ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 423 F. 3d 374.

No. 05–888. EVERETTE-OATES *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY. C. A. 4th Cir. Certiorari denied. Reported below: 131 Fed. Appx. 412.

No. 05–889. DEAN *v.* BYERLEY. C. A. 6th Cir. Certiorari denied.

No. 05–891. SIDNEY COAL Co., INC., ET AL. *v.* SOCIAL SECURITY ADMINISTRATION ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 427 F. 3d 336.

No. 05–904. SMOTHERS *v.* MCCAUGHTRY, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 418 F. 3d 711.

No. 05–906. MOHNEY ET AL. *v.* BAUER, INC., FKA COOPER OF CANADA LTD. C. A. 6th Cir. Certiorari denied. Reported below: 138 Fed. Appx. 804.

No. 05–909. POWER RESOURCE GROUP, INC. *v.* HUDSON, CHAIRMAN, TEXAS PUBLIC UTILITY COMMISSION, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 422 F. 3d 231.

No. 05–910. SIMASKO *v.* ST. CLAIR COUNTY, MICHIGAN, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 417 F. 3d 559.

No. 05–913. TUCKER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 419 F. 3d 719.

No. 05–917. ALLISON ET UX. *v.* STATE FARM MUTUAL AUTOMOBILE INSURANCE Co. Super. Ct. Wash., King County. Certiorari denied.

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No. 05–931. *MINUS v. DAK AMERICAS*. C. A. 4th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 192.

No. 05–934. *ERNST ET AL. v. RISING, TREASURER OF MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 427 F. 3d 351.

No. 05–937. *VENTURA GROUP VENTURES, INC. v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 633.

No. 05–942. *BIONG ROBOCA v. GONZALES, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 138 Fed. Appx. 927.

No. 05–953. *KENNEDY v. GRATTAN TOWNSHIP, MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 05–958. *SHEIKH v. 7-ELEVEN*. C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 785.

No. 05–973. *WARNOCK v. NATIONAL FOOTBALL LEAGUE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 154 Fed. Appx. 291.

No. 05–976. *BRODT v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 388 Md. 98, 879 A. 2d 42.

No. 05–1001. *HAZLEWOOD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–1008. *HALL ET UX., INDIVIDUALLY AND AS NEXT FRIENDS ON BEHALF OF THEIR MINOR CHILDREN DOE ET AL. v. SHIPLEY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 809.

No. 05–1010. *ISBELL v. ALLSTATE INSURANCE Co.* C. A. 7th Cir. Certiorari denied. Reported below: 418 F. 3d 788.

No. 05–1013. *POLLARD v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 416 F. 3d 48.

No. 05–1022. *NORFLEET v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 645.

No. 05–1029. *ROBINSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 05–1041. *BROWN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 429 F. 3d 19.

No. 05–5902. *SANTIAGO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 410 F. 3d 193.

No. 05–6789. *ROSEN v. WALSH, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY, ET AL.*; and

No. 05–7035. *BROWN v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 409 F. 3d 523.

No. 05–7252. *LEECH v. ANDREWS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 803.

No. 05–7268. *WALDEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–7336. *SIMMONS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–7376. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 383 F. 3d 700.

No. 05–7479. *RIVAS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–7552. *CONTRERAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 105.

No. 05–7573. *SILLAS-CEBREROS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 684.

No. 05–7584. *TREVINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 419 F. 3d 896.

No. 05–7708. *BROWN v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 907 So. 2d 1.

No. 05–7770. *OSBORNE v. PURKETT, SUPERINTENDENT, EASTERN RECEPTION, DIAGNOSTIC, AND CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 411 F. 3d 911.

No. 05–7781. *HINOJOSA v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS*

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DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 395.

No. 05–8065. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 415 F. 3d 1257.

No. 05–8149. *DUMEISI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 424 F. 3d 566.

No. 05–8498. *GORDON v. CHASE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 472.

No. 05–8500. *MARTINEZ v. RYAN, ACTING WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–8502. *MARCRUM v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 356 Ill. App. 3d 1146, 889 N. E. 2d 816.

No. 05–8507. *BROADES v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 05–8512. *CROOKES v. HARRISON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–8513. *BROADES v. GIBSON, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 05–8516. *AMAND v. JORDAN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 05–8519. *PAINE v. SANDOVAL ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–8534. *GLAGOLA v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 355 Ill. App. 3d 1177, 885 N. E. 2d 575.

No. 05–8536. *GASS v. CWCAPITAL LLC*. C. A. 9th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 605.

No. 05–8538. *FORE v. BOSTIK FINDLEY, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 513.

No. 05–8540. *GANT v. TEXAS*. Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 153 S. W. 3d 294.

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No. 05–8546. *RATLIFF v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 914 So. 2d 938.

No. 05–8548. *SHAVKEY v. METRISH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–8549. *REDFORD v. GEORGIA*. Ct. App. Ga. Certiorari denied.

No. 05–8550. *SMITH v. MOSLEY, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–8558. *CAMPBELL v. MYERS, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–8560. *DEROSA v. ZON, SUPERINTENDENT, WENDE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 05–8564. *LANGFORD v. UNUM LIFE INSURANCE COMPANY OF AMERICA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 138 Fed. Appx. 162.

No. 05–8567. *GLASSEL v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 211 Ariz. 33, 116 P. 3d 1193.

No. 05–8568. *MENDOZA v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 05–8570. *SIAS v. LOUISIANA ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 719.

No. 05–8575. *BAILEY v. TURNER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 276.

No. 05–8581. *ANDERSON v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 682.

No. 05–8589. *HOUSLEY v. FATKIN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 739.

No. 05–8596. *TORRES v. OCULAR SCIENCES PUERTO RICO*. C. A. 1st Cir. Certiorari denied.

No. 05–8597. *VLASICH v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 05–8598. *TAKABAYASHI v. WOODFORD*, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. C. A. 9th Cir. Certiorari denied.

No. 05–8601. *COUPE v. ABRAMSON*, ASSOCIATE JUSTICE, SUPERIOR COURT OF NEW HAMPSHIRE. Sup. Ct. N. H. Certiorari denied.

No. 05–8602. *CROW v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 05–8605. *CLAY v. HALL*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 05–8606. *LUNA v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 05–8623. *ELLIS v. EMERY*, TRUSTEE, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 324.

No. 05–8626. *CARPENTER v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 275 Conn. 785, 882 A. 2d 604.

No. 05–8628. *CHAVEZ v. ESTEP*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 77.

No. 05–8634. *REIKER v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 911 So. 2d 115.

No. 05–8638. *BUTLER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 917 So. 2d 192.

No. 05–8640. *HERNANDEZ SALAS v. YATES*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 05–8641. *RUMPH v. GOFFNEY ET AL.* C. A. 5th Cir. Certiorari denied.

No. 05–8648. *KOERNER v. GRIGAS*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 05–8650. *WRIGHT v. RYAN*, ACTING WARDEN. C. A. 9th Cir. Certiorari denied.

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No. 05–8651. *PURVIS v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 829 N. E. 2d 572.

No. 05–8665. *NADASDY v. SANTA CLARA COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 05–8673. *SIZEMORE v. WOODFORD, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 05–8674. *DOBSON v. BURGE, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 150 Fed. Appx. 49.

No. 05–8676. *DOMINGUEZ v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 05–8691. *PARADELA v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–8692. *JONES v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 19 App. Div. 3d 220, 797 N. Y. S. 2d 63.

No. 05–8693. *JORDAN v. B. F. FIELDS MOVING & STORAGE, INC.* Super. Ct. Pa. Certiorari denied. Reported below: 864 A. 2d 589.

No. 05–8697. *WALENDZINSKI v. RENICO, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–8702. *PANIZZON v. YATES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–8733. *BOLEY v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 05–8739. *MATSON v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 33 Kan. App. 2d xviii, 106 P. 3d 1161.

No. 05–8747. *ALLEN v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 6th Cir. Certiorari denied.

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No. 05–8756. *RODRIGUEZ v. FERNANDES*. App. Ct. Conn. Certiorari denied. Reported below: 90 Conn. App. 601, 879 A. 2d 897.

No. 05–8798. *MARSHALL v. CITY OF SAINT PAUL, MINNESOTA*. C. A. 8th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 856.

No. 05–8804. *JOHNSON v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–8819. *JOHNSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 352 Ill. App. 3d 1223, 879 N. E. 2d 1066.

No. 05–8838. *ELLIS v. KESSNER, DUCA, UMEBAYASHI, BAIN & MATSUNAGA*. C. A. 9th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 604.

No. 05–8840. *DANCY v. PITCHER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–8856. *DIXON v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 11th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 810.

No. 05–8862. *ROBERSON v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 686.

No. 05–8889. *JACOB v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–8911. *FORD v. CITY OF BIRMINGHAM, ALABAMA*. C. A. 11th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 51.

No. 05–9007. *GOSS v. DEPARTMENT OF THE AIR FORCE*. C. A. Fed. Cir. Certiorari denied. Reported below: 131 Fed. Appx. 721.

No. 05–9008. *GREEN v. OHIO*. Ct. App. Ohio, Stark County. Certiorari denied.

No. 05–9045. *HUNT v. ROBERTS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 139 Fed. Appx. 123.

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No. 05–9046. *GRADY v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 05–9068. *PAYNE v. VIRGINIA ET AL.* Sup. Ct. Va. Certiorari denied.

No. 05–9079. *PAGE v. KINGSTON, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–9088. *ALVARADO-RIVERA v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 588.

No. 05–9103. *HARRIS v. BASSETT, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 136 Fed. Appx. 589.

No. 05–9116. *RAMIREZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9119. *RALPH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9139. *TAYLOR v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 7th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 558.

No. 05–9142. *STOLTZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 567.

No. 05–9155. *ANGULO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9162. *McKISSIC v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 428 F. 3d 719.

No. 05–9165. *RUFF v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 807.

No. 05–9167. *COGDELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 162.

No. 05–9169. *VILLAGRANA v. BEZY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–9176. *CISNEROS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 591.

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No. 05–9178. *JONES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 204.

No. 05–9179. *PUTNAM v. HASTINGS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–9180. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 435 F. 3d 541.

No. 05–9183. *BENITEZ-RODRIGUEZ, AKA RODRIGUEZ-BENITEZ, AKA BENITEZ, AKA BENITEZ NOBLEZ, AKA PONCE v. UNITED STATES; FERRER-CASTANEDA v. UNITED STATES; LORETO-VALERIO v. UNITED STATES; LUIS-RODRIGUEZ v. UNITED STATES; PATILLO-GONZALEZ v. UNITED STATES; REYES-MARTINEZ, AKA REYES v. UNITED STATES; ROGEL-PEREZ v. UNITED STATES; SOLIZ-MARQUEZ v. UNITED STATES; and TERRAZAS-AGUADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 422 (seventh judgment); 148 Fed. Appx. 244 (eighth judgment) and 245 (sixth judgment); 153 Fed. Appx. 271 (first judgment), 305 (third judgment), 317 (fourth judgment), 318 (ninth judgment), and 942 (fifth judgment); 161 Fed. Appx. 341 (second judgment).

No. 05–9184. *ALMARAZ-RAMIREZ v. UNITED STATES* (Reported below: 148 Fed. Appx. 242); *AVILA-REYES v. UNITED STATES* (153 Fed. Appx. 275); *BALDERAS-GALVAN v. UNITED STATES* (147 Fed. Appx. 424); *BONILLA-VELASQUEZ v. UNITED STATES* (147 Fed. Appx. 425); *CASTILLO-LOPEZ v. UNITED STATES* (147 Fed. Appx. 431); *CAVAZOS-VALDEZ v. UNITED STATES* (148 Fed. Appx. 246); *CONTRERAS-GRANADOS, AKA DIAZ-FIERRO v. UNITED STATES* (153 Fed. Appx. 323); *CORONA-YANEZ v. UNITED STATES* (155 Fed. Appx. 118); *DELGADO-PALAMAROS v. UNITED STATES* (158 Fed. Appx. 242); *DIAZ-PONCE v. UNITED STATES* (153 Fed. Appx. 280); *DOMINGUEZ-MARTINEZ v. UNITED STATES* (153 Fed. Appx. 274); *EK-CANUL, AKA FLORES-TIJERINA v. UNITED STATES* (153 Fed. Appx. 298); *ESCOBEDO-MARTINEZ v. UNITED STATES* (147 Fed. Appx. 421); *EUCEDA-CRUZ, AKA CRUZ v. UNITED STATES* (153 Fed. Appx. 278); *GONZALEZ-BARROZA v. UNITED STATES* (153 Fed. Appx. 319); *GUTIERREZ-ESTRADA v. UNITED STATES* (147 Fed. Appx. 414); *HERNANDEZ v. UNITED STATES* (147 Fed. Appx. 423); *HERNANDEZ-CERROS v. UNITED STATES* (148 Fed. Appx. 240); *HERNANDEZ-RESENDEZ v. UNITED STATES* (147 Fed. Appx. 418); *JASSO-CUEVAS v. UNITED STATES* (153 Fed. Appx. 321); *LANDIN-*

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PUENTES *v.* UNITED STATES (153 Fed. Appx. 316); LOPEZ-LIMON, AKA LIMON *v.* UNITED STATES (148 Fed. Appx. 237); MENDEZ-MARROQUIN *v.* UNITED STATES; MENDOZA-GONZALEZ, AKA BARRERA-RAMOS, AKA ZAPATA-FIERO *v.* UNITED STATES (148 Fed. Appx. 238); MEZA-MEZA, AKA SANCHEZ-MEZA *v.* UNITED STATES (153 Fed. Appx. 315); OLIVARES-CABRERA *v.* UNITED STATES (153 Fed. Appx. 310); ORTIZ-LARA *v.* UNITED STATES (153 Fed. Appx. 939); PULGARIN-RUBIO *v.* UNITED STATES (147 Fed. Appx. 428); RAMIREZ *v.* UNITED STATES (148 Fed. Appx. 236); RAMIREZ-RAMIREZ *v.* UNITED STATES (153 Fed. Appx. 940); RODRIGUEZ-ALVARADO *v.* UNITED STATES (153 Fed. Appx. 941); ROMERO-GARCIA, AKA ROMERO *v.* UNITED STATES (153 Fed. Appx. 314); SANCHEZ *v.* UNITED STATES (153 Fed. Appx. 318); TORRES-ROBLES, AKA VIDAL, AKA PARRA, AKA VASQUEZ IBARRA, AKA IBARRA, AKA TORRES *v.* UNITED STATES (147 Fed. Appx. 423); VALLES-MARTINEZ *v.* UNITED STATES (153 Fed. Appx. 322); and ZAVALA-GARCIA *v.* UNITED STATES (147 Fed. Appx. 425). C. A. 5th Cir. Certiorari denied.

No. 05-9185. RODRIGUEZ-CHAVEZ *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 524.

No. 05-9188. CRUZ-NAJERA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 05-9190. RILEY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 137 Fed. Appx. 575.

No. 05-9193. PHILLIPS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 413 F. 3d 1288.

No. 05-9194. SMITH *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 894.

No. 05-9195. MEDINA LIMAS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 302.

No. 05-9196. LATOS *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 1st Cir. Certiorari denied. Reported below: 137 Fed. Appx. 373.

No. 05-9198. MENDEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

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No. 05–9200. *WADE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 403.

No. 05–9203. *GARCIA v. UNITED STATES*; and *BROOKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9204. *BRADLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 05–9207. *MORENO SERVIN, AKA MARTINEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 565.

No. 05–9208. *RAPOSO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–9209. *JUDA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 601.

No. 05–9215. *CALDERILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9216. *EPSTEIN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 426 F. 3d 431.

No. 05–9217. *ERWIN v. FEDERAL BUREAU OF PRISONS*. C. A. D. C. Cir. Certiorari denied.

No. 05–9219. *GAONA-TOVAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9220. *POZOS-SANTILLAN v. UNITED STATES*; *GARZA-GARCIA v. UNITED STATES*; *FERNANDEZ-PINONES v. UNITED STATES*; *LUGO-SALDANA v. UNITED STATES*; *BARRIOS-PEREZ v. UNITED STATES*; *SALAZAR-VARELA v. UNITED STATES*; and *CONTRERAS-CEDILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 371 (seventh judgment).

No. 05–9226. *ALDEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 562.

No. 05–9227. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 218.

No. 05–9230. *LINEBERRY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 743.

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No. 05–9231. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9234. *VILCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 121.

No. 05–9235. *QUIGG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 551.

No. 05–9236. *SURACE v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 147 Fed. Appx. 287.

No. 05–9239. *GUERRA v. UNITED STATES; DE LEON-ROCHA v. UNITED STATES; CUNNINGHAM v. UNITED STATES; and LOZANO-TAMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 712 (fourth judgment); 159 Fed. Appx. 558 (third judgment).

No. 05–9240. *HICKMAN, AKA SAUNDERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 553.

No. 05–9242. *HERNANDEZ-MARTINEZ, AKA MARTINEZ-HERNANDEZ, AKA GABONE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 778.

No. 05–9245. *GORTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 346.

No. 05–9249. *FLOYD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 236.

No. 05–9250. *HERRERA v. UNITED STATES; MARTINEZ AVILES v. UNITED STATES; RIVAS-GARCIA v. UNITED STATES; and TERSERO-AGUILAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 992 (third judgment); 163 Fed. Appx. 556 (second judgment), 569 (first judgment), and 570 (fourth judgment).

No. 05–9251. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 900.

No. 05–9253. *SIMMERER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 124.

No. 05–9254. *MOJICA-RIVERA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 435 F. 3d 28.

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No. 05–9256. *COVARRUBIAS-COVARRUBIAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 239.

No. 05–9259. *DURHAM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9263. *MAR-RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 430.

No. 05–9266. *ALARCON-AROS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 240.

No. 05–9267. *MORENO-DE LA CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 273.

No. 05–9269. *MEADOWS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 197.

No. 05–9270. *OLIVAS-ALIRE, AKA OLIVAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 273.

No. 05–9273. *SHERMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9274. *SAULTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9277. *CURNETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 123 Fed. Appx. 733.

No. 05–9279. *DOWNING v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 2.

No. 05–9281. *DALE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 422.

No. 05–9285. *BOTHUN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 827.

No. 05–9286. *THOMAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 348.

No. 05–9287. *SHULL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 650.

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No. 05–9288. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 747.

No. 05–9290. *SILVESTRE v. YOST, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 159 Fed. Appx. 355.

No. 05–9292. *FOBBS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 337.

No. 05–9293. *HARRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 430 F. 3d 317.

No. 05–9295. *GILLIAM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 169.

No. 05–9297. *HINOJOSA-AGUIRRE v. UNITED STATES; PIZANA v. UNITED STATES; KOCEVAR v. UNITED STATES; HERNANDEZ v. UNITED STATES; MOTA v. UNITED STATES; and BARNES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 287 (second judgment) and 308 (third judgment); 158 Fed. Appx. 555 (fourth judgment) and 559 (fifth judgment); 160 Fed. Appx. 355 (first judgment); 168 Fed. Appx. 4 (sixth judgment).

No. 05–9298. *GARCIA-CHAVEZ v. UNITED STATES; OLVERA-MORENO v. UNITED STATES; REYNA-SALINAS v. UNITED STATES; RODRIGUEZ-DOMINGUEZ v. UNITED STATES; URBANO-TORREZ v. UNITED STATES; RUIZ-SANTIAGO, AKA RUBIO-CANDIA v. UNITED STATES; SANCHEZ-MONTES, AKA GAYTAN-MONTES v. UNITED STATES; and RAMOS-AQUINO, AKA RAMOS, AKA RAMOS-ADRIAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 426 (first judgment) and 428 (seventh judgment); 153 Fed. Appx. 276 (second judgment), 298 (eighth judgment), 301 (fifth judgment), 314 (third judgment), 938 (sixth judgment), and 942 (fourth judgment).

No. 05–9300. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9301. *FAZZINI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 414 F. 3d 695.

No. 05–9303. *IBARRA CANTELLANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 430 F. 3d 1142.

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No. 05–9307. MORTON *v.* UNITED STATES. Ct. App. D. C. Certiorari denied.

No. 05–9308. HAGER *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 856 A. 2d 1143 and 861 A. 2d 601.

No. 05–9315. WASHINGTON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 625.

No. 05–9316. WARREN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 264.

No. 05–9317. COLEMAN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 323.

No. 05–9327. PALACIOS-QUINONEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 431 F. 3d 471.

No. 05–650. IGARTUA DE LA ROSA ET AL. *v.* UNITED STATES. C. A. 1st Cir. Motion of Michael Richardson for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 417 F. 3d 145.

No. 05–751. VAN POYCK *v.* FLORIDA. Sup. Ct. Fla. Motion of Florida Innocence Initiative, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 908 So. 2d 326.

No. 05–779. VERNIERO ET AL. *v.* GIBSON. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 411 F. 3d 427.

No. 05–895. PIGFORD ET AL. *v.* JOHANNIS, SECRETARY OF AGRICULTURE. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 416 F. 3d 12.

No. 05–965. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION *v.* GUIDRY. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 397 F. 3d 306.

No. 05–966. CATHEL, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL. *v.* MARSHALL. C. A. 3d Cir. Motion of respondent-

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ent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 428 F. 3d 452.

No. 05–1005. SWINT *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–7588. JONES *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 128 Fed. Appx. 938.

No. 05–7864. FRITZ *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 140 Fed. Appx. 383.

No. 05–8551. SHAW *v.* WYNDER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–8630. BONDS *v.* ORTIZ, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–8679. MERCED *v.* KIRKLAND, WARDEN. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 426 F. 3d 1076 and 157 Fed. Appx. 7.

No. 05–8867. DRAPER *v.* DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9311. BYRD *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 155 Fed. Appx. 58.

Rehearing Denied

No. 04–597. UNITHERM FOOD SYSTEMS, INC. *v.* SWIFT-ECKRICH, INC., DBA CONAGRA REFRIGERATED FOODS, 546 U. S. 394;

No. 04–10662. ALVES *v.* GONZALES, ATTORNEY GENERAL, 546 U. S. 864;

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No. 05–637. STEPHENS *v.* GEORGIA DEPARTMENT OF TRANSPORTATION, 546 U. S. 1095;

No. 05–707. SHOBAR ET AL. *v.* CALIFORNIA ET AL., 546 U. S. 1150;

No. 05–6005. GULLY *v.* NEW YORK COMMISSIONER OF LABOR, 546 U. S. 1097;

No. 05–6274. CAMPBELL *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 546 U. S. 1018;

No. 05–6973. COTA *v.* CAMBRA, WARDEN, 546 U. S. 1099;

No. 05–7018. QURESHI *v.* CITY OF DEARBORN, MICHIGAN, ET AL., 546 U. S. 1100;

No. 05–7260. ANDERSON ET AL. *v.* LASALLE STEEL CO. ET AL., 546 U. S. 1104;

No. 05–7298. BRIGGS *v.* CINCINNATI COURT INDEX NEWSPAPER, 546 U. S. 1105;

No. 05–7369. BROWN *v.* FLORIDA, 546 U. S. 1107;

No. 05–7468. MCKINLEY *v.* TEXAS, 546 U. S. 1109;

No. 05–7480. MOORE *v.* UNITED STATES, 546 U. S. 1079;

No. 05–7492. GOODEN *v.* MATHES, WARDEN, 546 U. S. 1140;

No. 05–7547. TAYLOR *v.* QUARANTELLA ET AL., 546 U. S. 1141;

No. 05–7645. IN RE MONTFORD, 546 U. S. 1149;

No. 05–7767. MCCLENDON *v.* KANE COUNTY JAIL, 546 U. S. 1120;

No. 05–8023. JONES *v.* UNITED STATES, 546 U. S. 1128; and

No. 05–8042. COHEN *v.* UNITED STATES, 546 U. S. 1129. Petitions for rehearing denied.

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Miscellaneous Order

No. 04–1170. KANSAS *v.* MARSH. Sup. Ct. Kan. [Certiorari granted, 544 U. S. 1060.] Case restored to calendar for reargument.

MARCH 27, 2006

Certiorari Granted—Vacated and Remanded

No. 04–1679. MILLER *v.* COLORADO. Ct. App. Colo. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Georgia v. Randolph*, ante, p. 103. Reported below: 94 P. 3d 1197.

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Certiorari Dismissed

No. 05–9074. *KULKA v. CALIFORNIA*. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 05–9320. *JACKSON v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

Miscellaneous Orders. (See also No. 8, Orig., *ante*, p. 150.)

No. 05M73. *GARCIA-MEJIA v. UNITED STATES*. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 05M74. *BORESS v. REYNOLDS ET AL.*; and

No. 05M75. *CARLTON v. OFFICE OF PERSONNEL MANAGEMENT*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 04–473. *GARCETTI ET AL. v. CEBALLOS*. C. A. 9th Cir. [Certiorari granted, 543 U. S. 1186.] Motion of Elaine Mittleman for leave to file a brief as *amicus curiae* out of time denied.

No. 05–18. *ARLINGTON CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION v. MURPHY ET VIR*. C. A. 2d Cir. [Certiorari granted, 546 U. S. 1085.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 05–5966. *CLARK v. ARIZONA*. Ct. App. Ariz. [Certiorari granted, 546 U. S. 1060.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 05–8701. *SUMMERVILLE v. LOCAL 77 ET AL.* C. A. 4th Cir.; and

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No. 05–8851. PHELPS ET UX. *v.* JONES, DBA J&J CONSTRUCTION, ET AL. C. A. 6th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until April 17, 2006, 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. 05–9554. IN RE AVERY. Petition for writ of habeas corpus denied. JUSTICE SOUTER took no part in the consideration or decision of this petition.

No. 05–8849. IN RE KING;

No. 05–9157. IN RE BEAVER; and

No. 05–9334. IN RE BURRELL. Petitions for writs of mandamus denied.

No. 05–8834. IN RE BANGURA;

No. 05–9338. IN RE TIDWELL; and

No. 05–9417. IN RE TIDWELL. Petitions for writs of mandamus and/or prohibition denied.

No. 05–8857. IN RE DIXON; and

No. 05–9411. IN RE BARNETT. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of mandamus dismissed. See this Court's Rule 39.8.

Certiorari Granted

No. 05–8820. LAWRENCE *v.* FLORIDA. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 421 F. 3d 1221.

Certiorari Denied

No. 04–10653. JORDAN *v.* ALLGROUP WHEATON. C. A. 3d Cir. Certiorari denied. Reported below: 95 Fed. Appx. 462.

No. 05–791. GOLIN ET VIR *v.* ALLENBY, DIRECTOR, CALIFORNIA DEPARTMENT OF DEVELOPMENTAL SERVICES, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 135 Fed. Appx. 978.

No. 05–802. SUNRISE CORPORATION OF MYRTLE BEACH, SOUTH CAROLINA, ET AL. *v.* CITY OF MYRTLE BEACH, SOUTH CAROLINA, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 420 F. 3d 322.

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No. 05-864. *PICKETT ET AL. v. TYSON FRESH MEATS, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 420 F. 3d 1272.

No. 05-890. *STEEL v. DEPARTMENT FOR THE AGING OF THE CITY OF NEW YORK ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 14 App. Div. 3d 423, 787 N. Y. S. 2d 869.

No. 05-896. *BOWMAN v. AMERICAN RIVER TRANSPORTATION CO. ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 217 Ill. 2d 75, 838 N. E. 2d 949.

No. 05-897. *NEW YORK TIMES Co. v. HATFILL.* C. A. 4th Cir. Certiorari denied. Reported below: 416 F. 3d 320.

No. 05-901. *BRUENN v. NORTHROP GRUMMAN CORP. ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05-914. *WARD v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 420 F. 3d 479.

No. 05-920. *SMITH v. CONSOLIDATED RECREATION AND COMMUNITY CENTER AND PLAYGROUND DISTRICT NUMBER 1 OF JEFFERSON PARISH, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 131 Fed. Appx. 988.

No. 05-921. *KING ET AL. v. GADSON ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 946 So. 2d 540.

No. 05-922. *KLEINHAMMER v. HARRISON, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05-925. *QUILLEN v. RAINES ET AL.* Sup. Ct. Va. Certiorari denied.

No. 05-926. *MACTEC, INC. v. GORELICK.* C. A. 10th Cir. Certiorari denied. Reported below: 427 F. 3d 821.

No. 05-930. *LANDES v. TARTAGLIONE, CHAIR, CITY COMMISSIONERS OF PHILADELPHIA, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 153 Fed. Appx. 131.

No. 05-943. *POOLE, SUPERINTENDENT, FIVE POINTS CORRECTIONAL FACILITY, ET AL. v. HENRY.* C. A. 2d Cir. Certiorari denied. Reported below: 409 F. 3d 48.

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No. 05-947. *HOROWITZ v. PEACE CORPS.* C. A. D. C. Cir. Certiorari denied. Reported below: 428 F. 3d 271.

No. 05-981. *NAVY FEDERAL CREDIT UNION v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.* C. A. 4th Cir. Certiorari denied. Reported below: 424 F. 3d 397.

No. 05-1046. *PAPE ET AL. v. FLORIDA BAR.* Sup. Ct. Fla. Certiorari denied. Reported below: 918 So. 2d 240.

No. 05-1066. *ARMCO EMPLOYEES INDEPENDENT FEDERATION, INC. v. AK STEEL CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 347.

No. 05-1091. *ARNOLD v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 192.

No. 05-1093. *MCLEAN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 249.

No. 05-1097. *SANDERS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 188.

No. 05-6848. *FLAHERTY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 05-7320. *MOLINA-URIBE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 429 F. 3d 514.

No. 05-7488. *GROOME v. BRADY, SUPERINTENDENT, OLD COLONY CORRECTIONAL CENTER.* C. A. 1st Cir. Certiorari denied.

No. 05-7499. *CRUTCHER v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 121 Nev. 1117, 152 P. 3d 760.

No. 05-7516. *PHILLIPS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 667.

No. 05-7640. *FLETCHER v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 580 Pa. 403, 861 A. 2d 898.

No. 05-7647. *MARTINEZ-HERNANDEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 334.

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No. 05–7714. *WILSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 36 Cal. 4th 309, 114 P. 3d 758.

No. 05–7850. *BERTHELOT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 138 Fed. Appx. 700.

No. 05–7901. *SWEARINGEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 05–8026. *CONRAD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 368.

No. 05–8195. *MEREDITH I. v. CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES ET AL.* App. Ct. Conn. Certiorari denied.

No. 05–8508. *COSTIEL v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 05–8699. *SCHUSTER v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 05–8705. *ACOSTA NUNEZ v. CHRONES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–8709. *LANGHAM v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 356 Ill. App. 3d 1129, 889 N. E. 2d 808.

No. 05–8717. *REVELS v. UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT*. C. A. 5th Cir. Certiorari denied.

No. 05–8719. *BIQUET v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 609.

No. 05–8728. *AMESBURY v. OLSON, MARION COUNTY TAX COLLECTOR*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 919 So. 2d 458.

No. 05–8736. *POST v. BRADSHAW, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 422 F. 3d 419.

No. 05–8738. *MAKIDON v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

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No. 05–8746. *BRANNUM v. LAKE ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 05–8749. *MORRIS v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 05–8750. *ALLEN v. DISTRICT COURT OF OKLAHOMA, PITTSBURG COUNTY.* Ct. Crim. App. Okla. Certiorari denied.

No. 05–8751. *ROBINSON v. PADULA, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 773.

No. 05–8757. *ANDREWS v. GONZALES, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 123 Fed. Appx. 408.

No. 05–8767. *BURNETT v. DOSLER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–8771. *SHULMAN v. NEW YORK.* Ct. App. N. Y. Certiorari denied. Reported below: 6 N. Y. 3d 1, 843 N. E. 2d 125.

No. 05–8772. *STOKES v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 828 N. E. 2d 937.

No. 05–8775. *JONES v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 912 So. 2d 973.

No. 05–8791. *LUCKETT v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–8796. *LITMON v. SUPERIOR COURT OF CALIFORNIA, SANTA CLARA COUNTY.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 05–8802. *CASTILLO v. TEXAS.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 05–8812. *BARNES v. COODY, ASSISTANT WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 05–8814. *CARTER v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 36 Cal. 4th 1215, 117 P. 3d 544.

No. 05–8815. *WARD v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 36 Cal. 4th 186, 114 P. 3d 717.

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No. 05–8817. *KING v. MISSOURI*. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 172 S. W. 3d 856.

No. 05–8822. *WRIGLEY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 178 S. W. 3d 828.

No. 05–8823. *THABET v. KNOWLES, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–8828. *LODHI v. NEW YORK*. County Ct., Ulster County, N. Y. Certiorari denied.

No. 05–8833. *LUTZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 914 So. 2d 953.

No. 05–8836. *LITTLE v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 945 So. 2d 1102.

No. 05–8837. *THEIS v. BRADSHAW, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–8844. *JACKSON v. FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–8845. *GRISSOM v. FLOYD COUNTY POLICE DEPARTMENT ET AL.* Ct. App. Ga. Certiorari denied.

No. 05–8855. *DELUCA v. KATCHMERIC*. Sup. Ct. Va. Certiorari denied.

No. 05–8858. *CHAPMAN v. ROCHELLE ET AL.* C. A. 8th Cir. Certiorari denied.

No. 05–8859. *LEPISCOPO v. SOCIAL SECURITY ADMINISTRATION*. C. A. 3d Cir. Certiorari denied.

No. 05–8860. *ANDERSON v. SEDGWICK COUNTY, KANSAS*. C. A. 10th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 754.

No. 05–8891. *WAWA ET UX. v. GONZALES, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 136 Fed. Appx. 565.

No. 05–8898. *DUSHAJ v. DEPARTMENT OF HOMELAND SECURITY ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 05–8903. *GRUBOR v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 860 A. 2d 1128.

No. 05–8909. *HOLDEN v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 171 N. C. App. 364, 615 S. E. 2d 97.

No. 05–8928. *RICHE v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 417 F. 3d 1117.

No. 05–8952. *FARNSWORTH v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 270 Va. 1, 613 S. E. 2d 459.

No. 05–8962. *DENNIS v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 185 N. J. 300, 885 A. 2d 429.

No. 05–8965. *DOLENC v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 880 A. 2d 5.

No. 05–8990. *MINH NGUYEN v. REGAN, HALPERIN & LONG, PLLC*. C. A. 4th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 837.

No. 05–8993. *BAILEY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 19 App. Div. 3d 302, 798 N. Y. S. 2d 406.

No. 05–8999. *WYNN v. PROFESSIONAL STANDARDS COMMISSION ET AL*. Sup. Ct. Ga. Certiorari denied.

No. 05–9006. *GRAHAM v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 05–9015. *MAMPUSTI v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–9029. *ROSS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 856 A. 2d 93.

No. 05–9047. *HARRIS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 914 So. 2d 953.

No. 05–9112. *GARDNER v. FAHEY, CHAIRPERSON, VIRGINIA PAROLE BOARD, ET AL*. C. A. 4th Cir. Certiorari denied.

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No. 05–9115. *SHOEMAKER v. MOORE, SUPERINTENDENT, NORTHEAST CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 05–9129. *BOLTZ v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 415 F. 3d 1215.

No. 05–9134. *NELSON v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 05–9135. *MCGEE v. MCBRIDE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 252.

No. 05–9170. *LILLY v. SCHWARTZ ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 999.

No. 05–9187. *WILLIAMS v. ALABAMA PUBLIC HEALTH DEPARTMENT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 120.

No. 05–9314. *LENTZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9319. *CROBARGER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 100.

No. 05–9325. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 229.

No. 05–9328. *MOE v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 123 P. 3d 148.

No. 05–9329. *OLIVER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 405.

No. 05–9333. *BROWN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–9336. *GONZALEZ RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 686.

No. 05–9339. *NICHOLS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 416 F. 3d 811.

No. 05–9340. *MEGGISON, AKA EDWARDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 275.

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No. 05–9341. NEAL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 05–9342. POWELL *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 430 F. 3d 490.

No. 05–9343. SCHYBAL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 434.

No. 05–9345. RUIZ *v.* HARO, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 05–9346. SHORTER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 05–9347. LATTIMORE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 552.

No. 05–9348. LE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 154.

No. 05–9355. TODD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 526.

No. 05–9359. HERNANDEZ, AKA MUNIZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 433 F. 3d 1328.

No. 05–9360. OMAN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 427 F. 3d 1070.

No. 05–9362. ALVARADO *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 730.

No. 05–9367. NAJERA *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 995.

No. 05–9369. BUCKNER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 155 Fed. Appx. 67.

No. 05–9370. BURKS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 287.

No. 05–9371. AGURCIA ESCOBAR *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 459.

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No. 05–9373. *CHANEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–9374. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 670.

No. 05–9376. *FARROW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 401.

No. 05–9395. *DEJESUS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 430 F. 3d 606.

No. 05–9399. *LASCOLA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–9400. *JACKSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 670.

No. 05–9403. *PENNYWELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 441.

No. 05–9404. *MCDONNELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 678.

No. 05–9406. *SINGH, AKA SUKHWAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 609.

No. 05–9407. *ROMO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 413 F. 3d 1044.

No. 05–9408. *REED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 212.

No. 05–9409. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 154.

No. 05–9412. *PIDCOKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 378.

No. 05–9415. *VILLALOBOS, AKA GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 248.

No. 05–9421. *FELTON ET AL. v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 417 F. 3d 97.

No. 05–9422. *GARZA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 05-9424. *FLINT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 252.

No. 05-9425. *HOWZE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05-9426. *GIRTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 389.

No. 05-9427. *GUERRIER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 428 F. 3d 76.

No. 05-9428. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 124.

No. 05-9431. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05-9432. *MOLINA-LOPEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05-9433. *PIRTLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 878.

No. 05-9436. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05-9437. *SNIPES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 584.

No. 05-9438. *ACOSTA-SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 152.

No. 05-9439. *DIAZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 223.

No. 05-9442. *ALVARADO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 730.

No. 05-9443. *BUNCHE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 437.

No. 05-9444. *BRINGAS-MURRIETA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 639.

No. 05-9449. *WASHINGTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 43.

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No. 05–9450. *RIES v. BEZY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–9453. *MORENO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 421 F. 3d 1217.

No. 05–9454. *JACKSON v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 791.

No. 05–9455. *TAYLOR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9456. *WOOD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–9459. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 640.

No. 05–9460. *LOVE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 431 F. 3d 477.

No. 05–9462. *CLAMP v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 510.

No. 05–9465. *VELOZ-VANCAMPO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–9466. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 254.

No. 05–9468. *SNYDER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 942.

No. 05–668. *BUSS, SUPERINTENDENT, INDIANA STATE PRISON v. WISEHART*. C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 408 F. 3d 321.

No. 05–795. *ALLEGHENY INTERMEDIATE UNIT ET AL. v. PARDINI ET UX., INDIVIDUALLY AND ON BEHALF OF THEIR MINOR CHILD PARDINI*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 420 F. 3d 181.

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No. 05–919. FIDELITY FEDERAL BANK & TRUST *v.* KEHOE. C. A. 11th Cir. Certiorari denied. Reported below: 421 F. 3d 1209.

JUSTICE SCALIA, with whom JUSTICE ALITO joins, concurring.

This case presents an important question of statutory construction—whether “actual damages” must be shown before a plaintiff may recover under the Driver’s Privacy Protection Act of 1994, 18 U.S.C. §2724(b)(1). The Florida Department of Highway Safety and Motor Vehicles sold to petitioner, for a penny apiece, the names and addresses of 565,600 individuals in three counties who registered cars with the DMV—the total cost was thus \$5,656. Petitioner intended to mail these individuals a solicitation to refinance their automobile loans. However, because Florida—alone among the States—had not immediately amended its law to comply with the Act, none of these people had given their “express consent” to the release of this information, as the Act requires. §2721(b)(12). Petitioner now faces a possible \$1.4 billion judgment—\$2,500 per violation. Because of other class actions currently pending in Florida, involving the same question, the total amount at stake may reach \$40 billion. This enormous potential liability, which turns on a question of federal statutory interpretation, is a strong factor in deciding whether to grant certiorari. See, *e. g.*, R. Stern, E. Gressman, S. Shapiro, & K. Geller, *Supreme Court Practice* 248 (8th ed. 2002).

Nonetheless, I concur in the denial of certiorari. A second and equally important legal question is bound up in this case—namely, whether petitioner can be held liable under the Act if it did not know that the State had failed to comply with the Act’s “express consent” requirement. The District Court did not reach this issue since it awarded summary judgment to petitioner on the actual damages question. The scienter question remains open in light of the Eleventh Circuit’s judgment reversing and remanding the case. See 421 F. 3d 1209 (2005). Depending on the course of proceedings below, it may later be appropriate for us to consider granting certiorari as to either or both issues. But because I agree that our consideration of the case would be premature now, I concur in the denial of certiorari.

No. 05–7417. WILKERSON *v.* KLEM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANAY, ET AL. C. A. 3d Cir.

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Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 412 F. 3d 449.

No. 05–8718. *YOUNG v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–8732. *OLIVER v. FEDERAL BUREAU OF INVESTIGATION ET AL.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 167 Fed. Appx. 807.

No. 05–8779. *MOSS v. FRANKLIN COUNTY DISTRICT ATTORNEY ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–8793. *JOSEPH v. WEST MANHEIM POLICE DEPARTMENT ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 131 Fed. Appx. 833.

No. 05–9375. *CLARK v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 127 Fed. Appx. 85.

Rehearing Denied

No. 04–10543. *DAMMERAU v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS,* 546 U. S. 857;

No. 05–5041. *ENGLAND v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,* 546 U. S. 1136;

No. 05–6009. *FULTON v. UNITED STATES,* 546 U. S. 1097;

No. 05–6266. *HUDSON v. M. S. CARRIERS, INC.,* 546 U. S. 1018;

No. 05–6991. *BROWN v. HOWARD ET AL.,* 546 U. S. 1099;

No. 05–7112. *MURRAY v. SCOTT,* 546 U. S. 1101;

No. 05–7310. *RUSSELL v. CITY OF CHICAGO, ILLINOIS,* 546 U. S. 1105;

No. 05–7344. *WILLIAMS v. BOOKER, WARDEN,* 546 U. S. 1106;

No. 05–7489. *GORMAN v. CALIFORNIA,* 546 U. S. 1140;

No. 05–7498. *ODUM v. BUONASSISSI,* 546 U. S. 1140;

No. 05–7828. *MATHISON ET UX. v. SWENSON ET AL.,* 546 U. S. 1143; and

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No. 05–8011. ROMAN *v.* CAMPBELL, SUPERINTENDENT, ALBANY COUNTY CORRECTIONAL FACILITY, 546 U. S. 1143. Petitions for rehearing denied.

MARCH 29, 2006

Miscellaneous Order

No. 05A883. KINCY *v.* LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

MARCH 30, 2006

Dismissal Under Rule 46

No. 05–8805. DAVIS *v.* FLORIDA ET AL. Sup. Ct. Fla. Certiorari dismissed under this Court’s Rule 46. Reported below: 928 So. 2d 1089.

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Miscellaneous Orders

No. 05M76. MEISELMAN *v.* BYROM ET AL.; and

No. 05M77. LEMAY *v.* UNITED STATES. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 05–259. BURLINGTON NORTHERN & SANTA FE RAILWAY Co. *v.* WHITE. C. A. 6th Cir. [Certiorari granted, 546 U. S. 1060.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Time to be divided as follows: 25 minutes for petitioner, 25 minutes for respondent, and 10 minutes for the Solicitor General.

No. 05–465. MOHAWK INDUSTRIES, INC. *v.* WILLIAMS ET AL. C. A. 11th Cir. [Certiorari granted, 546 U. S. 1075.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 05–6551. CUNNINGHAM *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. [Certiorari granted, 546 U. S. 1169.] Motion of petitioner for appointment of counsel granted. Peter Gold, Esq., of San Francisco, Cal., is appointed to serve as counsel for petitioner in this case.

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No. 05–9212. LAFRENIERE *v.* TRUSTEES OF CALIFORNIA STATE UNIVERSITY. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until April 24, 2006, 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. 05–1143. IN RE FUSELIER;

No. 05–9590. IN RE BEAIRD;

No. 05–9607. IN RE SEXTON; and

No. 05–9703. IN RE BLACKWELL. Petitions for writs of habeas corpus denied.

No. 05–8988. IN RE CLAIBORNE. Petition for writ of mandamus denied.

No. 05–8951. IN RE ISRAEL. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 05–547. LOPEZ *v.* GONZALES, ATTORNEY GENERAL. C. A. 8th Cir.; and

No. 05–7664. TOLEDO-FLORES *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner in No. 05–7664 for leave to proceed *in forma pauperis* granted. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: No. 05–547, 417 F. 3d 934; No. 05–7664, 149 Fed. Appx. 241.

Certiorari Denied

No. 05–671. TEXAS DEPARTMENT OF PUBLIC SAFETY *v.* ESPINOZA ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 224.

No. 05–680. RE ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 419 F. 3d 582.

No. 05–932. LYRICK STUDIOS, INC. *v.* BIG IDEA PRODUCTIONS, INC. C. A. 5th Cir. Certiorari denied. Reported below: 420 F. 3d 388.

No. 05–936. LEAVITT, SECRETARY OF HEALTH AND HUMAN SERVICES *v.* BAYSTATE HEALTH SYSTEMS, DBA BAY STATE MEDICAL CENTER, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 414 F. 3d 7.

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No. 05–946. GESCHKE, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF GESCHKE *v.* AIR FORCE ASSN. ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 425 F. 3d 337.

No. 05–950. NYSTROM *v.* TREX CO., INC., ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 424 F. 3d 1136.

No. 05–957. LEONICHEV ET UX. *v.* VALLEY PRESBYTERIAN HOSPITAL. C. A. 9th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 595.

No. 05–960. STALEY *v.* STALEY. Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 167 S. W. 3d 145.

No. 05–972. EMMANUEL *v.* INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL UNION No. 25. C. A. 1st Cir. Certiorari denied. Reported below: 426 F. 3d 416.

No. 05–993. DAVIS *v.* CITY OF TUCSON, ARIZONA. C. A. 9th Cir. Certiorari denied.

No. 05–995. FEI JIANG *v.* GONZALES, ATTORNEY GENERAL. C. A. 2d Cir. Certiorari denied. Reported below: 153 Fed. Appx. 796.

No. 05–999. COLLINS ET AL. *v.* AINSWORTH ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 177 Fed. Appx. 377.

No. 05–1004. SEBASTIAN *v.* GONZALES, ATTORNEY GENERAL. C. A. 11th Cir. Certiorari denied. Reported below: 409 F. 3d 1280.

No. 05–1016. EDWARDS, TRUSTEE, ET AL. *v.* IRVINE CO. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 05–1043. ROBIN SINGH EDUCATIONAL SERVICES, INC., DBA TESTMASTERS, ET AL. *v.* TEST MASTERS EDUCATIONAL SERVICES, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 428 F. 3d 559.

No. 05–1077. NELSON, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF NELSON, DECEASED *v.* OFFICE OF PERSONNEL MANAGEMENT. C. A. 9th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 617.

No. 05–1081. WEBB ET AL. *v.* CITY OF DALLAS, TEXAS, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 903.

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No. 05-1112. *JENSEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 425 F. 3d 698.

No. 05-7521. *KAPPELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 418 F. 3d 550.

No. 05-8045. *HARJUSI v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 05-8330. *YOUNG v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 05-8350. *BAHENA-CARDENAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 411 F. 3d 1067.

No. 05-8370. *OSUNA-ZEPEDA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 416 F. 3d 838.

No. 05-8394. *TURNER v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 924 So. 2d 737.

No. 05-8412. *LACKEY v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 280 Kan. 190, 120 P. 3d 332.

No. 05-8873. *SAMSON v. LONG, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 592.

No. 05-8874. *SCOTT v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 05-8878. *CHAVEZ v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 05-8882. *JOST v. LOCKYER, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 127 Fed. Appx. 358.

No. 05-8884. *BRUCE v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 911 So. 2d 1246.

No. 05-8893. *VAUGHN v. BUSH, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 638.

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No. 05-8897. *MARQUEZ DE LA PLATA v. REVELL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 218.

No. 05-8906. *HIRSCH v. SUPREME COURT OF NEW HAMPSHIRE.* Sup. Ct. N. H. Certiorari denied. Reported below: 152 N. H. 523, 880 A. 2d 439.

No. 05-8913. *FLIPPO v. MCBRIDE, WARDEN.* Cir. Ct. Fayette County, W. Va. Certiorari denied.

No. 05-8915. *GILBERT v. BAY AREA RAPID TRANSIT DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 964.

No. 05-8917. *PETERS v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 05-8921. *LYONS v. WHORTON, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05-8935. *CLAY v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied.

No. 05-8939. *BUFFINGTON-BENNETT v. TEXAS.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 05-8940. *BRIDGEFORTH v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 05-8941. *BLOOMINGBURG v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 346 Ill. App. 3d 308, 804 N. E. 2d 638.

No. 05-8950. *HURST v. WILKINS.* C. A. 4th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 470.

No. 05-8953. *HOGAN v. MCBRIDE, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 546.

No. 05-8958. *WALTERS v. JONES, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 05-8959. *WYGNANSKI v. NEVADA ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 05–8960. *WAY v. MCDONOUGH*, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 05–8963. *DEY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 05–8973. *RIGGINS v. TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 05–8977. *SHOWALTER v. BRAXTON*, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 441.

No. 05–8978. *TEIXEIRA v. TEXAS* (two judgments). Ct. Crim. App. Tex. Certiorari denied.

No. 05–8979. *WATSON v. MILLER*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 712.

No. 05–8981. *CARTER v. GUNDY*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 05–8984. *RANDOLPH v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 582 Pa. 576, 873 A. 2d 1277.

No. 05–8985. *SANTILLAN v. ROPER*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 05–8987. *CORBIN v. PICKRON*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 915 So. 2d 1199.

No. 05–8989. *SCOTT v. WESTERN CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 339.

No. 05–8998. *BENTLEY v. MCKEE*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 05–9009. *GRAZIANO v. NEW YORK*. Sup. Ct. N. Y., Kings County. Certiorari denied.

No. 05–9031. *MEDINA v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 64 Mass. App. 1107, 833 N. E. 2d 693.

No. 05–9034. *AGUILAR v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 827 N. E. 2d 31.

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No. 05–9044. *HEYZA v. WHITE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–9057. *INTHAVONG v. EVANS, ACTING WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 420 F. 3d 1055.

No. 05–9071. *JOHNSON v. TERRY, WARDEN*. Super. Ct. Butts County, Ga. Certiorari denied.

No. 05–9086. *BOND v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 447.

No. 05–9114. *GRAYER v. MCKEE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 435.

No. 05–9118. *RILEY v. KENTUCKY CABINET FOR FAMILIES AND CHILDREN*. Ct. App. Ky. Certiorari denied.

No. 05–9149. *SIMS v. INDIANA*. Ct. App. Ind. Certiorari denied.

No. 05–9163. *PHILLIPS v. MISSOURI*. Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 178 S. W. 3d 679.

No. 05–9199. *WALKER v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 913 So. 2d 606.

No. 05–9218. *D. A. D. v. FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 903 So. 2d 1034.

No. 05–9255. *CAMP v. SOUTH DAKOTA BOARD OF PARDONS AND PAROLES ET AL.* C. A. 8th Cir. Certiorari denied.

No. 05–9354. *SMART v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 157 Fed. Appx. 260.

No. 05–9478. *MARTIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 431 F. 3d 846.

No. 05–9481. *VERDUZCO-PADILLA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 982.

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No. 05–9484. *CEJA-GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 139 Fed. Appx. 887.

No. 05–9486. *LLOYD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 676.

No. 05–9487. *JOSE ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 425 F. 3d 1237.

No. 05–9489. *MURPHY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9494. *CALDWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 431 F. 3d 795.

No. 05–9499. *LINDO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 430 F. 3d 518.

No. 05–9506. *BAUTISTA-RAMOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 959.

No. 05–9508. *BOGGS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9509. *NASH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 683.

No. 05–9510. *MILLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 281.

No. 05–9511. *MACKIE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 157 Fed. Appx. 378.

No. 05–9512. *KILES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 136 Fed. Appx. 62.

No. 05–9514. *PICKARD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 507.

No. 05–9515. *SCOTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 794.

No. 05–9517. *CASHAW v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9522. *MOXLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 226.

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No. 05–9523. *MILLER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9527. *AROCHO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–9532. *MERCADO-ESPINOZA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 910.

No. 05–9534. *COX v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 654.

No. 05–9535. *ESTELAN, AKA WILKERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 185.

No. 05–9546. *JUAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9547. *LOPEZ-SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–9550. *VALLADARES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 884.

No. 05–9551. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 238.

No. 05–9553. *SAPP v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 161.

No. 05–9557. *BACON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 666.

No. 05–9560. *HILL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 577.

No. 05–9563. *FILOCOMO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–9567. *HINSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 433 F. 3d 378.

No. 05–9570. *CHILD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 372.

No. 05–9571. *CASAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 425 F. 3d 23.

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No. 05–9585. *MONTEJANO-QUINTANAR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 949.

No. 05–9589. *BOWIE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 667.

No. 05–9600. *GARCIA-ARELLANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 244.

No. 05–533. *PADILLA v. HANFT, UNITED STATES NAVY COMMANDER, CONSOLIDATED NAVAL BRIG*. C. A. 4th Cir. Certiorari denied. JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would grant the petition for writ of certiorari. Reported below: 423 F. 3d 386.

JUSTICE KENNEDY, with whom THE CHIEF JUSTICE and JUSTICE STEVENS join, concurring.

The Court’s decision to deny the petition for writ of certiorari is, in my view, a proper exercise of its discretion in light of the circumstances of the case. The history of petitioner Jose Padilla’s detention, however, does require this brief explanatory statement.

Padilla is a United States citizen. Acting pursuant to a material witness warrant issued by the United States District Court for the Southern District of New York, federal agents apprehended Padilla at Chicago’s O’Hare International Airport on May 8, 2002. He was transported to New York, and on May 22 he moved to vacate the warrant. On June 9, while that motion was pending, the President issued an order to the Secretary of Defense designating Padilla an enemy combatant and ordering his military detention. The District Court, notified of this action by the Government’s *ex parte* motion, vacated the material witness warrant.

Padilla was taken to the Consolidated Naval Brig in Charleston, South Carolina. On June 11, Padilla’s counsel filed a habeas corpus petition in the Southern District of New York challenging the military detention. The District Court denied the petition, but the Court of Appeals for the Second Circuit reversed and ordered the issuance of a writ directing Padilla’s release. This Court granted certiorari and ordered dismissal of the habeas corpus petition without prejudice, holding that the District Court for the Southern District of New York was not the appropriate court to consider it. See *Rumsfeld v. Padilla*, 542 U. S. 426 (2004).

The present case arises from Padilla's subsequent habeas corpus petition, filed in the United States District Court for the District of South Carolina on July 2, 2004. Padilla requested that he be released immediately or else charged with a crime. The District Court granted the petition on February 28, 2005, but the Court of Appeals for the Fourth Circuit reversed that judgment on September 9, 2005. Padilla then filed the instant petition for writ of certiorari.

After Padilla sought certiorari in this Court, the Government obtained an indictment charging him with various federal crimes. The President ordered that Padilla be released from military custody and transferred to the control of the Attorney General to face criminal charges. The Government filed a motion for approval of Padilla's transfer in the Court of Appeals for the Fourth Circuit. The Court of Appeals denied the motion, but this Court granted the Government's subsequent application respecting the transfer. *Hanft v. Padilla*, 546 U. S. 1084 (2006). The Government also filed a brief in opposition to certiorari, arguing, among other things, that Padilla's petition should be denied as moot.

The Government's mootness argument is based on the premise that Padilla, now having been charged with crimes and released from military custody, has received the principal relief he sought. Padilla responds that his case was not mooted by the Government's voluntary actions because there remains a possibility that he will be redesignated and redetained as an enemy combatant.

Whatever the ultimate merits of the parties' mootness arguments, there are strong prudential considerations disfavoring the exercise of the Court's certiorari power. Even if the Court were to rule in Padilla's favor, his present custody status would be unaffected. Padilla is scheduled to be tried on criminal charges. Any consideration of what rights he might be able to assert if he were returned to military custody would be hypothetical, and to no effect, at this stage of the proceedings.

In light of the previous changes in his custody status and the fact that nearly four years have passed since he first was detained, Padilla, it must be acknowledged, has a continuing concern that his status might be altered again. That concern, however, can be addressed if the necessity arises. Padilla is now being held pursuant to the control and supervision of the United States District Court for the Southern District of Florida, pending trial of the criminal case. In the course of its supervision

over Padilla's custody and trial the District Court will be obliged to afford him the protection, including the right to a speedy trial, guaranteed to all federal criminal defendants. See, *e. g.*, U. S. Const., Amdt. 6; 18 U. S. C. § 3161. Were the Government to seek to change the status or conditions of Padilla's custody, that court would be in a position to rule quickly on any responsive filings submitted by Padilla. In such an event, the District Court, as well as other courts of competent jurisdiction, should act promptly to ensure that the office and purposes of the writ of habeas corpus are not compromised. Padilla, moreover, retains the option of seeking a writ of habeas corpus in this Court. See this Court's Rule 20; 28 U. S. C. §§ 1651(a), 2241.

That Padilla's claims raise fundamental issues respecting the separation of powers, including consideration of the role and function of the courts, also counsels against addressing those claims when the course of legal proceedings has made them, at least for now, hypothetical. This is especially true given that Padilla's current custody is part of the relief he sought, and that its lawfulness is uncontested.

These are the reasons for my vote to deny certiorari.

JUSTICE GINSBURG, dissenting.

This case, here for the second time, raises a question "of profound importance to the Nation," *Rumsfeld v. Padilla*, 542 U. S. 426, 455 (2004) (STEVENS, J., dissenting): Does the President have authority to imprison indefinitely a United States citizen arrested on United States soil distant from a zone of combat, based on an executive declaration that the citizen was, at the time of his arrest, an "enemy combatant"? It is a question the Court heard, and should have decided, two years ago. *Ibid.* Nothing the Government has yet done purports to retract the assertion of executive power Padilla protests.

Although the Government has recently lodged charges against Padilla in a civilian court, nothing prevents the Executive from returning to the road it earlier constructed and defended. A party's voluntary cessation does not make a case less capable of repetition or less evasive of review. See *Spencer v. Kemna*, 523 U. S. 1, 17 (1998) (the capable-of-repetition exception to mootness applies where "(1) the challenged action [is] in its duration too short to be fully litigated prior to *cessation* or expiration, and (2) there [is] a reasonable expectation that the same complaining

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party [will] be subject to the same action again” (emphasis added; internal quotation marks omitted); cf. *United States v. Concentrated Phosphate Export Assn., Inc.*, 393 U. S. 199, 203 (1968) (party whose actions threaten to moot a case must make “absolutely clear that the allegedly wrongful behavior could not reasonably be expected to recur”); *United States v. W. T. Grant Co.*, 345 U. S. 629, 632–633 (1953) (voluntary cessation of illegal activity will not render case moot unless there is “no reasonable expectation that the wrong will be repeated” (internal quotation marks omitted)). See also *Lane v. Williams*, 455 U. S. 624, 633–634 (1982) (applying “capable of repetition, yet evading review” in a habeas case (internal quotation marks omitted)). Satisfied that this case is not moot, I would grant the petition for certiorari.

No. 05–933. EL PASO PROPERTIES, INC., FKA EL PASO GOLD MINES, INC. *v.* SIERRA CLUB ET AL. C. A. 10th Cir. Motion of Northwest Mining Association et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 421 F. 3d 1133.

No. 05–8914. HARRIS *v.* CALIFORNIA. Sup. Ct. Cal. Motion of Friends of Maurice Harris for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 37 Cal. 4th 310, 118 P. 3d 545.

No. 05–9507. ARONOWITZ *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 151 Fed. Appx. 193.

No. 05–9529. WILLIAMS *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9543. RODRIGUEZ *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 151 Fed. Appx. 182.

Rehearing Denied

No. 05–651. FOX *v.* FLORIDA ET AL., 546 U. S. 1150;

No. 05–7868. ISOM *v.* UNITED STATES, 546 U. S. 1124;

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No. 05–8000. *BAILEY v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 546 U. S. 1183;

No. 05–8030. *WILSON v. UNITED STATES*, 546 U. S. 1128;

No. 05–8037. *CHAVEZ-QUIROZ v. UNITED STATES*, 546 U. S. 1128; and

No. 05–8472. *IN RE ANDREWS*, 546 U. S. 1169. Petitions for rehearing denied.

APRIL 4, 2006

Dismissal Under Rule 46

No. 05–9616. *SALAZAR v. UNITED STATES*. C. A. 11th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 157 Fed. Appx. 190.

APRIL 6, 2006

Dismissal Under Rule 46

No. 05–9586. *LINER v. UNITED STATES*. C. A. 8th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 435 F. 3d 920.

APRIL 12, 2006

Miscellaneous Orders. (For the Court’s orders prescribing amendments to the Federal Rules of Appellate Procedure, see *post*, p. 1223; amendments to the Federal Rules of Bankruptcy Procedure, see *post*, p. 1229; amendments to the Federal Rules of Civil Procedure, see *post*, p. 1235; amendments to the Federal Rules of Criminal Procedure, see *post*, p. 1271; and amendments to the Federal Rules of Evidence, see *post*, p. 1283.)

APRIL 14, 2006

Miscellaneous Orders

No. 05–200. *EMPIRE HEALTHCHOICE ASSURANCE, INC., DBA EMPIRE BLUE CROSS BLUE SHIELD v. McVEIGH, AS ADMINISTRATRIX OF THE ESTATE OF McVEIGH*. C. A. 2d Cir. [Certiorari granted, 546 U. S. 1085.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of Julia Cruz, as representative of Jose S. Cruz, for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

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No. 05–502. BRIGHAM CITY, UTAH *v.* STUART ET AL. Sup. Ct. Utah. [Certiorari granted, 546 U.S. 1085.] Motion of the National Association of Criminal Defense Lawyers for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 05–8794. HILL *v.* McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. [Certiorari granted *sub nom.* Hill *v.* Crosby, Secretary, Florida Department of Corrections, et al., 546 U.S. 1158.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

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Certiorari Granted—Vacated and Remanded. (See also No. 05–552, *ante*, p. 183.)

No. 05–777. UNITED STATES *v.* NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES FINANCE AND SUPPORT ET AL. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Georgia*, 546 U.S. 151 (2006). Reported below: 408 F. 3d 1096.

Miscellaneous Orders

No. 05A877. LONDO *v.* NORWEST BANK/OPTION MORTGAGE. Cir. Ct. Cook County, Ill., Chancery Div. Application for stay, addressed to JUSTICE ALITO and referred to the Court, denied.

No. 05M78. DAVIS *v.* NORRIS, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTION; and

No. 05M79. VANCE *v.* ILLINOIS. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 05–85. POWEREX CORP., DBA POWEREX ENERGY CORP. *v.* RELIANT ENERGY SOURCES, INC., ET AL. C. A. 9th Cir.; and

No. 05–584. POWEREX CORP., DBA POWEREX ENERGY CORP. *v.* CALIFORNIA EX REL. LOCKYER, ATTORNEY GENERAL OF CALIFORNIA. C. A. 9th Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 05–7058. JONES *v.* BOCK, WARDEN, ET AL.; and

No. 05–7142. WILLIAMS *v.* OVERTON ET AL.; and WALTON *v.* BOUCHARD ET AL. C. A. 6th Cir. [Certiorari granted, *ante*,

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p. 1002.] Motions of petitioners for appointment of counsel granted. Jean-Claude Andre, Esq., of Los Angeles, Cal., is appointed to serve as counsel for petitioners in these cases.

No. 05–8580. *BOWEN v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [546 U. S. 1167] denied.

No. 05–9278. *MODY v. MODY*. Dist. Ct. App. Fla., 5th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until May 8, 2006, 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. 05–1181. *IN RE FUSELIER*;

No. 05–9420. *IN RE FERGUSON*; and

No. 05–9790. *IN RE SMITH*. Petitions for writs of habeas corpus denied.

No. 05–10049. *IN RE ANDERSON*. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8.

No. 05–1057. *IN RE OLSON*;

No. 05–9038. *IN RE VOVAK*;

No. 05–9041. *IN RE GARRY*;

No. 05–9049. *IN RE HOWARD*;

No. 05–9056. *IN RE HOGAN*;

No. 05–9075. *IN RE JACKSON*;

No. 05–9228. *IN RE BROWN-EL*;

No. 05–9827. *IN RE DRABOVSKIY*; and

No. 05–9902. *IN RE OSAMOR*. Petitions for writs of mandamus denied.

No. 05–9324. *IN RE KORNAFEL*. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

Certiorari Granted

No. 05–669. *BP AMERICA PRODUCTION Co., SUCCESSOR IN INTEREST TO AMOCO PRODUCTION Co., ET AL. v. WATSON, ASSISTANT SECRETARY, LAND AND MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR, ET AL.* C. A. D. C. Cir. Certiorari

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granted limited to Question 2 presented by the petition. THE CHIEF JUSTICE and JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 410 F. 3d 722.

No. 05-785. CAREY, WARDEN *v.* MUSLADIN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 427 F. 3d 653.

No. 05-998. UNITED STATES *v.* RESENDIZ-PONCE. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 425 F. 3d 729.

Certiorari Denied

No. 05-712. FORT JAMES CORP. *v.* SOLO CUP Co. C. A. Fed. Cir. Certiorari denied. Reported below: 412 F. 3d 1340.

No. 05-743. SCHNEIDER ET AL. *v.* KISSINGER ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 412 F. 3d 190.

No. 05-793. GONZALEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 170.

No. 05-850. ESTES *v.* CARPENTER Co. ET AL. Ct. App. Ky. Certiorari denied.

No. 05-877. JERONIMO-BAUTISTA *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 425 F. 3d 1266.

No. 05-961. IZUMI PRODUCTS Co. *v.* KONINKLIJKE PHILIPS ELECTRONICS N. V. ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 140 Fed. Appx. 236.

No. 05-964. HENSS *v.* IOWA ACCOUNTANCY EXAMINING BOARD. Ct. App. Iowa. Certiorari denied. Reported below: 705 N. W. 2d 106.

No. 05-967. M2 SOFTWARE, INC. *v.* MADACY ENTERTAINMENT ET AL.; and M2 SOFTWARE, INC. *v.* M2 COMMUNICATIONS, L. L. C., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 421 F. 3d 1073 (first judgment); 149 Fed. Appx. 612 (second judgment).

No. 05-980. FALWELL ET AL. *v.* LAMPARELLO. C. A. 4th Cir. Certiorari denied. Reported below: 420 F. 3d 309.

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No. 05–985. *TITTLE v. BOTTORFF-TITTLE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 131 Fed. Appx. 554.

No. 05–987. *LAWRENCE v. ANTONUCCI ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 144 Fed. Appx. 193.

No. 05–992. *ENRICK v. KORCZAK, ADMINISTRATOR OF THE ESTATES OF KORCZAK ET AL., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 427 F. 3d 419.

No. 05–994. *LAWRENCE v. WESTINGHOUSE SAVANNAH RIVER Co. LLC.* C. A. 4th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 191.

No. 05–997. *BEUSTRING v. OKLAHOMA BAR ASSN.* C. A. 10th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 997.

No. 05–1002. *SHAW v. SAN DIEGO COUNTY, CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 05–1003. *ROMERO-RODRIGUEZ ET AL. v. GONZALES, ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied. Reported below: 131 Fed. Appx. 203.

No. 05–1007. *LOPEZ v. CARR ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 12.

No. 05–1009. *HUDSON v. IMAGINE ENTERTAINMENT CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 128 Fed. Appx. 178.

No. 05–1011. *INTERA CORP. ET AL. v. HENDERSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 428 F. 3d 605.

No. 05–1012. *HOLST v. CITY OF PORTLAND, OREGON, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 588.

No. 05–1014. *RADJABI-MOUGADAM ET AL. v. RADJABI-MOUGADAM.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 945 So. 2d 494.

No. 05–1015. *AMAYA v. PITNER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 130 Fed. Appx. 25.

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No. 05–1017. ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES *v.* SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.; and

No. 05–1039. DOE ET AL. *v.* SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 131 Cal. App. 4th 417, 32 Cal. Rptr. 3d 209.

No. 05–1020. PEKRUL *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 329.

No. 05–1021. PUERTO RICO TELEPHONE Co., INC. *v.* U. S. PHONE MANUFACTURING CORP. C. A. 1st Cir. Certiorari denied. Reported below: 427 F. 3d 21.

No. 05–1028. FLETCHER *v.* UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI. C. A. 8th Cir. Certiorari denied. Reported below: 424 F. 3d 783.

No. 05–1034. CARUSO *v.* OREGON. C. A. 9th Cir. Certiorari denied. Reported below: 422 F. 3d 848.

No. 05–1035. OAKLAND CITY UNIVERSITY, FOUNDED BY GENERAL BAPTISTS, INC., DBA OAKLAND CITY UNIVERSITY *v.* UNITED STATES EX REL. MAIN. C. A. 7th Cir. Certiorari denied. Reported below: 426 F. 3d 914.

No. 05–1048. HAIYING XI *v.* BRYN MAWR COLLEGE ET AL. Super. Ct. Pa. Certiorari denied. Reported below: 869 A. 2d 26.

No. 05–1052. GEHNER *v.* CITY OF LAS VEGAS, NEVADA. Sup. Ct. Nev. Certiorari denied. Reported below: 121 Nev. 899, 124 P. 3d 203.

No. 05–1055. SMITH *v.* MULLARKEY, CHIEF JUSTICE, SUPREME COURT OF COLORADO, ET AL. Sup. Ct. Colo. Certiorari denied. Reported below: 121 P. 3d 890.

No. 05–1060. RILEY ET AL. *v.* BLAGOJEVICH, GOVERNOR OF ILLINOIS, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 425 F. 3d 357.

No. 05–1103. PATTERSON *v.* DEPARTMENT OF THE INTERIOR. C. A. Fed. Cir. Certiorari denied. Reported below: 424 F. 3d 1151.

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No. 05–1123. *WEINSTOCK v. GRIEVANCE COMMITTEE FOR THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK*. C. A. 2d Cir. Certiorari denied. Reported below: 155 Fed. Appx. 553.

No. 05–1130. *INOVA DIAGNOSTICS, INC. v. STRAYHORN, COMPTROLLER OF PUBLIC ACCOUNTS OF TEXAS, ET AL.* Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 166 S. W. 3d 394.

No. 05–1146. *DEMARTINO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 154 Fed. Appx. 220.

No. 05–1155. *BEAN v. VIRGINIA STATE BAR*. Sup. Ct. Va. Certiorari denied.

No. 05–1158. *HOUSE v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 62 M. J. 389.

No. 05–1175. *ANWAR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 428 F. 3d 1102.

No. 05–1176. *BASHIR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 898.

No. 05–6922. *NAVA v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–7954. *SARTIN v. WEST VIRGINIA*. Cir. Ct. Wayne County, W. Va. Certiorari denied.

No. 05–7980. *VINSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 763.

No. 05–8090. *GOLDSBY v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 303.

No. 05–8138. *HUDSON, AKA SPICER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 414 F. 3d 931.

No. 05–8221. *ZHENG v. GEORGIA*. Ct. App. Ga. Certiorari denied.

No. 05–8337. *MEZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 626.

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No. 05–8342. *LOPEZ v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 912 So. 2d 1228.

No. 05–8435. *VEGA-RICO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 417 F. 3d 946.

No. 05–8555. *RICHARDSON v. BUSS, SUPERINTENDENT, INDIANA STATE PRISON*. C. A. 7th Cir. Certiorari denied.

No. 05–8577. *BATES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 424 F. 3d 992.

No. 05–8664. *MCNAIR v. ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 416 F. 3d 1291.

No. 05–8672. *SAMUELS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 36 Cal. 4th 96, 113 P. 3d 1125.

No. 05–8680. *LEAL v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 428 F. 3d 543.

No. 05–8744. *BOWEN v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 280 Kan. xxiii, 121 P. 3d 457.

No. 05–8904. *FLEMING v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 280 Kan. xxiii, 121 P. 3d 457.

No. 05–9012. *SUDDUTH, AKA MUHAMMAD v. CITY OF PITTSBURGH COMMISSION ON HUMAN RELATIONS ET AL.; SUDDUTH, AKA MUHAMMAD v. CITY OF PITTSBURGH COMMISSION ON HUMAN RELATIONS ET AL.; SUDDUTH, AKA MUHAMMAD v. CITY OF PITTSBURGH COMMISSION ON HUMAN RELATIONS ET AL.; SUDDUTH, AKA MUHAMMAD v. McCLENAHAN ET AL.; and SUDDUTH, AKA MUHAMMAD v. HOUSING AUTHORITY OF THE CITY OF PITTSBURGH ET AL.* Commw. Ct. Pa. Certiorari denied.

No. 05–9017. *CAMPBELL v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 359 N. C. 644, 617 S. E. 2d 1.

No. 05–9019. *COOPER v. WHORTON, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 05–9020. *CLEVELAND v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 177 S. W. 3d 374.

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No. 05–9025. TYLER *v.* ANDERSON, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 416 F. 3d 500.

No. 05–9026. PERAZA SALAZAR *v.* GALAZA, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 05–9032. ABNEY *v.* RYAN, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 05–9035. BOYCE *v.* TEXAS. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 05–9037. STATON *v.* HALL, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 05–9040. PHILLIPS *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 05–9042. HAMILTON *v.* RANGER ENTERPRISES. C. A. 10th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 753.

No. 05–9048. HAWKINS *v.* L. S. I., INC., ET AL. C. A. 6th Cir. Certiorari denied.

No. 05–9052. CORBETT *v.* MICHIGAN. Ct. App. Mich. Certiorari denied.

No. 05–9060. HENLEY *v.* CASON, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 445.

No. 05–9065. SCHIPKE *v.* STOLC, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 05–9069. NOWDEN *v.* ADAMS, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 05–9073. JORDAN *v.* NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied.

No. 05–9077. WASHINGTON *v.* HILL, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION. C. A. 9th Cir. Certiorari denied. Reported below: 422 F. 3d 864.

No. 05–9078. VELISHKA *v.* T. N. T. HOME BUILDERS ET AL. Sup. Jud. Ct. Me. Certiorari denied.

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No. 05–9092. ALLEN *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 05–9093. ARNOLD *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 349 Ill. App. 3d 668, 812 N. E. 2d 696.

No. 05–9094. BOGER *v.* PRINCE WILLIAM COUNTY POLICE DEPARTMENT. Sup. Ct. Va. Certiorari denied.

No. 05–9101. HEIDARI *v.* WASHINGTON. Ct. App. Wash. Certiorari denied. Reported below: 125 Wash. App. 1009.

No. 05–9102. GIDDINGS *v.* KLEM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANAY, ET AL. C. A. 3d Cir. Certiorari denied.

No. 05–9104. HARPER *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied.

No. 05–9106. MITCHELL *v.* HARRY, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 05–9107. PAGEL *v.* WASHINGTON MUTUAL BANK, INC., ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 498.

No. 05–9108. YOUNG *v.* CAIN, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 05–9109. TAYLOR *v.* TAYLOR, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 05–9110. THOMAS *v.* RAY, WARDEN. Sup. Ct. Va. Certiorari denied.

No. 05–9117. SIPE *v.* MCDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 05–9120. SANDERS *v.* NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 403.

No. 05–9121. SCANLON *v.* FLORIDA. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

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No. 05–9124. *LOGAN v. LIBERTY HEALTHCARE CORP., DBA ARKANSAS PARTNERSHIP PROGRAM*. C. A. 8th Cir. Certiorari denied. Reported below: 416 F. 3d 877.

No. 05–9128. *DREWERY v. TEXAS*. Ct. App. Tex., 8th Dist. Certiorari denied.

No. 05–9138. *MERTENS v. CITY OF SEATTLE, WASHINGTON, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–9141. *SECRESS v. ULLMAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 636.

No. 05–9144. *VANBUSKIRK v. OREGON*. Sup. Ct. Ore. Certiorari denied.

No. 05–9145. *WARREN v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 05–9146. *KENNEDY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 36 Cal. 4th 595, 115 P. 3d 472.

No. 05–9148. *REID v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 133 Fed. Appx. 889.

No. 05–9151. *VISHEVNIK v. BOARD OF EDUCATION OF THE CITY OF NEW YORK*. C. A. 2d Cir. Certiorari denied. Reported below: 145 Fed. Appx. 708.

No. 05–9152. *TREIBER v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 582 Pa. 646, 874 A. 2d 26.

No. 05–9153. *YOUNG v. GATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9156. *ANDERSON v. KALITZ*. C. A. 3d Cir. Certiorari denied.

No. 05–9158. *AL-BAYYINAH v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 359 N. C. 741, 616 S. E. 2d 500.

No. 05–9159. *DUNG TRI NGUYEN v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

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No. 05–9166. *SCOTT v. ROMERO, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 495.

No. 05–9168. *PINCKNEY v. MCMASTER, ATTORNEY GENERAL OF SOUTH CAROLINA.* C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 440.

No. 05–9172. *PAYNE v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 05–9174. *ELROD v. SAUNDERS.* Ct. App. Mich. Certiorari denied.

No. 05–9175. *CORTEZ v. SHAW, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 05–9177. *DUMAS v. UNITED STATES PAROLE COMMISSION ET AL.* C. A. 8th Cir. Certiorari denied.

No. 05–9186. *STOPHER v. CONLIFFE, JUDGE, CIRCUIT COURT OF KENTUCKY, JEFFERSON COUNTY, ET AL.* Sup. Ct. Ky. Certiorari denied. Reported below: 170 S. W. 3d 307.

No. 05–9189. *MICHALSKI v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 15 App. Div. 3d 918, 788 N. Y. S. 2d 776.

No. 05–9192. *NORBERT v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 05–9197. *JOHNSON v. GRACE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–9202. *JOHNSON v. KENTUCKY.* Ct. App. Ky. Certiorari denied.

No. 05–9205. *BOMER v. SHARP ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–9210. *JAFFE v. ST. LUKE MEDICAL CENTER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–9211. *GIBBS v. BARNHART, COMMISSIONER OF SOCIAL SECURITY.* C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 243.

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No. 05–9213. *WILLIAMS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 912 So. 2d 320.

No. 05–9214. *THOMAS v. BUTLER ET AL.* C. A. 4th Cir. Certiorari denied.

No. 05–9221. *MYERS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 130 P. 3d 262.

No. 05–9223. *BROWN v. GONZALES, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 155 Fed. Appx. 612.

No. 05–9225. *PERRY v. CLARK COUNTY CHILD PROTECTIVE SERVICES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 751.

No. 05–9229. *BROWN v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 05–9232. *ZAGRE v. DEPARTMENT OF HOMELAND SECURITY*. C. A. 2d Cir. Certiorari denied. Reported below: 145 Fed. Appx. 388.

No. 05–9238. *GARCIA v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 05–9241. *HOOKS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 126 P. 3d 636.

No. 05–9243. *HALL v. LUMBERMEN’S MUTUAL CASUALTY CO.* C. A. 6th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 875.

No. 05–9244. *HOLLAND v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 916 So. 2d 750.

No. 05–9246. *HILL v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 360 N. C. 71, 623 S. E. 2d 778.

No. 05–9248. *BEA v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 05–9252. *SABBIA v. LOMBARDI*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 357 Ill. App. 3d 1085, 895 N. E. 2d 694.

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No. 05–9257. *COLEMAN v. WELLS ET AL.* Sup. Ct. Mo. Certiorari denied.

No. 05–9258. *COCKRELL v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 05–9260. *FRAZIER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 866.

No. 05–9261. *EARL X. v. HOWTON, SUPERINTENDENT, OREGON STATE CORRECTIONAL INSTITUTION.* C. A. 9th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 1.

No. 05–9262. *TURNER-EL v. UNKNOWN ASSIGNMENT COMMITTEE ET AL.* C. A. 7th Cir. Certiorari denied.

No. 05–9265. *MASON v. BARNHART, COMMISSIONER OF SOCIAL SECURITY.* C. A. 6th Cir. Certiorari denied.

No. 05–9268. *METTETAL v. VANDERBILT UNIVERSITY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 577.

No. 05–9271. *MENDEZ v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05–9272. *BUTLER v. HUTSON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 62.

No. 05–9275. *WILLIAMS v. WERHOLTZ, SECRETARY, KANSAS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 644.

No. 05–9276. *THURSTON v. UNITED STATES JUDICIARY.* C. A. D. C. Cir. Certiorari denied.

No. 05–9282. *CULBREATH v. LAFLER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 05–9284. *WRIGHT v. MOSLEY, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 05–9296. *GRASS v. GONZALES, ATTORNEY GENERAL.* C. A. 8th Cir. Certiorari denied. Reported below: 418 F. 3d 876.

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No. 05–9299. *FULLER v. CAMUS, DBA UNITED STATES MARSHALS SERVICE, PREMIER TRENDS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 139 Fed. Appx. 554.

No. 05–9305. *DERBYSHIRE v. HOFBAUER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 05–9310. *WILSON v. GODDARD, ATTORNEY GENERAL OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–9318. *CALLOWAY v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 914 So. 2d 12.

No. 05–9322. *YOUNG v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 873 A. 2d 773.

No. 05–9331. *ARICHABALA v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 922 So. 2d 199.

No. 05–9363. *CARR v. KRAUSE.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–9365. *DIXON v. SOCIAL SECURITY ADMINISTRATION.* C. A. 8th Cir. Certiorari denied.

No. 05–9368. *MUNOZ-PADILLA v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 357 Ill. App. 3d 1088, 895 N. E. 2d 696.

No. 05–9382. *TAYLOR v. BARNHART, COMMISSIONER OF SOCIAL SECURITY.* C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 646.

No. 05–9383. *WIGGINTON ET UX. v. STORAGE USA.* C. A. 9th Cir. Certiorari denied. Reported below: 127 Fed. Appx. 359.

No. 05–9389. *COSTA v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

No. 05–9390. *DOBY v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 05–9392. *DINGLE v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 163.

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No. 05–9401. *JEFFERSON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 05–9402. *JONES v. JOHNSTON*. C. A. 5th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 336.

No. 05–9413. *WARD v. WACHOVIA BANK, N. A.* Ct. App. N. C. Certiorari denied. Reported below: 174 N. C. App. 368, 620 S. E. 2d 734.

No. 05–9414. *TRESSLER v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05–9416. *WILLIAMS v. WASHINGTON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 335.

No. 05–9430. *KILBURN v. DENNEHY, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION*. C. A. 1st Cir. Certiorari denied.

No. 05–9434. *KERNS v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 923 So. 2d 196.

No. 05–9461. *DEHERRERA v. COLORADO*. Sup. Ct. Colo. Certiorari denied. Reported below: 122 P. 3d 992.

No. 05–9464. *CARTER ET UX. v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 160 S. W. 3d 526.

No. 05–9488. *SPENCER v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 05–9492. *KRETCHMAR v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* Commw. Ct. Pa. Certiorari denied.

No. 05–9495. *CECRLE v. WOODFORD, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 961.

No. 05–9497. *STATEN v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 172 N. C. App. 673, 616 S. E. 2d 650.

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No. 05–9500. *LEDBETTER v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 275 Conn. 534, 881 A. 2d 290.

No. 05–9504. *ALFORD v. BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION, ET AL.* Sup. Ct. N. C. Certiorari denied.

No. 05–9531. *MCQUEEN v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 922 So. 2d 995.

No. 05–9544. *JOHNSON v. MCDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05–9556. *BLAND v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–9566. *HEAD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 407 F. 3d 925.

No. 05–9574. *NICHOLS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 298.

No. 05–9577. *FUENTES-BERLANGA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 258.

No. 05–9583. *GRAVES v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 626.

No. 05–9587. *HOANG VAN NGUYEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 377.

No. 05–9588. *BLAZEK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 431 F. 3d 1104.

No. 05–9592. *VESEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9593. *WILLINGHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9596. *THOMPSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9604. *RODRIGUEZ-CERDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 05–9605. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9608. *STAMPER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 176.

No. 05–9611. *LAMBROS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9612. *GUZMAN-SALINAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 809.

No. 05–9613. *HOOKEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 273.

No. 05–9620. *FRAZIER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9624. *MENDOZA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–9627. *TOVAR-AVILA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 693.

No. 05–9628. *KIRBY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 89.

No. 05–9630. *CHAUDHRY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 424 F. 3d 1051.

No. 05–9631. *CALCANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–9632. *CRUTCHER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9633. *HINSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 429 F. 3d 114.

No. 05–9634. *GEORGE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 450.

No. 05–9635. *MCGARVEY v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 329 Mont. 439, 124 P. 3d 1131.

No. 05–9637. *GAMA MENDOZA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 421 F. 3d 663.

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No. 05–9638. *MURILLO-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 585.

No. 05–9639. *ALAMO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 161 Fed. Appx. 196.

No. 05–9640. *BOMBATA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9644. *BULLIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 755.

No. 05–9645. *AARON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9646. *HUBBARD v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA*. C. A. 11th Cir. Certiorari denied.

No. 05–9649. *SCURRY ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 513.

No. 05–9650. *SHIVERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 913.

No. 05–9651. *SHEARIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 952.

No. 05–9655. *THOMAS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 888 A. 2d 1176.

No. 05–9658. *ESPOSITO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 238.

No. 05–9661. *CLINKINBEARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 606.

No. 05–9662. *PEREZ-TRUJILLO, AKA GUTIERREZ, AKA CERDA-TREVINO, AKA HERNANDEZ LOZANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 572.

No. 05–9663. *NORMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 427 F. 3d 537.

No. 05–9665. *GOMEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 416 F. 3d 811.

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No. 05–9668. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 900.

No. 05–9672. *TYNES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 938.

No. 05–9674. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 623.

No. 05–9675. *LEWELLING v. DEPARTMENT OF THE AIR FORCE*. C. A. Fed. Cir. Certiorari denied. Reported below: 158 Fed. Appx. 292.

No. 05–9676. *BULLARD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 162 Fed. Appx. 106.

No. 05–9677. *ANDERSON v. VEACH, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–9678. *FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–9679. *ARMENDARIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 162.

No. 05–9681. *CASTANEDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 411.

No. 05–9682. *KENEMORE v. JETER, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 05–9684. *SAUNDERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–9685. *SUAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 947.

No. 05–9686. *SIMPSON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 430 F. 3d 1177.

No. 05–9687. *PLESS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 432 F. 3d 1189.

No. 05–9689. *MELVIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 618.

No. 05–9690. *MORRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 839.

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No. 05–9692. *VELO-VILLEGAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 598.

No. 05–9693. *WIMBISH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 566.

No. 05–9695. *PEREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9698. *HERNANDEZ-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 548.

No. 05–9699. *CUELLAR-CUELLAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 732.

No. 05–9700. *JORDAN v. UNITED STATES*; and

No. 05–9720. *JORDAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 136 Fed. Appx. 585.

No. 05–9701. *GWALTNEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 592.

No. 05–9702. *ALVARADO-RIVERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9704. *STEPHEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 505.

No. 05–9706. *STACKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 122 Fed. Appx. 9.

No. 05–9708. *SHERRILL v. RIOS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 617.

No. 05–9712. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 70.

No. 05–9714. *CORCHADO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 427 F. 3d 815.

No. 05–9715. *COBHAM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9717. *MILLER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 434 F. 3d 820.

No. 05–9723. *STARKS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

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No. 05–9729. *ACEVEDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 713.

No. 05–9731. *ALVARADO-SANTILANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 434 F. 3d 794.

No. 05–9738. *GRANDOS-ARREDONDO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 173 Fed. Appx. 206.

No. 05–9742. *KING v. HOLT, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 153 Fed. Appx. 873.

No. 05–9743. *CRUMBY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 05–9748. *GANN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 57.

No. 05–9752. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9753. *BROWN ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 805.

No. 05–9757. *TARIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 609.

No. 05–9764. *CRUZ-BARRAZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 768.

No. 05–9765. *CHAVEZ-CUEVAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 888.

No. 05–9766. *GONZALEZ-AGUILAR, AKA GONZALEZ AGUILAR, AKA GONZALEZ CORTEZ, AKA CORTEZ GONZALEZ, AKA GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 569.

No. 05–9767. *DEL CASTILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 881.

No. 05–9769. *GREENE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9770. *SCHMANKE v. IRVINS, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied.

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No. 05–9772. *CLARK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 799.

No. 05–9777. *CHAVEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 677.

No. 05–9780. *LOGAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9781. *MASON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 799.

No. 05–9787. *HAMERTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9788. *FORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9792. *HERNANDEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 492.

No. 05–9795. *CURRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9797. *CRANE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 05–9800. *SOUVANNARATH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 984.

No. 05–9802. *PEREZ-MANUELES, AKA SIERRA, AKA ALTAMIRANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 570.

No. 05–9804. *MARTINEZ-CASTILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 607.

No. 05–9805. *LANIER v. LINDSAY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–9807. *FORBES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 164 Fed. Appx. 251.

No. 05–9808. *CASTILLO-SALAZAR, AKA CASTILLO, AKA SALAZAR CASTILLO v. UNITED STATES*; and *GRANADOS-MORENO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported

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below: 158 Fed. Appx. 591 (second judgment) and 618 (first judgment).

No. 05–9809. *SUGGS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–9810. *PEDRAZA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 05–9811. *GAUL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–9814. *ANTUNEZ-CASARES v. UNITED STATES* (Reported below: 158 Fed. Appx. 606); *CASTRO v. UNITED STATES* (158 Fed. Appx. 544); *CECENA-VERELA v. UNITED STATES* (158 Fed. Appx. 609); *CHAVEZ v. UNITED STATES* (158 Fed. Appx. 608); *GARCIA-PEREZ v. UNITED STATES* (158 Fed. Appx. 600); *GUTIERREZ-MARTINEZ v. UNITED STATES* (158 Fed. Appx. 599); *HERNANDEZ-NEVAREZ v. UNITED STATES* (158 Fed. Appx. 595); *LEYVA-POSADA v. UNITED STATES* (158 Fed. Appx. 596); *LOPEZ-DE LA CRUZ v. UNITED STATES* (158 Fed. Appx. 600); *MARTINEZ-CARRILLO v. UNITED STATES* (158 Fed. Appx. 543); *OLGUIN-RAMOS v. UNITED STATES* (158 Fed. Appx. 597); *RIVAS-FLORES v. UNITED STATES* (158 Fed. Appx. 607); *RUIZ-BERNAL v. UNITED STATES* (158 Fed. Appx. 598); *SILVA-SANDOVAL v. UNITED STATES* (158 Fed. Appx. 597); *VELASQUEZ-MARTINEZ v. UNITED STATES* (158 Fed. Appx. 588); and *VENEGAS-CHAVEZ v. UNITED STATES* (158 Fed. Appx. 593). C. A. 5th Cir. Certiorari denied.

No. 05–9817. *GILLIAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 434.

No. 05–9821. *HARDAWAY, AKA THOMAS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9828. *GIPSON, AKA LEWIS, AKA JOLLY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 788.

No. 05–9832. *LEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–9834. *KIZZEE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 613.

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No. 05–9836. *DOMINGUEZ-PRIMO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 782.

No. 05–9838. *CARROLL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9839. *DIA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 159 Fed. Appx. 322.

No. 05–9840. *DIAZ-BOYZO, AKA ZETINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 432 F. 3d 1264.

No. 05–9841. *CUIZON RELATOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 877.

No. 05–9844. *RAHIM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 431 F. 3d 753.

No. 05–9846. *NGAMWUTTIBAL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 476.

No. 05–9847. *OLSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 482.

No. 05–9848. *GRANDISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 543.

No. 05–9851. *COX v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 578.

No. 05–9852. *CROSS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 484.

No. 05–9854. *VIGORITO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–9855. *MOORE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9858. *COYLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 173.

No. 05–9860. *SANFORD v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 160 Fed. Appx. 1.

No. 05–9863. *GASKIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

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No. 05–9864. *HALAT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 648.

No. 05–9877. *DANNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 178.

No. 05–9879. *CARROLL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–9882. *JENKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 496.

No. 05–9883. *KANIADAKIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 661.

No. 05–9886. *ROA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 894.

No. 05–9887. *BENITEZ-VALENCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 932.

No. 05–9891. *WILBOURN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–9893. *FRANCOIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9895. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 431 F. 3d 1234.

No. 05–9896. *WATTS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 923.

No. 05–9899. *CARROLL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9900. *CARROLL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9903. *HICKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 346.

No. 05–9910. *FULTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9913. *MEANS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 485.

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No. 05–9915. JOSEPH *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 180.

No. 05–9923. WALLACE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 382.

No. 05–9924. THOMAS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 05–9926. MADU *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 551.

No. 05–9927. LEWIS *v.* CARAWAY, ACTING WARDEN. C. A. 8th Cir. Certiorari denied.

No. 05–9930. BORDERS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 322.

No. 05–828. MORRIS *v.* RUMSFELD, SECRETARY OF DEFENSE. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 420 F. 3d 287.

No. 05–892. QASSIM ET AL. *v.* BUSH, PRESIDENT OF THE UNITED STATES, ET AL. C. A. D. C. Cir. Certiorari before judgment denied.

No. 05–962. HOUK, WARDEN *v.* LOTT ET AL. C. A. 6th Cir. Motion of respondent Gregory Lott for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 424 F. 3d 446.

No. 05–1000. GORDON ET AL. *v.* LEWISTOWN HOSPITAL. C. A. 3d Cir. Motions of American Association of Ambulatory Surgery Centers et al., Federated Ambulatory Surgery Association et al., and American Osteopathic Association et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of these motions and this petition. Reported below: 423 F. 3d 184.

No. 05–1031. PALLOTTA *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 144 Fed. Appx. 938.

No. 05–1033. DIGIACOMO *v.* TEAMSTERS PENSION TRUST FUND OF PHILADELPHIA AND VICINITY. C. A. 3d Cir. Certiorari de-

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nied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 154 Fed. Appx. 312.

No. 05–1045. PITTSBURGH TRANSPORTATION CO. *v.* PACKARD ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 418 F. 3d 246.

No. 05–1068. POWEREX CORP., DBA POWEREX ENERGY CORP. *v.* CALIFORNIA DEPARTMENT OF WATER RESOURCES. C. A. 9th Cir. Certiorari before judgment denied.

No. 05–9072. LAFRENIERE *v.* REGENTS OF THE UNIVERSITY OF CALIFORNIA. C. A. 9th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9097. GOINS *v.* GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9161. MASON *v.* GRACE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 156 Fed. Appx. 452.

No. 05–9224. MIERZWA ET UX. *v.* CITY OF GARFIELD, NEW JERSEY, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 170 Fed. Appx. 212.

No. 05–9358. TERRY *v.* GRACE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9372. COBBS *v.* WILSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FAYETTE, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9496. KERRIGAN *v.* CHAO, SECRETARY OF LABOR. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in

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the consideration or decision of this petition. Reported below: 151 Fed. Appx. 129.

No. 05–9603. *LUZARDO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9744. *VILLAR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

Rehearing Denied

No. 04–10246. *HARRISON v. GREEN, WARDEN, ET AL.*, 546 U. S. 842;

No. 05–689. *IN RE CLEMENTS*, 546 U. S. 1168;

No. 05–693. *CRAIG ET UX. v. BASHEER & EDGEMOORE ET AL.*, 546 U. S. 1171;

No. 05–747. *IN RE GIBBONS*, 546 U. S. 1168;

No. 05–796. *GUAM v. FIRST NATIONAL BANK OF OMAHA*, 546 U. S. 1215;

No. 05–832. *ROBINSON v. UNITED STATES*, 546 U. S. 1176;

No. 05–6699. *BROWN v. UNITED STATES*, 546 U. S. 995;

No. 05–7003. *HARVEY v. LOUISIANA*, 546 U. S. 1099;

No. 05–7295. *BENSON v. LUTTRELL ET AL.*, 546 U. S. 1105;

No. 05–7590. *OSEQUERA-MORALES v. UNITED STATES*, 546 U. S. 1112;

No. 05–7762. *OZENNE v. CHASE MANHATTAN BANK ET AL.*, 546 U. S. 1178;

No. 05–7771. *DAY-PETRANO v. FLORIDA ET AL.*, 546 U. S. 1179;

No. 05–7866. *FORD v. APPELLATE DIVISION, SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES*, 546 U. S. 1180;

No. 05–7877. *CARTER, AKA TONEY v. FRITO-LAY, INC., ET AL.*, 546 U. S. 1180;

No. 05–7879. *COOKE v. SUMMERS, ATTORNEY GENERAL OF TENNESSEE*, 546 U. S. 1180;

No. 05–7895. *FAISON v. FLORIDA PAROLE AND PROBATION COMMISSION ET AL.*, 546 U. S. 1181;

No. 05–8013. *ATWELL v. PENNSYLVANIA*, 546 U. S. 1184;

No. 05–8083. *STEELE v. FLORIDA*, 546 U. S. 1185;

No. 05–8088. *IN RE RIVERA*, 546 U. S. 1168;

No. 05–8095. *SPOTTSVILLE v. RAY ET AL.*, 546 U. S. 1186;

No. 05–8108. *GIBBONS v. TWIGG ET AL.*, 546 U. S. 1186;

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- No. 05–8146. *WHITE v. BURDICK, TRUSTEE*, 546 U. S. 1187;
No. 05–8169. *GERKIN v. BUTLER, WARDEN*, 546 U. S. 1188;
No. 05–8224. *WILLIAMS v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA*, 546 U. S. 1155;
No. 05–8238. *TURNER v. ANADARKO PETROLEUM CORP. ET AL.*, 546 U. S. 1216;
No. 05–8317. *SKOCZEN v. UNITED STATES*, 546 U. S. 1192;
No. 05–8333. *OLIC v. GONZALES, ATTORNEY GENERAL*, 546 U. S. 1218;
No. 05–8385. *CIRIACO v. UNITED STATES*, 546 U. S. 1194;
No. 05–8424. *PRYOR v. UNITED STATES*, 546 U. S. 1196;
No. 05–8446. *REMSSEN v. KNOWLES, WARDEN, ET AL.*, 546 U. S. 1218;
No. 05–8495. *IN RE CAMPAZ*, 546 U. S. 1168;
No. 05–8527. *IN RE ALOMA*, 546 U. S. 1168;
No. 05–8530. *IN RE ARROYO*, 546 U. S. 1168;
No. 05–8531. *IN RE ESTUPINAN*, 546 U. S. 1168;
No. 05–8532. *IN RE GARCIA ESTUPINAN*, 546 U. S. 1168;
No. 05–8533. *IN RE ENRIQUEZ*, 546 U. S. 1168;
No. 05–8554. *IN RE SALDANA*, 546 U. S. 1168;
No. 05–8582. *SCHOENROGGE v. DEPARTMENT OF JUSTICE*, 546 U. S. 1200;
No. 05–8613. *EWING v. MASSACHUSETTS*, 546 U. S. 1218;
No. 05–8627. *CARRION v. UNITED STATES*, 546 U. S. 1202;
No. 05–8655. *MORRIS v. CASON, WARDEN*, 546 U. S. 1203;
No. 05–8826. *SILO v. UNITED STATES ET AL.*, 546 U. S. 1220;
No. 05–8842. *IN RE UPSHAW*, 546 U. S. 1168;
No. 05–8892. *WYMAN v. UNITED STATES*, 546 U. S. 1221;
No. 05–8992. *IN RE BROWN*, 546 U. S. 1214; and
No. 05–9091. *ADAMS v. DAVIS, WARDEN*, *ante*, p. 1011. Petitions for rehearing denied.

No. 05–797. *GUAM v. CITIBANK (SOUTH DAKOTA), N. A.*, 546 U. S. 1225;
No. 05–8433. *SHYMATTA v. MICROSOFT CORP.*, 546 U. S. 1225; and
No. 05–8539. *HODGE v. HARVEY, SECRETARY OF THE ARMY, ET AL.*, *ante*, p. 1014. Petitions for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions.

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Miscellaneous Order

No. 04–1360. HUDSON *v.* MICHIGAN. Ct. App. Mich. [Certiorari granted, 545 U.S. 1138.] Case restored to calendar for reargument.

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Certiorari Denied

No. 05–10391 (05A935). BROWN *v.* NORTH CAROLINA. Gen. Ct. Justice, Super. Ct. Div., Martin County, N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

No. 05–10482 (05A955). BROWN *v.* BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION, ET AL. 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. Reported below: 445 F. 3d 752.

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Certiorari Granted—Vacated and Remanded. (See also No. 05–8400, *ante*, p. 188.)

Certiorari Dismissed

No. 05–9366. JONES *v.* SOUTH CAROLINA. Sup. Ct. S. C. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 05–1056. MICROSOFT CORP. *v.* AT&T CORP. C. A. Fed. Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States. THE CHIEF JUSTICE took no part in the consideration or decision of this order.

No. 05–8794. HILL *v.* McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. [Certiorari granted *sub nom.* Hill *v.* Crosby, *Secretary, Florida Department of Corrections, et al.*, 546 U.S. 1158.] Motion of petitioner for appointment of counsel granted. D. Todd Doss,

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Esq., of Lake City, Fla., is appointed to serve as counsel for petitioner in this case.

No. 05–10118. IN RE SANCHEZ-GONZALEZ. Petition for writ of habeas corpus denied.

No. 05–9621. IN RE DOOSE. Petition for writ of mandamus denied.

Certiorari Denied

No. 05–611. NORTH DAKOTA ET AL. *v.* UNITED STATES ARMY CORPS OF ENGINEERS ET AL.;

No. 05–631. ENVIRONMENTAL DEFENSE ET AL. *v.* UNITED STATES ARMY CORPS OF ENGINEERS ET AL.; and

No. 05–782. NEBRASKA PUBLIC POWER DISTRICT *v.* UNITED STATES FISH AND WILDLIFE SERVICE ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 421 F. 3d 618.

No. 05–787. MAGLEBY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 420 F. 3d 1136.

No. 05–899. BALDWINVILLE CENTRAL SCHOOL DISTRICT ET AL. *v.* PECK, A MINOR, BY AND THROUGH HIS PARENTS AND NEXT FRIENDS, PECK ET VIR. C. A. 2d Cir. Certiorari denied. Reported below: 426 F. 3d 617.

No. 05–903. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS *v.* SUMMERLIN. C. A. 9th Cir. Certiorari denied. Reported below: 427 F. 3d 623.

No. 05–1038. VALLADARES *v.* DIEDE ET AL. C. A. 9th Cir. Certiorari denied.

No. 05–1040. BRENNAN'S INC. *v.* BRENNAN ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 365.

No. 05–1047. JONES *v.* JONES. C. A. 4th Cir. Certiorari denied.

No. 05–1054. CULPEPPER *v.* CULPEPPER ET AL. C. A. 3d Cir. Certiorari denied.

No. 05–1063. DIMERY *v.* ULSTER SAVINGS BANK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 13 App. Div. 3d 574, 789 N. Y. S. 2d 159.

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No. 05–1064. *MITRANO v. WARSELL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 277.

No. 05–1067. *BROWNFIELD v. METROPOLITAN LIFE INSURANCE CO.* C. A. 9th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 819.

No. 05–1069. *GREEN ET AL. v. CLEARY WATER, SEWER & FIRE DISTRICT.* Sup. Ct. Miss. Certiorari denied. Reported below: 910 So. 2d 1022.

No. 05–1071. *CHASE v. JORDAN SCHOOL DISTRICT.* Ct. App. Utah. Certiorari denied.

No. 05–1072. *TUNE v. GREEN.* Ct. Civ. App. Okla. Certiorari denied.

No. 05–1102. *LOUISIANA BOARD OF REGENTS ET AL. v. BENNETT-NELSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 431 F. 3d 448.

No. 05–1117. *MORGAN v. DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.* C. A. 6th Cir. Certiorari denied.

No. 05–1122. *KELLY v. DEPARTMENT OF LABOR.* C. A. 6th Cir. Certiorari denied.

No. 05–1137. *COMMITTE v. FLORIDA BAR.* Sup. Ct. Fla. Certiorari denied. Reported below: 916 So. 2d 741.

No. 05–1174. *BROOKS v. LUBBOCK COUNTY HOSPITAL, DBA UNIVERSITY MEDICAL CENTER.* Ct. App. Tex., 7th Dist. Certiorari denied.

No. 05–1179. *MONTEZUMA COUNTY BOARD OF COMMISSIONERS ET AL. v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO ET AL.* C. A. 10th Cir. Certiorari denied.

No. 05–1186. *COLLINS v. JAMES.* C. A. D. C. Cir. Certiorari denied. Reported below: 171 Fed. Appx. 859.

No. 05–1198. *STANLEY ET AL. v. DEPARTMENT OF JUSTICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 423 F. 3d 1271.

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No. 05-1238. *HUGHES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 271.

No. 05-1242. *KRILICH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05-7669. *HUNDLEY v. HARRISON, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 135 Fed. Appx. 55.

No. 05-7898. *HOOD v. UCHTMAN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 414 F. 3d 736.

No. 05-7962. *WILLIAMS v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 909 So. 2d 939.

No. 05-8212. *BUTLER v. DEWALT, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 992.

No. 05-8475. *LOPEZ v. WILSON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 426 F. 3d 339.

No. 05-8561. *CUNNINGHAM v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 172 N. C. App. 172, 616 S. E. 2d 29.

No. 05-8753. *MERRIDITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05-8774. *LANDERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 417 F. 3d 958.

No. 05-8807. *CARTER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 36 Cal. 4th 1114, 117 P. 3d 476.

No. 05-9289. *ROCHA v. WATKINS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 56.

No. 05-9294. *HERNANDEZ v. GRIGAS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 575.

No. 05-9302. *DUNSTON v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 913 So. 2d 1258.

No. 05-9304. *CASNAVE v. LAVIGNE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 435.

No. 05-9306. *S. R. v. DISTRICT OF COLUMBIA ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 887 A. 2d 1027.

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No. 05–9309. *SMITH v. WHITE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–9312. *KOONS v. COTTON, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY.* C. A. 7th Cir. Certiorari denied.

No. 05–9313. *DUNKLE v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 36 Cal. 4th 861, 116 P. 3d 494.

No. 05–9321. *LENA v. FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 901 So. 2d 227.

No. 05–9326. *MATA v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05–9344. *SMITH v. COOKE, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–9349. *MARION v. MCDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 05–9350. *MARION v. FLORIDA.* C. A. 11th Cir. Certiorari denied.

No. 05–9352. *STANFORD v. SMITH, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–9353. *RANDALL v. BEHRNS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 307.

No. 05–9356. *TRAVERS v. PALAKOVICH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–9357. *TREVINO v. TEXAS.* Ct. App. Tex., 7th Dist. Certiorari denied.

No. 05–9361. *BERRY v. BAILEY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–9364. *CONLEY v. POLLARD, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 05–9377. *RANDOLPH v. TATAROW FAMILY PARTNERS, LTD., ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 05-9378. *STAUFFER v. STAUFFER*. Ct. App. Neb. Certiorari denied.

No. 05-9380. *TAYLOR v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05-9384. *TAYLOR v. HOWES, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05-9385. *WALKER v. JASTREMSKI ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 430 F. 3d 560.

No. 05-9387. *MINTON v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 05-9388. *CRUZ v. FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05-9391. *CHILDS v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 941 So. 2d 388.

No. 05-9393. *CAVER v. MOSLEY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 05-9396. *SHERMAN v. RYAN, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05-9419. *HARBISON v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 408 F. 3d 823.

No. 05-9440. *CRISP v. MOTLEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05-9451. *BROWNE v. NICHOLSON, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 135 Fed. Appx. 427.

No. 05-9452. *ROBISON v. HARRISON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05-9480. *WILSON v. NICHOLSON, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied.

No. 05-9503. *RIVERS v. MICHIGAN*. Cir. Ct. Macomb County, Mich. Certiorari denied.

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No. 05–9513. *NASH v. DUNCAN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 660.

No. 05–9518. *DORCHY v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 05–9528. *SAMONTE v. BENNETT, ATTORNEY GENERAL OF HAWAII, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–9536. *CALLOWAY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 05–9537. *LEVENICK v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 876 A. 2d 465.

No. 05–9542. *MALONE v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 364 Ark. 256, 217 S. W. 3d 810.

No. 05–9555. *BRACKETT v. ILLINOIS.* App. Ct. Ill., 5th Dist. Certiorari denied.

No. 05–9565. *FIRMIN v. GILL ET AL.* Ct. App. La., 3d Cir. Certiorari denied. Reported below: 898 So. 2d 640.

No. 05–9575. *MURRAY v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 05–9622. *EDMONSON v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 357 Ill. App. 3d 1086, 895 N. E. 2d 695.

No. 05–9660. *EDWARDS v. ABBOTT, WARDEN, ET AL.* Sup. Ct. Wyo. Certiorari denied.

No. 05–9688. *PARKINSON v. CONWAY, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 951.

No. 05–9691. *NORRIS v. WILLS ET VIR.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 05–9749. *WILLIAMS v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 05–9754. *BURKE v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–9762. *MATTHEWS v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 161 Fed. Appx. 952.

No. 05–9819. *BASTABLE v. INTERNAL REVENUE SERVICE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 159 Fed. Appx. 299.

No. 05–9822. *THOMAS v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–9918. *MATIN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 599.

No. 05–9934. *HAWKINS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 05–9935. *GRIFFIN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 860.

No. 05–9936. *GUTZMORE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 05–9937. *FRANCIS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 05–9939. *HILL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 410 F. 3d 468.

No. 05–9942. *CLEAVER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 622.

No. 05–9944. *MORGAN v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 694.

No. 05–9947. *MARTINEZ v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 05–9948. *BALERESO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 860.

No. 05–9949. *VARGAS-GARCIA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 434 F. 3d 345.

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No. 05–9952. *BAILEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 417 F. 3d 873.

No. 05–9955. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 704.

No. 05–9956. *STEPHENSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 50.

No. 05–9960. *RODRIGUEZ-MOTA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 541.

No. 05–9962. *HERRON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 432 F. 3d 1127.

No. 05–9963. *FRANKLIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–9966. *HINTZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–9969. *FREEMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 05–9970. *GARCIA-MEJIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 954.

No. 05–9972. *SIJAS-MARTINEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 164 Fed. Appx. 72.

No. 05–9977. *LINDSEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 708.

No. 05–9978. *LOCKE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 518.

No. 05–9979. *NAMER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 385.

No. 05–9980. *MEJIA-MEJIVAR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 504.

No. 05–9983. *SEIBERT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 121 Fed. Appx. 715.

No. 05–9985. *HARRIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 434 F. 3d 767.

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No. 05–9991. *CELESTINE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 493.

No. 05–10006. *BRADLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 353.

No. 05–10007. *WENGLER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 375.

No. 05–10012. *MAJID v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA*. C. A. 10th Cir. Certiorari denied.

No. 05–10014. *STOVER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 152.

No. 05–10016. *CAUFIELD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 13.

No. 05–10022. *MELTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–10023. *SCHOENAUER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 427 F. 3d 537.

No. 05–10026. *COLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 634.

No. 05–10029. *LEWIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 376.

No. 05–10035. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 206.

No. 05–10038. *CORINES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–10041. *KENNEDY v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–10044. *BENNETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 366.

No. 05–10045. *ARRATE-RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 829.

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No. 05–10051. *ESTELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 698.

No. 05–10052. *DUNCAN v. UNITED STATES*; and *BRADSHAW v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 368 (first judgment) and 399 (second judgment).

No. 05–10054. *COVELLI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10059. *SANCHEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 778.

No. 05–10066. *ADDO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–1059. *RODRIGUEZ ET AL. v. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN ET AL.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 05–1078. *MINNESOTA v. ALLEN*. Sup. Ct. Minn. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 706 N. W. 2d 40.

No. 05–8268. *MORELAND v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 5th Cir.; and

No. 05–8504. *O'DONALD v. JOHNS, WARDEN*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of petition No. 05–8504. Reported below: No. 05–8268, 431 F. 3d 180; No. 05–8504, 402 F. 3d 172.

Statement of JUSTICE STEVENS respecting the denial of the petitions for writs of certiorari.

The legal question presented by these certiorari petitions is whether the phrase “term of imprisonment” in 18 U. S. C. § 3624(b) means “sentence imposed,” as petitioners argue, or “time served,” as the Government contends. The answer to that question determines the actual amount of good-time credits that prisoners serving federal sentences may earn, and therefore how much time they may actually spend in prison. For prisoners who consistently comply with prison regulations, the difference in approaches amounts to about a week for each year of their sen-

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tences. The issue, accordingly, is of great importance to such prisoners. Given the numbers affected and the expense of housing prisoners, it surely also has a significant impact on the public fisc.

The fact that 10 Courts of Appeals have either agreed with, or deferred to, the Government's interpretation provides a principled basis for denying these certiorari petitions. Nevertheless, I think it appropriate to emphasize that the Court's action does not constitute a ruling on the merits and certainly does not represent an expression of any opinion concerning the wisdom of the Government's position. As demonstrated by the thoughtful opinion prepared by Magistrate Judge Stephen Smith, 363 F. Supp. 2d 882 (SD Tex.) (case below in No. 05-8268), rev'd, 431 F. 3d 180 (CA5 2005), both the text and the history of the statute strongly suggest that it was not intended to alter the pre-existing approach of calculating good-time credit based on the sentence imposed.

Despite its technical character, the question has sufficient importance to merit further study, not only by judges but by other Government officials as well. Nine out of ten Circuits have recognized that the Federal Bureau of Prisons has the discretion to adopt petitioners' approach, and Congress of course has the power to clarify the matter. Indeed, Congress has done so once before—in 1959 Congress amended the predecessor statute to § 3624(b) for the specific purpose of undoing a judicial determination that credit should be based on time served rather than on the sentence imposed. See Pub. L. 86-259, 73 Stat. 546; see also H. R. Rep. No. 935, 86th Cong., 1st Sess. (1959). Congress rejected this judicial determination because it had the troubling effect of “requir[ing] well-behaved prisoners to serve longer sentences of confinement than they would under the method of computation which has been used through half a century.” *Id.*, at 2. This same concern may well prompt Congress to provide further guidance as to what § 3624(b) means by “term of imprisonment.”

No. 05-8743. *BLAIR v. CALIFORNIA*. Sup. Ct. Cal. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 36 Cal. 4th 686, 115 P. 3d 1145.

No. 05-9418. *RICHARDS v. GONZALES, ATTORNEY GENERAL* (two judgments). C. A. 3d Cir. Certiorari denied. JUSTICE

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ALITO took no part in the consideration or decision of this petition. Reported below: 149 Fed. Appx. 114 (second judgment).

No. 05–9988. HAZEL *v.* SMITH, WARDEN. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 142 Fed. Appx. 131.

No. 05–10010. JONES *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 418 F. 3d 368.

Rehearing Denied

No. 05–718. NORMAN *v.* BELLSOUTH INTELLECTUAL PROPERTY CORP., 546 U. S. 1172;

No. 05–833. WILLIAMS *v.* GEORGIA DEPARTMENT OF DEFENSE NATIONAL GUARD HEADQUARTERS ET AL., 546 U. S. 1176;

No. 05–854. WIDTFELDT *v.* UNITED STATES ET AL., 546 U. S. 1215;

No. 05–5296. CANE *v.* HONDA OF AMERICA MANUFACTURING, INC., 546 U. S. 894;

No. 05–6849. GRIFFIN *v.* WILEY, WARDEN, 546 U. S. 1215;

No. 05–7268. WALDEN *v.* UNITED STATES, *ante*, p. 1022;

No. 05–7570. ROMERO *v.* UNITED STATES, 546 U. S. 1082;

No. 05–7764. PATKINS *v.* CALIFORNIA, 546 U. S. 1152;

No. 05–7813. HINSON *v.* THOMPSON ET AL., 546 U. S. 1179;

No. 05–7943. EPPERSON *v.* IRVINE, 546 U. S. 1182;

No. 05–7979. BESTER *v.* BROCKTON HOUSING AUTHORITY, 546 U. S. 1183;

No. 05–8070. THOMPSON *v.* OVERTON ET AL., 546 U. S. 1185;

No. 05–8159. GRISSOM *v.* HARRISON, WARDEN, 546 U. S. 1187;

No. 05–8177. GIBBS *v.* UNITED STATES, 546 U. S. 1153;

No. 05–8363. ZAMMIT *v.* CITY OF NEW BALTIMORE POLICE DEPARTMENT, 546 U. S. 1193;

No. 05–8416. LEWIS *v.* UNITED STATES, 546 U. S. 1196;

No. 05–8467. MILLS *v.* HELLING, WARDEN, ET AL., *ante*, p. 1007;

No. 05–8488. IN RE REVELO MORENO, 546 U. S. 1168;

No. 05–8490. IN RE RIASCOS, 546 U. S. 1168;

No. 05–8494. IN RE GONZALEZ MURILLO, 546 U. S. 1168;

No. 05–8515. BAXTER *v.* UNITED STATES, 546 U. S. 1199;

No. 05–8526. IN RE SINISTERRA ASTUDILLO, 546 U. S. 1168;

No. 05–8529. IN RE CAICEDO, 546 U. S. 1168;

No. 05–8783. IN RE SANCHEZ, 546 U. S. 1168;

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No. 05–8846. HIGGINS *v.* LISTON, 546 U. S. 1220; and
No. 05–8888. IN RE NEWMAN, 546 U. S. 1168. Petitions for rehearing denied.

No. 05–5814. RANSOM *v.* HARRISON, WARDEN, 546 U. S. 963; and

No. 05–6064. COPLEY *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA, 546 U. S. 949. Motions for leave to file petitions for rehearing denied.

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Miscellaneous Order

No. 05A971. VINSON *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

Certiorari Denied

No. 05–10459 (05A949). VINSON *v.* KELLY, 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: 436 F. 3d 412.

APRIL 28, 2006

Dismissal Under Rule 46

No. 05–1111. CLARK ET AL. *v.* WYETH. C. A. 3d Cir. Certiorari dismissed as to the law firms of Hariton and D’Angelo, LLP, and Napoli, Kaiser, Bern & Associates, LLP, and all persons represented by those law firms under this Court’s Rule 46. Reported below: 431 F. 3d 141.

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Certiorari Dismissed

No. 05–9435. MARIAN *v.* VENTURA COUNTY, CALIFORNIA. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

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No. 05–9576. *GANT v. LOCKHEED MARTIN CORP.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 152 Fed. Appx. 396.

Miscellaneous Orders

No. 05M80. *WAHL v. BETHEL SCHOOL DISTRICT NO. 403.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 05–9320. *JACKSON v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.* C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1038] denied.

No. 05–9916. *KLIESH v. BUCKS COUNTY DOMESTIC RELATIONS.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until May 22, 2006, 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. JUSTICE ALITO took no part in the consideration or decision of this motion.

No. 05–10217. *IN RE SISNEROS*; and

No. 05–10275. *IN RE FOGLE.* Petitions for writs of habeas corpus denied.

No. 05–1139. *IN RE McDONALD*;

No. 05–9472. *IN RE ALLEN*; and

No. 05–9490. *IN RE ADAMS.* Petitions for writs of mandamus denied.

No. 05–9671. *IN RE HIGGINS.* Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 05–493. *ORNASKI, WARDEN v. BELMONTES.* C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 414 F. 3d 1094.

Certiorari Denied

No. 04–1611. *NEBRASKA BEEF, LTD. v. GREENING ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 398 F. 3d 1080.

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No. 05–64. *IZEN ET UX. v. CATALINA*. C. A. 5th Cir. Certiorari denied. Reported below: 398 F. 3d 363.

No. 05–815. *DOE v. MANN ET AL.*; and
No. 05–951. *MANN ET AL. v. DOE*. C. A. 9th Cir. Certiorari denied. Reported below: 415 F. 3d 1038.

No. 05–940. *YANAKI ET AL. v. PARR, WADDOUPS, BROWN, GEE & LOVELESS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 415 F. 3d 1204.

No. 05–945. *MEZIBOV v. ALLEN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 411 F. 3d 712.

No. 05–948. *SIMKANIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 420 F. 3d 397.

No. 05–954. *PIPER JAFFRAY & Co. ET AL. v. TOMAZICH*. Sup. Ct. Mont. Certiorari denied. Reported below: 328 Mont. 523, 120 P. 3d 811.

No. 05–1075. *NORTON v. TOWN OF LONG ISLAND, MAINE, ET AL.* Sup. Jud. Ct. Me. Certiorari denied. Reported below: 883 A. 2d 889.

No. 05–1080. *MERCY HOSPITAL, INC. v. MASSACHUSETTS NURSES ASSN.* C. A. 1st Cir. Certiorari denied. Reported below: 429 F. 3d 338.

No. 05–1083. *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: 422 F. 3d 949.

No. 05–1085. *SIMPSON v. FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 134 Fed. Appx. 303.

No. 05–1086. *SMITH, PERSONAL REPRESENTATIVE OF THE ESTATE OF SMITH, DECEASED v. BOTSFORD GENERAL HOSPITAL*. C. A. 6th Cir. Certiorari denied. Reported below: 419 F. 3d 513.

No. 05–1088. *GOODSPEED AIRPORT, LLC, ET AL. v. VENTRES ET AL.*; and *GOODSPEED AIRPORT, LLC, ET AL. v. ROCQUE, COMMISSIONER, CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION*. Sup. Ct. Conn. Certiorari denied. Reported

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below: 275 Conn. 105, 881 A. 2d 937 (first judgment); 275 Conn. 161, 881 A. 2d 972 (second judgment).

No. 05–1094. *HORTON v. AHLER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 127 Fed. Appx. 352.

No. 05–1096. *GUTTMAN v. SILVERBERG ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 1.

No. 05–1100. *TROUPE, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF ROBINSON, DECEASED, ET AL. v. SARASOTA COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 419 F. 3d 1160.

No. 05–1104. *TALLEY v. HOUSING AUTHORITY OF COLUMBUS, GEORGIA.* C. A. 11th Cir. Certiorari denied. Reported below: 131 Fed. Appx. 693.

No. 05–1105. *OLSON v. WILLIAMS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 77.

No. 05–1106. *MILLER v. HARKLEROAD, SUPERINTENDENT, MARION CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 678.

No. 05–1110. *BIDDAE v. HARTFORD GOLF CLUB ET AL.* App. Ct. Conn. Certiorari denied. Reported below: 91 Conn. App. 470, 881 A. 2d 418.

No. 05–1127. *BURIC v. KELLY, INDIVIDUALLY AND AS THE COMMISSIONER OF THE NEW YORK CITY POLICE DEPARTMENT, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 157 Fed. Appx. 391.

No. 05–1134. *MARTINEZ ET AL. v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 357 Ill. App. 3d 1087, 895 N. E. 2d 695.

No. 05–1140. *PHELPS v. KENTUCKY.* Ct. App. Ky. Certiorari denied.

No. 05–1144. *FRACHT FWO AG v. LCI SHIPHOLDINGS, INC., FOR ITSELF AND AS THE SUCCESSOR IN INTEREST TO FOREST LINES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 929.

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No. 05–1156. *BALOGUN v. GONZALES, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 425 F. 3d 1356.

No. 05–1162. *CHARTER COMMUNICATIONS, INC. v. BROADCAST INNOVATION, L. L. C., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 420 F. 3d 1364.

No. 05–1163. *JONES v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 34 Kan. App. 2d xxv, 114 P. 3d 190.

No. 05–1173. *LIN v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 159 Fed. Appx. 186.

No. 05–1178. *GRABILL v. GRABILL*. Ct. Sp. App. Md. Certiorari denied. Reported below: 164 Md. App. 734.

No. 05–1182. *WEISS v. BERKETT, AS SUCCESSOR INTERIM TRUSTEE OF THE TRUSTS UNDER THE WILL OF POLLAK, DECEASED, ET AL.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 907 So. 2d 1181.

No. 05–1185. *ALISAL WATER CORP. ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 431 F. 3d 643.

No. 05–1215. *MCALLISTER TOWING & TRANSPORTATION CO., INC., ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 432 F. 3d 216.

No. 05–1228. *PLANET EARTH FOUNDATION, DBA PLANET EARTH MEDIA v. NEW YORK UNIVERSITY*. C. A. 2d Cir. Certiorari denied. Reported below: 163 Fed. Appx. 13.

No. 05–1241. *WALTER v. COMMISSION FOR LAWYER DISCIPLINE*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 05–1250. *ALERRE ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 430 F. 3d 681.

No. 05–1253. *GEE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 432 F. 3d 713.

No. 05–1261. *ALFORD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 45.

No. 05–8235. *JAMES v. WILLIAMS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 353.

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No. 05–8367. *TIMBERLAKE v. BUSS*, SUPERINTENDENT, INDIANA STATE PRISON. C. A. 7th Cir. Certiorari denied. Reported below: 409 F. 3d 819.

No. 05–8729. *BAZZETTA v. STOVALL*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 05–8847. *WEILAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 420 F. 3d 1062.

No. 05–8900. *CERVANTES-FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 421 F. 3d 825.

No. 05–8918. *MCHOUL v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 445 Mass. 143, 833 N. E. 2d 1146.

No. 05–8927. *RIVERA-NEVAREZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 418 F. 3d 1104.

No. 05–8930. *SCHATZ ET UX. v. FRANKLIN COUNTY, MISSOURI, DIVISION OF FAMILY SERVICES, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 422 F. 3d 655.

No. 05–9043. *HALE v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–9381. *WOOLLEY v. MINNESOTA BOARD OF MEDICAL PRACTICE*. Ct. App. Minn. Certiorari denied.

No. 05–9394. *KINDRED v. LA BOSSIERE ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–9397. *REDFORD v. HAMIL, JUDGE, SUPERIOR COURT OF GEORGIA, GWINNETT JUDICIAL CIRCUIT*. Ct. App. Ga. Certiorari denied.

No. 05–9398. *ROSE v. MCADORY ET AL.* App. Ct. Ill., 5th Dist. Certiorari denied.

No. 05–9405. *PAIGE v. MCDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 05–9429. *JUNIORS v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 915 So. 2d 291.

No. 05–9441. *STRAMAGLIA v. FAMILY INDEPENDENCE AGENCY*. Ct. App. Mich. Certiorari denied.

No. 05–9445. *BROWN v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 174 S. W. 3d 421.

No. 05–9446. *BUNCH v. NORTH CAROLINA DEPARTMENT OF CORRECTION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 234.

No. 05–9447. *LYNCH v. MCBRIDE, WARDEN*. Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 05–9448. *WODELL v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 858 A. 2d 1285.

No. 05–9457. *VINCZE v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 05–9458. *WILLIAMS v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 6 N. Y. 3d 760, 843 N. E. 2d 1168.

No. 05–9463. *SIMS v. CEDAR PARK ELEMENTARY*. C. A. 8th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 78.

No. 05–9471. *BLACKBURN v. RENICO, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–9473. *STEPHENSON v. CITY OF ELMIRA, NEW YORK, ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 18 App. Div. 3d 978, 795 N. Y. S. 2d 141.

No. 05–9474. *PROCTOR v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 05–9475. *MENDIOLA v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 05–9477. *JOVE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

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No. 05–9479. *LEWIS v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 279 Ga. 756, 620 S. E. 2d 778.

No. 05–9482. *COURTOIS v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 05–9483. *DAVIS v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 474 Mich. 944, 706 N. W. 2d 200.

No. 05–9491. *JOHNSON v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 274 Ga. App. 69, 616 S. E. 2d 848.

No. 05–9493. *OVEAL v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 164 S. W. 3d 735.

No. 05–9498. *SCHRACK v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 05–9502. *KELLY v. BRIGANO, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–9505. *BLACKMAN v. MARR ET AL.* C. A. 7th Cir. Certiorari denied.

No. 05–9519. *ELDRIDGE v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 05–9521. *MEDINA v. SMITH, SUPERINTENDENT, SHAW-ANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 05–9539. *JEFFERSON v. DEPARTMENT OF JUSTICE, OFFICE OF THE INSPECTOR GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 05–9540. *LASH v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 356 Ill. App. 3d 1146, 889 N. E. 2d 816.

No. 05–9572. *STRAHAN v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 05–9595. *TORREZ v. YATES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–9598. *TAYLOR v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

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No. 05–9602. *PETRILLO v. MURPHY, SUPERINTENDENT, MASSACHUSETTS TREATMENT CENTER*. C. A. 1st Cir. Certiorari denied. Reported below: 428 F. 3d 41.

No. 05–9609. *SMITH v. STEWART ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–9625. *WOOLBRIGHT v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 920 So. 2d 6.

No. 05–9648. *MILLS v. HELLING, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 127 Fed. Appx. 342.

No. 05–9705. *SKY ET VIR v. ALASKA*. Sup. Ct. Alaska. Certiorari denied.

No. 05–9718. *MARIANO v. DEPARTMENT OF LABOR*. C. A. 9th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 6.

No. 05–9722. *FERRIZZ v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 432 F. 3d 990.

No. 05–9735. *SMALL v. ROZUM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–9737. *RADFORD v. CRIST, ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–9755. *BELCHER v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 05–9760. *LAFRENIERE v. REGENTS OF THE UNIVERSITY OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 136.

No. 05–9783. *HARRELL v. CAREY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–9785. *WOODEN v. EISNER*. C. A. 3d Cir. Certiorari denied. Reported below: 143 Fed. Appx. 493.

No. 05–9820. *TURNER, AKA TUCKER v. WOODFORD, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

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No. 05–9850. *BECKHAM v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 919 So. 2d 437.

No. 05–9856. *MESSER v. ZON, SUPERINTENDENT, WATERTOWN CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 05–9862. *GLAWSON v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 445 Mass. 1019, 839 N. E. 2d 822.

No. 05–9878. *ORTIZ v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 05–9907. *HAYNES v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 05–9920. *CROUT v. WASHINGTON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 601.

No. 05–9941. *LAKIN v. STINE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 431 F. 3d 959.

No. 05–9968. *FORTE v. RUP ET AL.* C. A. 1st Cir. Certiorari denied.

No. 05–9992. *CARDENAS v. O’CONNOR, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–10055. *RUSH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–10061. *BLOUNT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 652.

No. 05–10069. *SAMBOY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 433 F. 3d 154.

No. 05–10071. *COLLINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 230.

No. 05–10073. *RANGEL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 689.

No. 05–10075. *TOVAR-HERRERA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 773.

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No. 05–10081. REYES *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 05–10082. SMITH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 05–10083. CANNON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 555.

No. 05–10084. CORBETT *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 979.

No. 05–10086. KING *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 262.

No. 05–10088. SANTOS MURILLO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 422 F. 3d 1152.

No. 05–10090. RODRIGUEZ-CALDERON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 05–10092. POE *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 428 F. 3d 1119.

No. 05–10093. WASHINGTON *v.* UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA. C. A. 9th Cir. Certiorari denied.

No. 05–10095. TORRES-RODRIGUEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 388.

No. 05–10096. MULLEN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 711.

No. 05–10097. PARKER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 452.

No. 05–10100. GONZALEZ-ANDAZOLA, AKA GONZALES *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 715.

No. 05–10101. GARCIA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 870.

No. 05–10105. LADWIG *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 432 F. 3d 1001.

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No. 05–10109. *BEAIRD v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 05–10110. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 38 Fed. Appx. 133.

No. 05–10111. *RESTREPO-MEJIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10112. *BROUGHTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–10114. *SAVAGE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 256.

No. 05–10115. *RICH v. PETERSON, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 160.

No. 05–10116. *RAMIREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10119. *DOSS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 770.

No. 05–10120. *CHERRY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 433 F. 3d 698.

No. 05–10122. *DIOMBERA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 486.

No. 05–10127. *REYNOLDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10129. *KLOPF v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 423 F. 3d 1228.

No. 05–10130. *MCCRIMMON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 443 F. 3d 454.

No. 05–10132. *SAENZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10133. *SYLVESTRE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 170 Fed. Appx. 190.

No. 05–10134. *REZA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 695.

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No. 05–10136. *WILDER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 545.

No. 05–10137. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 504.

No. 05–10140. *DUNLAP v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 484.

No. 05–10141. *DUCKETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–10142. *FLORENTINO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 427 F. 3d 985.

No. 05–10145. *KEEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 498.

No. 05–10150. *SEALS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 170 Fed. Appx. 421.

No. 05–10151. *SKANNAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 565.

No. 05–10156. *MARTIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 889.

No. 05–10160. *WILSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10163. *JOHN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 325.

No. 05–10166. *CLEMENT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 499.

No. 05–10168. *HERNANDEZ-ANGULO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 966.

No. 05–10169. *GOLDEN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 716.

No. 05–10171. *HEBAH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 678.

No. 05–10174. *TODD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 165 Fed. Appx. 99.

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No. 05–10176. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10177. *SHINGLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 895.

No. 05–10178. *STEDFORD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–10179. *ARROYAVE RESTREPO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–10182. *DAVIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 437 F. 3d 989.

No. 05–10185. *PUCKETT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 422 F. 3d 340.

No. 05–10188. *JAMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 76.

No. 05–10190. *MARTINEZ-MELCHOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 401.

No. 05–10192. *BYRD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 313.

No. 05–10196. *PALMER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10197. *WARMUS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 783.

No. 05–10198. *COLES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 397.

No. 05–10199. *GREEN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 435 F. 3d 1265.

No. 05–10205. *FIFIELD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 432 F. 3d 1056.

No. 05–10206. *HALSELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10209. *ESTUPINAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 05–10210. *COFFEY, AKA MURRAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 415 F. 3d 882.

No. 05–10211. *DEWILLIAMS v. HOBART, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–10212. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10216. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 273.

No. 05–10223. *DECKARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 628.

No. 04–10035. *LONG v. WILSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CRESSON*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 393 F. 3d 390.

No. 05–3. *BENDOLPH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 409 F. 3d 155.

No. 05–817. *GUADALUPE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 402 F. 3d 409.

No. 05–821. *HERRING ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 424 F. 3d 384.

No. 05–827. *MCMONAGLE v. CREDIT SUISSE (USA), INC., FKA CREDIT SUISSE FIRST BOSTON (USA), INC., AS AGENT FOR THE PREPETITION BANK LENDERS, ET AL.; and*

No. 05–941. *OFFICIAL REPRESENTATIVES OF THE BONDHOLDERS AND TRADE CREDITORS OF DEBTORS OWENS CORNING ET AL. v. CREDIT SUISSE (USA), INC., FKA CREDIT SUISSE FIRST BOSTON (USA), INC., AS AGENT FOR THE PREPETITION BANK LENDERS, ET AL.* C. A. 3d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions. Reported below: 419 F. 3d 195.

No. 05–866. *PHILADELPHIA HOUSING AUTHORITY ET AL. v. MCDOWELL ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE

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ALITO took no part in the consideration or decision of this petition. Reported below: 423 F. 3d 233.

No. 05–9501. *KERWIN v. BROOKS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–10077. *THOMAS v. WILLIAMSON, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 152 Fed. Appx. 199.

No. 05–10147. *MATTHEWS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 150 Fed. Appx. 152.

Rehearing Denied

No. 05–799. *VISIN ET AL. v. COMMISSIONER OF INTERNAL REVENUE*, 546 U. S. 1175;

No. 05–831. *SADLOWSKI ET UX. v. BENOIT*, *ante*, p. 1003;

No. 05–923. *BUNTON v. BENTLEY*, *ante*, p. 1013;

No. 05–8091. *BELL v. OKLAHOMA*, 546 U. S. 1186;

No. 05–8193. *HARDESTY v. MICHIGAN*, 546 U. S. 1188;

No. 05–8384. *GLAUDE v. BRAZELTON ET AL.*, *ante*, p. 1006;

No. 05–8423. *SABBIA v. LOMBARDI*, *ante*, p. 1006;

No. 05–8429. *IN RE SCOTT*, *ante*, p. 1002;

No. 05–8511. *COUNTERMAN v. UNITED STATES*, 546 U. S. 1199; and

No. 05–8898. *DUSHAJ v. DEPARTMENT OF HOMELAND SECURITY ET AL.*, *ante*, p. 1044. Petitions for rehearing denied.

No. 05–7523. *JEFFREYS v. UNITED TECHNOLOGIES CORPORATION, SIKORSKY AIRCRAFT DIVISION*, 546 U. S. 1131. Petition for rehearing denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

MAY 2, 2006

Miscellaneous Order

No. 04–1131. *WHITMAN v. DEPARTMENT OF TRANSPORTATION ET AL.* C. A. 9th Cir. [Certiorari granted, 545 U. S. 1138.]

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Counsel are directed to file supplemental briefs addressing the applicability of *Darby v. Cisneros*, 509 U. S. 137 (1993), to this case. The briefs, not to exceed 15 pages, are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, May 15, 2006. JUSTICE ALITO took no part in the consideration or decision of this order.

MAY 4, 2006

Miscellaneous Order

No. 05A991. *WILSON v. LIVINGSTON*, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

MAY 10, 2006

Miscellaneous Order

No. 05A1002. *BHARTI v. GONZALES*, ATTORNEY GENERAL. Application for stay of removal, presented to JUSTICE SCALIA, and by him referred to the Court, denied. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of removal.

MAY 15, 2006

Certiorari Dismissed

No. 05–9833. *KRONCKE v. ARIZONA*. Ct. App. Ariz. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 05A981. *EXXON MOBIL CORP. v. GREFER ET AL.* Ct. App. La., 4th Cir. Application for stay, addressed to JUSTICE KENNEDY and referred to the Court, denied.

No. 05M81. *WALLS v. ILLINOIS*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 05–983. *WINKELMAN, A MINOR, BY AND THROUGH HIS PARENTS AND LEGAL GUARDIANS WINKELMAN ET UX., ET AL. v. PARMA CITY SCHOOL DISTRICT*. C. A. 6th Cir. The Solicitor

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

No. 05–1006. APOTEX INC. ET AL. *v.* PFIZER, INC. C. A. D. C. Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States. THE CHIEF JUSTICE took no part in the consideration or decision of this order.

No. 05–1447. CHRISTIAN CIVIC LEAGUE OF MAINE, INC. *v.* FEDERAL ELECTION COMMISSION ET AL. Appeal from C. A. D. C. Cir. Motion of appellant to expedite consideration of the appeal and to consolidate briefing denied.

No. 05–8562. DIXON *v.* CITY OF MINNEAPOLIS, MINNESOTA, ET AL. C. A. 8th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1016] denied.

No. 05–8851. PHELPS ET UX. *v.* JONES, DBA J&J CONSTRUCTION, ET AL. C. A. 6th Cir. Motion of petitioners for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1039] denied.

No. 05–10276. IN RE HAMMOND;

No. 05–10402. IN RE KELLY;

No. 05–10453. IN RE MILES;

No. 05–10487. IN RE SEGARS; and

No. 05–10507. IN RE ABDULLAH. Petitions for writs of habeas corpus denied.

No. 05–10505. IN RE BOYCE. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8.

No. 05–9938. IN RE HAYNES; and

No. 05–10310. IN RE MITCHELL. Petitions for writs of mandamus denied.

No. 05–9538. IN RE JONES. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

Certiorari Granted

No. 05–593. OSBORN *v.* HALEY ET AL. C. A. 6th Cir. Certiorari granted. In addition to the questions presented by the peti-

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tion, the parties are directed to brief and argue the following question: “Whether the Court of Appeals had jurisdiction to review the District Court’s remand order, notwithstanding 28 U. S. C. § 1447(d)?” Reported below: 422 F. 3d 359.

No. 05–595. WHORTON, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS *v.* BOCKTING. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 399 F. 3d 1010 and 408 F. 3d 1127.

No. 05–746. NORFOLK SOUTHERN RAILWAY CO. *v.* SORRELL. Ct. App. Mo., Eastern Dist. Motion of Association of American Railroads for leave to file a brief as *amicus curiae* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 170 S. W. 3d 35.

No. 05–848. ENVIRONMENTAL DEFENSE ET AL. *v.* DUKE ENERGY CORP. ET AL. C. A. 4th Cir. Certiorari granted. Reported below: 411 F. 3d 539.

Certiorari Denied

No. 05–8. SNAVELY *v.* MILLER. C. A. 9th Cir. Certiorari denied. Reported below: 124 Fed. Appx. 495.

No. 05–454. COX *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 125 Fed. Appx. 973.

No. 05–804. VALENTINE *v.* WOODFORD, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. C. A. 9th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 782.

No. 05–826. PIERCE *v.* JETER, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 344.

No. 05–849. ELIA *v.* GONZALES, ATTORNEY GENERAL. C. A. 6th Cir. Certiorari denied. Reported below: 431 F. 3d 268.

No. 05–852. KHURANA *v.* GONZALES, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied. Reported below: 134 Fed. Appx. 147.

No. 05–918. HITACHI HIGH TECHNOLOGIES AMERICA, INC. *v.* UNITED STATES ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 139 Fed. Appx. 264.

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No. 05–927. NATIONAL FEDERATION OF THE BLIND ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 4th Cir. Certiorari denied. Reported below: 420 F. 3d 331.

No. 05–959. CALEY ET AL. *v.* GULFSTREAM AEROSPACE CORP. ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 428 F. 3d 1359.

No. 05–963. INTERNATIONAL RECTIFIER CORP. *v.* SAMSUNG ELECTRONICS Co., LTD., ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 424 F. 3d 1235.

No. 05–977. BRISCOE ET AL. *v.* POTTER, POSTMASTER GENERAL, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 171 Fed. Appx. 850.

No. 05–978. UNITED STATES *v.* PATAKI, GOVERNOR OF NEW YORK, ET AL.; and

No. 05–982. CAYUGA INDIAN NATION OF NEW YORK ET AL. *v.* PATAKI, GOVERNOR OF NEW YORK, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 413 F. 3d 266.

No. 05–986. RENESAS TECHNOLOGY AMERICA, INC. *v.* UNITED STATES ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 140 Fed. Appx. 943.

No. 05–990. RICHMOND *v.* POTTER, POSTMASTER GENERAL, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 171 Fed. Appx. 851.

No. 05–991. SANAI ET AL. *v.* SANAI ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 677.

No. 05–1018. JOHAL *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 428 F. 3d 823.

No. 05–1108. SIMON *v.* OFFICE OF DISCIPLINARY COUNSEL. Sup. Ct. La. Certiorari denied. Reported below: 913 So. 2d 816.

No. 05–1113. XLP CORP. ET AL. *v.* LAKE COUNTY, ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 359 Ill. App. 3d 239, 832 N. E. 2d 480.

No. 05–1118. CROGAN ET AL. *v.* CHAKER. C. A. 9th Cir. Certiorari denied. Reported below: 428 F. 3d 1215.

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No. 05–1129. *JORG ET AL. v. ESTATE OF OWENSBY*. C. A. 6th Cir. Certiorari denied. Reported below: 414 F. 3d 596.

No. 05–1131. *GREEN v. ELIXIR INDUSTRIES, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 838.

No. 05–1132. *MURRAY v. BUTLER, INDIVIDUALLY AND AS MAYOR OF MARION, ILLINOIS, ET AL.* App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 355 Ill. App. 3d 1208, 885 N. E. 2d 589.

No. 05–1133. *CANADIAN RIVER LAND & CATTLE, INC., ET AL. v. WEST PLAINS GRAIN, INC., DBA AMIGO FEEDERS*. Ct. Civ. App. Okla. Certiorari denied.

No. 05–1145. *BRYTE, PERSONAL REPRESENTATIVE OF THE ESTATE OF BRYTE, DECEASED, ET AL. v. AMERICAN HOUSEHOLD, INC., FKA SUNBEAM CORP., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 429 F. 3d 469.

No. 05–1147. *DAWSON v. NEWMAN, JUDGE, SUPERIOR COURT OF INDIANA, MADISON COUNTY*. C. A. 7th Cir. Certiorari denied. Reported below: 419 F. 3d 656.

No. 05–1149. *FRATERNAL ORDER OF POLICE, NORTH DAKOTA STATE LODGE, ET AL. v. STENEHJEM, ATTORNEY GENERAL OF NORTH DAKOTA*. C. A. 8th Cir. Certiorari denied. Reported below: 431 F. 3d 591.

No. 05–1150. *DU PONT v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 860 A. 2d 525.

No. 05–1151. *MITRANO v. WARSELL ET AL.* C. A. 1st Cir. Certiorari denied.

No. 05–1153. *HOPKINS v. GODFATHER'S PIZZA, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 473.

No. 05–1154. *HOPKINS v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 139 Fed. Appx. 756.

No. 05–1161. *GELB v. NEW YORK CITY BOARD OF ELECTIONS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 155 Fed. Appx. 12.

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No. 05–1164. *TROYER ET UX. v. BOOMTOWN LLC OF DELAWARE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 253.

No. 05–1166. *ALLY v. GRAVER ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 128 Fed. Appx. 194.

No. 05–1172. *GONZALEZ v. BMG MUSIC ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 430 F. 3d 888.

No. 05–1188. *MORETON ROLLESTON, JR., LIVING TRUST v. ESTATE OF SIMS.* Sup. Ct. Ga. Certiorari denied. Reported below: 280 Ga. 32, 622 S. E. 2d 849.

No. 05–1190. *SMITH v. OREGON DEPARTMENT OF REVENUE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 749.

No. 05–1197. *WRAY v. JOHNSON, TRUSTEE OF THE HOYT SIBLEY AND MARY SIBLEY 1973 TRUST.* Sup. Ct. Nev. Certiorari denied. Reported below: 121 Nev. 1137, 152 P. 3d 777.

No. 05–1203. *CARTY v. NELSON, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 426 F. 3d 1064 and 431 F. 3d 1185.

No. 05–1218. *SMITH v. BAZZEL, CLERK, CIRCUIT COURT OF FLORIDA, BAY COUNTY, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–1220. *SHAW v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 863.

No. 05–1226. *COX ET AL. v. CITY OF DALLAS, TEXAS.* C. A. 5th Cir. Certiorari denied. Reported below: 430 F. 3d 734.

No. 05–1229. *WILD RICE RIVER ESTATES, INC. v. CITY OF FARGO, NORTH DAKOTA.* Sup. Ct. N. D. Certiorari denied. Reported below: 705 N. W. 2d 850.

No. 05–1235. *PONY LAKE SCHOOL DISTRICT 30, ROCK COUNTY, BASSETT, NEBRASKA, ET AL. v. STATE COMMITTEE FOR THE REORGANIZATION OF SCHOOL DISTRICTS ET AL.* Sup. Ct. Neb. Certiorari denied. Reported below: 271 Neb. 173, 710 N. W. 2d 609.

No. 05–1252. *HOBLEY v. KENTUCKY FRIED CHICKEN, INC.* C. A. D. C. Cir. Certiorari denied. Reported below: 168 Fed. Appx. 443.

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No. 05–1262. FEDOROV *v.* BLOOMBERG, MAYOR OF THE CITY OF NEW YORK. C. A. 2d Cir. Certiorari denied.

No. 05–1277. HAMPTON *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied. Reported below: 919 So. 2d 949.

No. 05–1293. RIBAUDO *v.* UNITED STATES. C. A. Armed Forces. Certiorari denied. Reported below: 62 M. J. 286.

No. 05–1301. DELLA ROSE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 435 F. 3d 735.

No. 05–1308. BUTLER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 429 F. 3d 140.

No. 05–1310. ELSO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 422 F. 3d 1305.

No. 05–1317. GAINES *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 05–1319. RODRIGUEZ *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 05–5650. VEGA *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–6979. BOWEN *v.* CHESNEY, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT RETREAT. C. A. 3d Cir. Certiorari denied.

No. 05–7620. BEN-SCHOTER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 05–8222. CHAO XIONG ZHANG *v.* GEORGIA. Ct. App. Ga. Certiorari denied.

No. 05–8319. SEARS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 411 F. 3d 1124.

No. 05–8395. DAVIS *v.* ILLINOIS. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 356 Ill. App. 3d 940, 827 N. E. 2d 518.

No. 05–8559. ENTLER *v.* WASHINGTON. Sup. Ct. Wash. Certiorari denied.

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No. 05–8593. *FORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 954.

No. 05–8633. *MASSEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 419 F. 3d 1008.

No. 05–8657. *BOURGEOIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 423 F. 3d 501.

No. 05–8701. *SUMMERVILLE v. LOCAL 77 ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 762.

No. 05–8902. *GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 756.

No. 05–9023. *JENKINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 229 Fed. Appx. 362.

No. 05–9330. *ADKINS v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 930 So. 2d 524.

No. 05–9516. *PRICE v. CRESTAR SECURITIES CORP. ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 05–9520. *MONTGOMERY, AKA HARRIS v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 05–9524. *ALLEN v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 913 So. 2d 788.

No. 05–9525. *BERRY v. LUECKEN-BERRY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 05–9526. *ALEXANDER v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 121 Nev. 1100, 152 P. 3d 745.

No. 05–9530. *TOUSSAINT v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05–9533. *PFEIL v. TEXAS* (two judgments). Ct. Crim. App. Tex. Certiorari denied.

No. 05–9541. *KENYON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 05–9545. *MANN v. CATHEL, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 05–9548. *SAPP v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 366 S. C. 283, 621 S. E. 2d 883.

No. 05–9552. *MICHAEL v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 430 F. 3d 1310.

No. 05–9559. *FOX v. YUKINS, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–9562. *IRIZARRY v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 05–9568. *HAUGHT v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 218 W. Va. 462, 624 S. E. 2d 899.

No. 05–9569. *COKER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 343 Ill. App. 3d 1284, 856 N. E. 2d 687.

No. 05–9573. *STRICKLAND v. RICKMAN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 136 Fed. Appx. 303.

No. 05–9584. *MERRITT v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–9591. *BAUGH v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 358 Ill. App. 3d 718, 832 N. E. 2d 903.

No. 05–9594. *WALLACE v. PARKER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–9597. *WALLIN v. MAYS-WALLIN*. Ct. App. Colo. Certiorari denied.

No. 05–9599. *WARNER v. TEXAS* (two judgments). Ct. Crim. App. Tex. Certiorari denied.

No. 05–9601. *BREEDLOVE v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 728.

No. 05–9606. *SALAR v. CITY OF MESA POLICE DEPARTMENT ET AL.* Ct. App. Ariz. Certiorari denied.

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No. 05–9614. *HALL v. McDONOUGH*, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 05–9615. *PICKETT v. MCCLINTOCK*, DEPUTY FEDERAL DEFENDER. C. A. 9th Cir. Certiorari denied.

No. 05–9618. *MORGAN v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 357 Ill. App. 3d 1106, 895 N. E. 2d 703.

No. 05–9619. *HALL v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 270 Neb. 669, 708 N. W. 2d 209.

No. 05–9623. *KENYATTA v. WOODFORD*, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 616.

No. 05–9626. *THORPE v. OHIO*. C. A. 6th Cir. Certiorari denied.

No. 05–9629. *JOHNSON v. DIGUGLIELMO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied.

No. 05–9641. *BLAKE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 121 Nev. 779, 121 P. 3d 567.

No. 05–9642. *HENDERSON v. ADDISON*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 688.

No. 05–9643. *BAKER v. COTO ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 854.

No. 05–9647. *BUNTON v. KREUZER*, SHERIFF, CHAMBERS COUNTY, TEXAS, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 629.

No. 05–9652. *MINNFEE v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 05–9653. *HERRON v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVI-

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SION. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 603.

No. 05-9654. *STILL v. CRAWFORD ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 241.

No. 05-9656. *WEEMS v. TEXAS.* Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 167 S. W. 3d 350.

No. 05-9659. *DORNHEIM v. SHOLES ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 430 F. 3d 919.

No. 05-9664. *MCCANN v. CITY OF LINCOLN, ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 355 Ill. App. 3d 1204, 885 N. E. 2d 587.

No. 05-9666. *JOHNSON v. FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 913 So. 2d 1258.

No. 05-9667. *RICHARDSON v. LOUISIANA.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 896 So. 2d 257.

No. 05-9669. *WILEY v. PIERCE, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 05-9670. *TURNER v. IGLECIA.* C. A. 4th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 418.

No. 05-9673. *ZINK v. MISSOURI.* Sup. Ct. Mo. Certiorari denied. Reported below: 181 S. W. 3d 66.

No. 05-9680. *LANE-EL v. KNIGHT.* C. A. 7th Cir. Certiorari denied.

No. 05-9683. *GUZMAN v. RUNNELS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05-9694. *FAVREAU v. FAVREAU.* Sup. Ct. Fla. Certiorari denied. Reported below: 908 So. 2d 1057.

No. 05-9696. *MCKENNIE v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 354 Ill. App. 3d 1161, 883 N. E. 2d 1149.

No. 05-9697. *FORBES ET UX. v. NEW CENTURY MORTGAGE CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 416.

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No. 05–9707. *SEABORN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 05–9710. *PINA v. KIRKLAND, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–9711. *HILL v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 05–9719. *LEE v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied.

No. 05–9730. *LEDESMA AGUILAR v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 428 F. 3d 526.

No. 05–9732. *ATAMIAN v. VATTILANA*. Sup. Ct. Del. Certiorari denied. Reported below: 889 A. 2d 283.

No. 05–9734. *GREENE v. FINGER LAKES DEVELOPMENTAL DISABILITIES OFFICE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 136 Fed. Appx. 441.

No. 05–9736. *SPLAWN v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied. Reported below: 160 S. W. 3d 103.

No. 05–9740. *RANDOLPH v. FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 905 So. 2d 895.

No. 05–9741. *MUHAMMAD v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 269 Va. 451, 619 S. E. 2d 16.

No. 05–9758. *MILLER v. MILLER-STOUT, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied.

No. 05–9774. *EDWARDS v. PRUNTY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–9775. *CUNNINGHAM v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 05–9799. *RENFROE v. PLILER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 763.

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No. 05–9815. *AYAZI v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 2d Cir. Certiorari denied. Reported below: 147 Fed. Appx. 202.

No. 05–9824. *WHITE v. ENDICOTT, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–9830. *NOONER v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 402 F. 3d 801.

No. 05–9873. *EVERS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 917 So. 2d 193.

No. 05–9881. *GARCIA-MORIEL v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–9885. *BINGMAN v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 329 Mont. 151, 122 P. 3d 1235.

No. 05–9889. *WILLS v. HAINES*. C. A. 8th Cir. Certiorari denied.

No. 05–9898. *RAMAZZINI v. KIRKLAND, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 811.

No. 05–9904. *HUGHES v. ILLINOIS DEPARTMENT OF CORRECTIONS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 357 Ill. App. 3d 1100, 895 N. E. 2d 701.

No. 05–9912. *GAMO ET AL. v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 784.

No. 05–9931. *ROCHA v. PRICE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 932.

No. 05–9932. *FAUNTLEROY v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 05–9950. *VANREES v. COLORADO*. Sup. Ct. Colo. Certiorari denied. Reported below: 125 P. 3d 403.

No. 05–9984. *STEWART v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

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No. 05–9999. *HENDLEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 923 So. 2d 1162.

No. 05–10034. *HAYNES v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 05–10037. *YARBROUGH v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 872 A. 2d 1277.

No. 05–10042. *BARKER v. SPALDING, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX*. C. A. 9th Cir. Certiorari denied. Reported below: 423 F. 3d 1085.

No. 05–10046. *ASH-SHAHID, FKA NANCE v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 34 Kan. App. 2d xi, 122 P. 3d 420.

No. 05–10058. *MARTINEZ v. RYAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–10060. *POINDEXTER v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. Reported below: 132 Fed. Appx. 919.

No. 05–10063. *BURTON v. GREENE, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 162 Fed. Appx. 43.

No. 05–10076. *TERRY v. OREGON*. 6th Jud. Dist. Cir. Ct. Umatilla County, Ore. Certiorari denied.

No. 05–10125. *SCHULPIUS v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 287 Wis. 2d 44, 707 N. W. 2d 495.

No. 05–10128. *SPIVEY v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 05–10180. *CHAYOON v. SHERLOCK ET AL.* App. Ct. Conn. Certiorari denied. Reported below: 89 Conn. App. 821, 877 A. 2d 4.

No. 05–10184. *CUERO v. MCFADDEN, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 755.

No. 05–10225. *PATTERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 431 F. 3d 832.

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No. 05–10227. *SANTOS-RODRIGUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 433 F. 3d 128.

No. 05–10228. *CHRISTOPHER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 818.

No. 05–10230. *CHAVARRIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 306.

No. 05–10234. *KYLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 294.

No. 05–10239. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 300.

No. 05–10241. *MESINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 844.

No. 05–10242. *JOURDAIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 433 F. 3d 652.

No. 05–10244. *SALAMANCA-SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 645.

No. 05–10248. *TOME v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 167 Fed. Appx. 320.

No. 05–10249. *TORRES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 496.

No. 05–10250. *YEMITAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–10251. *REYNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 436 F. 3d 560.

No. 05–10259. *PERRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 438 F. 3d 642.

No. 05–10264. *WRIGHT v. LAMANNA, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 457.

No. 05–10271. *HOWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 05–10273. *FRANDSEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–10279. *LAMKIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 214.

No. 05–10280. *CARLISLE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10281. *BEGAYE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 669.

No. 05–10286. *ADDISON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10287. *BROWN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 05–10289. *SALAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 691.

No. 05–10290. *RIDDICK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 407.

No. 05–10291. *CANCEL-SIERRA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–10297. *MALDONADO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 759.

No. 05–10298. *JONES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10301. *ORTEGA-BALDERAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 614.

No. 05–10305. *BARUT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 533.

No. 05–10308. *BARTZ v. GRAMS, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–10316. *HILL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 203.

No. 05–10317. *HULL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 419 F. 3d 762.

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No. 05–10320. *HOMRICH v. VEACH, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–10323. *MCKINNEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 820.

No. 05–10326. *CIFUENTES-CAYCEDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 355.

No. 05–10329. *MATTHEWS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 379.

No. 05–10330. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 343.

No. 05–10331. *JORDAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 435 F. 3d 693.

No. 05–10332. *JONES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 423 F. 3d 1164.

No. 05–10334. *TEEPLES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 432 F. 3d 1110.

No. 05–10335. *WORTHY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 922.

No. 05–10336. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10338. *ALLEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–10342. *DECKARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 05–10351. *PITTS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 924.

No. 05–10353. *PRATT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 438 F. 3d 1264.

No. 05–10354. *JUAN-SEBASTIAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 786.

No. 05–10356. *KAPLAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

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No. 05–10358. *ROGERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 975.

No. 05–10359. *SUTTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10361. *RAMIREZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–10364. *WEAVER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 433 F. 3d 1104.

No. 05–10370. *GALLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10379. *FERGUSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 976.

No. 05–10383. *GOMEZ-MARTINEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 05–10387. *CLARK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 434 F. 3d 684.

No. 05–10393. *MORELAND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 437 F. 3d 424.

No. 05–10394. *MUNOZ LOPEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 431 F. 3d 313.

No. 05–10403. *DOBBS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 242.

No. 05–10410. *WALTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 694.

No. 05–10412. *VONGKAYSONE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 434 F. 3d 68.

No. 05–10413. *LOWERY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 161 Fed. Appx. 226.

No. 05–10414. *KRANKEL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10416. *GILART v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 880.

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No. 05–10420. *HERNANDEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–10421. *HAIRSTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 451.

No. 05–10427. *CANCEL-RUIZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–879. *TACHIONA, ON HER OWN BEHALF AND ON BEHALF OF HER LATE HUSBAND TACHIONA, ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 386 F. 3d 205.

No. 05–970. *BANNER ET AL. v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 428 F. 3d 303.

No. 05–974. *BRITAIN v. CARVIN*. Sup. Ct. Wash. Motion of petitioner to join additional party denied. Certiorari denied. Reported below: 155 Wash. 2d 679, 122 P. 3d 161.

No. 05–1152. *UNITED STATES v. NIELSON*. C. A. 10th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 415 F. 3d 1195.

No. 05–1184. *ALLIANCE OF AUTOMOBILE MANUFACTURERS v. GWADOSKY, SECRETARY OF STATE OF MAINE, ET AL.* C. A. 1st Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 430 F. 3d 30.

No. 05–1306. *EXTREME ASSOCIATES, INC., ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 431 F. 3d 150.

No. 05–9181. *MARSHALL v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. JUSTICE BREYER would grant the petition for writ of certiorari. Reported below: 911 So. 2d 1129.

No. 05–9794. *CARTER v. WHITE, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the con-

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sideration or decision of this petition. Reported below: 152 Fed. Appx. 111.

No. 05–9849. *BAEZ v. PALAKOVICH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9973. *SANCHEZ, AKA MOLINO v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–10277. *FITZGERALD v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–10349. *COCCO v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–10415. *HEDGEPEETH v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 434 F. 3d 609.

Rehearing Denied

No. 05–847. *SINA ET UX. v. MABLEY ET AL., ante*, p. 1019;

No. 05–901. *BRUENN v. NORTHROP GRUMMAN CORP. ET AL., ante*, p. 1040;

No. 05–6971. *DUKES v. UNITED STATES*, 546 U. S. 1177;

No. 05–7252. *LEECH v. ANDREWS ET AL., ante*, p. 1022;

No. 05–7701. *THOMAS v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, 546 U. S. 1152;

No. 05–7733. *WATSON v. KNOWLES, WARDEN, ET AL.*, 546 U. S. 1178;

No. 05–8016. *BOWMAN v. BOWMAN*, 546 U. S. 1184;

No. 05–8254. *LOWE v. SHAH ET AL.*, 546 U. S. 1189;

No. 05–8420. *MATLOCK v. KNOWLES, WARDEN, ET AL.*, 546 U. S. 1196;

No. 05–8421. *JONES v. MICHIGAN, ante*, p. 1006;

No. 05–8456. *TAPP v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK*, 546 U. S. 1197;

No. 05–8465. *IN RE TIDWELL*, 546 U. S. 1167;

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No. 05–8487. IN RE MORENO VALENCIA, 546 U. S. 1167;
No. 05–8524. IN RE VARGAS, 546 U. S. 1168;
No. 05–8525. IN RE CUERO HURTADO, 546 U. S. 1168;
No. 05–8528. IN RE CAMPAZ HURTADO, 546 U. S. 1168;
No. 05–8757. ANDREWS *v.* GONZALES, ATTORNEY GENERAL,
ET AL., *ante*, p. 1043;
No. 05–8834. IN RE BANGURA, *ante*, p. 1039;
No. 05–9133. ALEXIS *v.* UNITED STATES, *ante*, p. 1012;
No. 05–9157. IN RE BEAVER, *ante*, p. 1039; and
No. 05–9337. IN RE CAICEDO VARGAS, *ante*, p. 1017. Petitions
for rehearing denied.

No. 05–8059. WATKINS *v.* UNITED STATES ET AL., 546 U. S.
1129. Petition for rehearing denied. JUSTICE ALITO took no
part in the consideration or decision of this petition.

No. 04–6059. SPURLOCK *v.* ARMY CORPS OF ENGINEERS, 543
U. S. 937. Motion for leave to file petition for rehearing denied.

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Miscellaneous Order

No. 05A1054. HERRON *v.* TEXAS. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

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Certiorari Granted—Vacated and Remanded

No. 05–912. ESTATE OF LOWE, BY HARRIS, COOK COUNTY PUBLIC GUARDIAN AND SUPERVISED ADMINISTRATOR *v.* APEX TAX INVESTMENTS, INC., ET AL. Sup. Ct. Ill. Motion of Mental Health Association in Illinois et al. for leave to file a brief as *amici curiae* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Jones v. Flowers*, *ante*, p. 220. Reported below: 217 Ill. 2d 1, 838 N. E. 2d 907.

Certiorari Dismissed

No. 05–9806. GOLDWATER *v.* FREIGO. Sup. Ct. Ariz. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner

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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.

Miscellaneous Orders

No. 05M82. *GOSSAGE v. WASHINGTON ET AL.* Motion of petitioner for leave to proceed as a veteran granted.

No. 05-1284. *WATSON ET AL. v. PHILIP MORRIS COS., INC., ET AL.* C. A. 8th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 05-8820. *LAWRENCE v. FLORIDA.* C. A. 11th Cir. [Certiorari granted, *ante*, p. 1039.] Motion of petitioner for appointment of counsel granted. Mary C. Bonner, Esq., of Ft. Lauderdale, Fla., is appointed to serve as counsel for petitioner in this case.

No. 05-8857. *IN RE DIXON.* Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1039] denied.

No. 05-10650. *IN RE MILLER.* Petition for writ of habeas corpus denied.

No. 05-1217. *IN RE LYNCH;*

No. 05-9791. *IN RE DONALSON;* and

No. 05-9868. *IN RE HOWES.* Petitions for writs of mandamus denied.

No. 05-10503. *IN RE BARNETT.* Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

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Certiorari Denied

No. 04-1407. CUNO ET AL. *v.* DAIMLERCHRYSLER CORP. ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 386 F. 3d 738.

No. 05-731. PEREIRA, AS TRUSTEE OF TRACE INTERNATIONAL HOLDINGS, INC., ET AL. *v.* FARACE ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 413 F. 3d 330.

No. 05-893. STAR-GLO ASSOCIATES, L. P., ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 414 F. 3d 1349.

No. 05-979. FREIBURGER *v.* SOUTH CAROLINA. Sup. Ct. S. C. Certiorari denied. Reported below: 366 S. C. 125, 620 S. E. 2d 737.

No. 05-1023. TAYLOR *v.* FEDERAL EXPRESS CORP. C. A. 4th Cir. Certiorari denied. Reported below: 429 F. 3d 461.

No. 05-1025. CRETE *v.* CITY OF LOWELL, MASSACHUSETTS, ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 418 F. 3d 54.

No. 05-1036. ABDUR'RAHMAN *v.* BREDESEN ET AL. Sup. Ct. Tenn. Certiorari denied. Reported below: 181 S. W. 3d 292.

No. 05-1044. SYLVESTER *v.* LEBOVIDGE, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF REVENUE, ET AL. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 445 Mass. 304, 837 N. E. 2d 662.

No. 05-1050. NORMAN ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 429 F. 3d 1081.

No. 05-1053. GREATER ATLANTA HOME BUILDERS ASSN., INC., ET AL. *v.* CITY OF ATLANTA, GEORGIA. C. A. 11th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 846.

No. 05-1189. SALINAS ET AL. *v.* LAMERE ET AL. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied. Reported below: 131 Cal. App. 4th 1059, 31 Cal. Rptr. 3d 880.

No. 05-1192. QLT, INC., FKA QLT PHOTOTHERAPEUTICS, INC. *v.* MASSACHUSETTS EYE AND EAR INFIRMARY. C. A. 1st Cir. Certiorari denied. Reported below: 412 F. 3d 215.

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No. 05–1195. *PHOENIX LITHOGRAPHING CORP. v. PRESTIGE ASSOCIATES, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 143 Fed. Appx. 486.

No. 05–1196. *JARMUTH v. CULPEPPER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 188.

No. 05–1199. *STREET ET AL. v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI ET AL.* (two judgments). C. A. 5th Cir. Certiorari denied.

No. 05–1200. *MOLER v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 05–1202. *MYERS v. INDIANA.* Sup. Ct. Ind. Certiorari denied. Reported below: 839 N. E. 2d 1154.

No. 05–1205. *LUCERO, DBA A&N QUALITY PRODUCTS, ET AL. v. BURT BUICK-PONTIAC-GMC TRUCK, INC., DBA BURT CUSTOM FINANCE, DBA BURT AUTOMOTIVE NETWORK, INC., ET AL.* Ct. App. Colo. Certiorari denied.

No. 05–1207. *REAVES v. REAVES.* Ct. App. S. C. Certiorari denied.

No. 05–1208. *GUTHRIE v. CITY OF SCOTTSDALE, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 987.

No. 05–1212. *GRIMM v. GRIMM.* Sup. Ct. Conn. Certiorari denied. Reported below: 276 Conn. 377, 886 A. 2d 391.

No. 05–1213. *WILBANKS v. WILBANKS.* Ct. Civ. App. Okla. Certiorari denied.

No. 05–1214. *EPPERSON ET AL. v. ENTERTAINMENT EXPRESS, INC., NKA TICKETS.COM, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 159 Fed. Appx. 249.

No. 05–1216. *STAUDENMAIER v. NELLIE MAE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 120 Fed. Appx. 215.

No. 05–1219. *D'AGOSTINO v. BUDGE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 456.

No. 05–1227. *COLUCCI v. AGFA CORPORATION SEVERANCE PAY PLAN.* C. A. 4th Cir. Certiorari denied. Reported below: 431 F. 3d 170.

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No. 05–1237. *HUTCHINS v. MYERS*. C. A. 6th Cir. Certiorari denied. Reported below: 422 F. 3d 347.

No. 05–1245. *HAMM v. COMMITTEE ON CHARACTER AND FITNESS OF THE SUPREME COURT OF ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 211 Ariz. 458, 123 P. 3d 652.

No. 05–1258. *NICHOLS v. MICHIGAN*. Cir. Ct. Kalamazoo County, Mich. Certiorari denied.

No. 05–1282. *STUDIO 2000 USA, INC. v. UNITED STATES TRUSTEE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 684.

No. 05–1313. *SHARON S. v. ANNETTE F.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 05–1328. *MUNOZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 430 F. 3d 1357.

No. 05–1340. *PACHECO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 434 F. 3d 106.

No. 05–8179. *HUNTER v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 148 S. W. 3d 526.

No. 05–8271. *VINNING-EL v. HULICK, ACTING WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–8571. *SCHWARTZ v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 05–8678. *MUJAHID v. DANIELS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 413 F. 3d 991.

No. 05–8929. *SMITH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 423 F. 3d 25.

No. 05–9323. *PILLEY v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 930 So. 2d 550.

No. 05–9610. *AGUILAR-DELGADO, AKA VILLAGOMEZ v. UNITED STATES; PENA-GARZA v. UNITED STATES; FUENTES-ANAYA v. UNITED STATES; RODRIGUEZ-APARIZIO v. UNITED STATES; THEUS v. UNITED STATES; MANUEL-MONTESINOS v. UNITED STATES; SIERRA-GARCIA v. UNITED STATES; and QUEVEDO-ALVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported

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below: 157 Fed. Appx. 775 (fourth judgment) and 781 (fifth judgment); 158 Fed. Appx. 547 (second judgment), 565 (first judgment), and 576 (third judgment); 159 Fed. Appx. 596 (sixth judgment); 161 Fed. Appx. 386 (eighth judgment); 166 Fed. Appx. 708 (seventh judgment).

No. 05–9713. *CABALLERO-MARTINEZ v. UNITED STATES; BARBER v. UNITED STATES; and GALLEGOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 556 (first judgment); 160 Fed. Appx. 389 (second judgment); 161 Fed. Appx. 375 (third judgment).

No. 05–9725. *QUINLIVAN v. MARIN COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 79.

No. 05–9726. *ROBERSON v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 05–9727. *QUARTERMAN v. HOLMES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–9745. *THOMAS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 05–9746. *WASHINGTON v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–9747. *WHITE v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05–9750. *WILLIAMS v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 895 So. 2d 1287.

No. 05–9751. *WILSON v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 05–9756. *FRANCIS v. WOODFORD, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–9759. *MCGHEE v. WALKER, WARDEN*. C. A. 11th Cir. Certiorari denied.

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No. 05-9761. *JEHMLICH v. MICHIGAN*. Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 05-9763. *CROMWELL v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 211 Ariz. 181, 119 P. 3d 448.

No. 05-9771. *CAMPBELL v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 05-9773. *DAI NGUYEN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 05-9776. *ARANA ENRIQUEZ v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05-9778. *COOPER v. BOYETTE, CORRECTIONAL ADMINISTRATOR I, NASH CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 229.

No. 05-9784. *TURNER-EL v. FIENERMAN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 05-9789. *YERO v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05-9793. *GARCIA v. BIRKETT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05-9796. *ENGLISH v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 916 So. 2d 1042.

No. 05-9812. *BASTON v. BAGLEY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 420 F. 3d 632.

No. 05-9813. *BROOKS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 918 So. 2d 181.

No. 05-9823. *GREEN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 307.

No. 05-9825. *MCNEAL v. MORGAN, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 890.

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No. 05–9845. *STUBBS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 876 A. 2d 470.

No. 05–9857. *BRADFORD v. TOWNSHIP OF UNION PUBLIC SCHOOLS ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 05–9861. *DEPALMA v. NEW YORK*. App. Term, Sup. Ct. N. Y., 9th and 10th Jud. Dists. Certiorari denied. Reported below: 5 Misc. 3d 129, 798 N. Y. S. 2d 712.

No. 05–9867. *FLEEGLE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 20 App. Div. 3d 684, 798 N. Y. S. 2d 224.

No. 05–9870. *GATES v. MAHONE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–9871. *FLORES v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 177 S. W. 3d 8.

No. 05–9872. *PATEL v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 05–9874. *GILLESPIE v. MILLER, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 05–9875. *DELEON v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 05–9880. *MORGAN v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 166 Md. App. 772.

No. 05–9884. *KANDEKORE v. FLORIDA BAR*. Sup. Ct. Fla. Certiorari denied. Reported below: 929 So. 2d 1054.

No. 05–9888. *FAIN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 05–9890. *WILLIAMS v. WILSON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 342.

No. 05–9892. *HANN v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 05–9894. *TALBOTT v. CALIFORNIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 05–9911. *HARVEY v. BUSS*, SUPERINTENDENT, WESTVILLE CORRECTIONAL FACILITY. C. A. 7th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 509.

No. 05–9957. *PHILLIPS v. UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA*. C. A. D. C. Cir. Certiorari denied. Reported below: 168 Fed. Appx. 451.

No. 05–9975. *SILVERBURG v. WEBB*, WARDEN. Sup. Ct. Ky. Certiorari denied.

No. 05–9994. *FLORES v. DEPARTMENT OF JUSTICE*. C. A. D. C. Cir. Certiorari denied.

No. 05–10001. *HANN v. STATE TREASURER*. Ct. App. Mich. Certiorari denied.

No. 05–10003. *HELM v. FLORIDA*; and *HELM v. McDONOUGH*, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Certiorari denied. Reported below: 914 So. 2d 938 (second judgment) and 953 (first judgment).

No. 05–10028. *LEPISCOPO v. FARBER*, ATTORNEY GENERAL OF NEW JERSEY, ET AL. C. A. 3d Cir. Certiorari denied.

No. 05–10057. *LABOONE v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 679.

No. 05–10079. *WIMBUSH v. BURT*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 05–10080. *REVERE v. McDONOUGH*, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 05–10089. *ROBERTSON v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 667.

No. 05–10103. *NELSON v. MICHIGAN*. Cir. Ct. Kent County, Mich. Certiorari denied.

No. 05–10104. *KUESIS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

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No. 05–10107. *TOODLE v. DEPARTMENT OF JUSTICE ET AL.* C. A. 10th Cir. Certiorari denied.

No. 05–10117. *RUSH v. KANSAS.* C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 742.

No. 05–10135. *SHERRELL v. HOWERTON, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 05–10159. *AULTMAN v. NORTH CAROLINA.* C. A. 4th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 216.

No. 05–10162. *KEEN v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 05–10167. *CRESPIN v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 05–10194. *KENNEDY v. SMITH ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–10218. *WEST v. STOUFFER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 203.

No. 05–10221. *BIRKS v. SPENCER, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT NORFOLK.* C. A. 1st Cir. Certiorari denied.

No. 05–10237. *WISHART v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 171.

No. 05–10254. *COCHRAN v. RAYTHEON AIRCRAFT Co.* C. A. 10th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 7.

No. 05–10285. *BLAY v. ESTEP, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 804.

No. 05–10295. *DRAKEFORD v. FEDERAL BUREAU OF INVESTIGATION.* C. A. 2d Cir. Certiorari denied.

No. 05–10312. *WRIGHT v. GRACE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–10333. *JORGENSEN v. SONY MUSIC ENTERTAINMENT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 157 Fed. Appx. 427.

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No. 05–10390. *SMITH v. DEPARTMENT OF THE TREASURY*. C. A. Fed. Cir. Certiorari denied. Reported below: 126 Fed. Appx. 489.

No. 05–10406. *OLOFINJANA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–10419. *HARBISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 187.

No. 05–10422. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 421.

No. 05–10430. *ADAIR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 436 F. 3d 520.

No. 05–10433. *BROCK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 433 F. 3d 931.

No. 05–10434. *ABED v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 363.

No. 05–10437. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 25.

No. 05–10443. *CANDALOSA-ESTRADA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 558.

No. 05–10444. *DUKES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 432 F. 3d 910.

No. 05–10446. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10450. *PERALTE, AKA BLACK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 866.

No. 05–10454. *MOSS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10455. *BENSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–10461. *DAVIS, AKA CALVIN, AKA ROBINSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 05–10464. *SILVA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 879.

No. 05–10467. *RODRIGUEZ-MANCINAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 774.

No. 05–10468. *NAVA-JUAREZ, AKA JUAREZ, AKA BUNDECA-HERNANDEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–10471. *WILSON v. UNITED STATES*; *MEJIA v. UNITED STATES*; *CANO v. UNITED STATES*; and *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 315 (first judgment); 166 Fed. Appx. 754 (third judgment); 169 Fed. Appx. 326 (fourth judgment) and 344 (second judgment).

No. 05–10473. *GREEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–10474. *GREEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 436 F. 3d 449.

No. 05–10475. *MORRIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–10478. *ANDREWS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10481. *COOKS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 93.

No. 05–10483. *SALAZAR-PALACIOS v. UNITED STATES* (Reported below: 164 Fed. Appx. 489); *SANTANA-ALVARADO v. UNITED STATES* (164 Fed. Appx. 503); *RODRIGUEZ-CARDENAS v. UNITED STATES* (166 Fed. Appx. 767); *RIVERA-GARCIA v. UNITED STATES* (167 Fed. Appx. 989); *HERNANDEZ-FRANCO, AKA HERNANDEZ v. UNITED STATES* (167 Fed. Appx. 986); *ALVAREZ-ONTIVEROS v. UNITED STATES* (168 Fed. Appx. 992); *DEL CID-MENDEZ v. UNITED STATES* (168 Fed. Appx. 580); *MENDOZA-CONTRERAS v. UNITED STATES* (168 Fed. Appx. 572); *CISNEROS-JIMENEZ v. UNITED STATES* (168 Fed. Appx. 598); *ARELLANO-RAMIREZ v. UNITED STATES* (169 Fed. Appx. 364); *DE LA GARZA-ROJAS v. UNITED STATES* (169 Fed. Appx. 393);

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TOLEDO-VIDES *v.* UNITED STATES (169 Fed. Appx. 412); GUTIERREZ-MENDEZ *v.* UNITED STATES (169 Fed. Appx. 864); ALVARADO-PALMA *v.* UNITED STATES (169 Fed. Appx. 856); ARVISO-MATA *v.* UNITED STATES (442 F. 3d 382); SANCHEZ-NAVARRO *v.* UNITED STATES (169 Fed. Appx. 899); LOPEZ-SANCHEZ *v.* UNITED STATES (169 Fed. Appx. 910); MORA-GRANADOS *v.* UNITED STATES (169 Fed. Appx. 908); CRUZ *v.* UNITED STATES (170 Fed. Appx. 347); ALVARADO, AKA FUENTES-GARCIA *v.* UNITED STATES (170 Fed. Appx. 880); NAVARRETE-MENDOZA *v.* UNITED STATES (172 Fed. Appx. 35); REYES-CELESTINO, AKA PEREZ *v.* UNITED STATES (443 F. 3d 451); and VASQUEZ-MONJARAZ *v.* UNITED STATES (172 Fed. Appx. 608). C. A. 5th Cir. Certiorari denied.

No. 05–10489. MCDANIEL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 05–10491. LACHNEY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 334.

No. 05–10492. ATENCIO ET UX. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 435 F. 3d 1222.

No. 05–10493. BROWN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 437 F. 3d 450.

No. 05–10499. URIBE RODRIGUEZ *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 658.

No. 05–10500. WARIN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 390.

No. 05–10502. BENITO-NUNEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 583.

No. 05–10508. QUANSAH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 171 Fed. Appx. 51.

No. 05–10511. RIVERA *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 05–10512. SPIERS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

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No. 05–10513. *SYPHERS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 426 F. 3d 461.

No. 05–10515. *EDWARDS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 132 Fed. Appx. 535.

No. 05–10519. *MARES-HERNANDEZ v. UNITED STATES*; *GONZALES-LEON v. UNITED STATES*; and *GARCIA-MUNOZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 561 (first judgment); 171 Fed. Appx. 43 (second judgment); 174 Fed. Appx. 406 (third judgment).

No. 05–10522. *MERTENS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 955.

No. 05–10523. *SANDERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 861.

No. 05–10524. *COFFEE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 434 F. 3d 887.

No. 05–10526. *DEWALT, AKA CARTER, AKA DEWALT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 279.

No. 05–10529. *BONNER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10536. *GARZA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 435 F. 3d 73.

No. 05–10537. *HARTSHORN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 325.

No. 05–10539. *MOORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 174 Fed. Appx. 540.

No. 05–10541. *PLOUFFE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 436 F. 3d 1062.

No. 05–10546. *LLERA-PLAZA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 160 Fed. Appx. 11.

No. 05–10547. *LOPEZ-MARTINEZ v. UNITED STATES* (Reported below: 166 Fed. Appx. 123); *HERNANDEZ-MARTINEZ v. UNITED STATES* (165 Fed. Appx. 372); *MENDOZA-BLANCO, AKA RODRIGUEZ-CARABEL v. UNITED STATES* (440 F. 3d 264);

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MARTINEZ-COVARRUBIAS *v.* UNITED STATES; MALDONADO-CRUZ *v.* UNITED STATES (166 Fed. Appx. 154); ZUNIGA-VIDALES *v.* UNITED STATES (166 Fed. Appx. 772); RODRIGUEZ-ALVARRAN *v.* UNITED STATES (166 Fed. Appx. 773); TEJADA-CALDERON *v.* UNITED STATES (168 Fed. Appx. 574); NAVARETTE-JACINTO *v.* UNITED STATES (169 Fed. Appx. 419); and JACINTO-LARA *v.* UNITED STATES (170 Fed. Appx. 335). C. A. 5th Cir. Certiorari denied.

No. 05–10560. OATES *v.* MINNESOTA. C. A. 8th Cir. Certiorari denied.

No. 05–10566. ALSTON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 57.

No. 05–10568. BUSTILLO *v.* HOOD, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 255.

No. 05–10569. BURTS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 05–1191. TRAVELERS CASUALTY & SURETY CO. *v.* ACANDS, INC. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 435 F. 3d 252.

No. 05–1193. NEW YORK *v.* GOLDSTEIN. Ct. App. N. Y. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 6 N. Y. 3d 119, 843 N. E. 2d 727.

No. 05–1201. ORNOSKI, ACTING WARDEN *v.* EARP. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 431 F. 3d 1158.

No. 05–1210. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* ABDUL-SALAAM. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this motion and this petition.

No. 05–1281. DAVIS, PRESIDENT, EARTH PROTECTOR LICENSING CORP., ET AL. *v.* WALT DISNEY CO. ET AL. C. A. 8th Cir. Certiorari denied. THE CHIEF JUSTICE and JUSTICE ALITO took

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no part in the consideration or decision of this petition. Reported below: 430 F. 3d 901.

No. 05–1289. *EXXONMOBIL PENSION PLAN ET AL. v. FILES*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 428 F. 3d 478.

No. 05–9826. *DANDAR v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9837. *COLES v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 162 Fed. Appx. 100.

No. 05–9869. *HENDERSON v. MINNESOTA*. C. A. 8th Cir. Certiorari before judgment denied.

No. 05–10203. *FUGAH v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

Rehearing Denied

No. 05–8121. *HURLEY v. FLORIDA ET AL.*, 546 U. S. 1186;

No. 05–8419. *MASSE v. KNOWLES, WARDEN, ET AL.*, 546 U. S. 1196;

No. 05–8442. *ROSS v. TEXAS*, *ante*, p. 1007;

No. 05–8480. *CLAIBORNE v. HOLLAND ET AL.*, *ante*, p. 1008;

No. 05–8486. *IN RE TORRES*, 546 U. S. 1167;

No. 05–8828. *LODHI v. NEW YORK*, *ante*, p. 1044;

No. 05–8849. *IN RE KING*, *ante*, p. 1039;

No. 05–9024. *KING v. UNITED STATES*, *ante*, p. 1009;

No. 05–9170. *LILLY v. SCHWARTZ ET AL.*, *ante*, p. 1046;

No. 05–9340. *MEGGISON, AKA EDWARDS v. UNITED STATES*, *ante*, p. 1046;

No. 05–9382. *TAYLOR v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*, *ante*, p. 1080;

No. 05–9450. *RIES v. BEZY, WARDEN*, *ante*, p. 1050; and

No. 05–9553. *SAPP v. UNITED STATES*, *ante*, p. 1061. Petitions for rehearing denied.

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No. 05–7752. *VIGGIANO v. NEW JERSEY ET AL.*, 546 U. S. 1209. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

MAY 24, 2006

Miscellaneous Orders

No. 05A1078 (05–11108). *AGUILAR v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of execution.

No. 05–11128 (05A1080). *IN RE AGUILAR*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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Certiorari Dismissed

No. 05–9996. *HADLEY v. FISS*, CHIEF JUDGE, CIRCUIT COURT OF ILLINOIS, ST. CLAIR COUNTY, ET AL. Sup. Ct. Ill. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 05A792. *TEMPLE v. UNITED STATES*. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 05–998. *UNITED STATES v. RESENDIZ-PONCE*. C. A. 9th Cir. [Certiorari granted, *ante*, p. 1069.] Motion of respondent for appointment of counsel granted. Atmore Baggot, Esq., of Apache Junction, Ariz., is appointed to serve as counsel for respondent in this case.

No. 05–9237. *SCHARDT v. PAYNE*, SUPERINTENDENT, MCNEIL ISLAND CORRECTIONS CENTER. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until June 20, 2006, 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.

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No. 05–10750. IN RE MONTGOMERY. Petition for writ of mandamus denied.

No. 05–1224. IN RE VEY;

No. 05–9959. IN RE DELUCA;

No. 05–9990. IN RE FOOSE;

No. 05–10039. IN RE COLLIER; and

No. 05–10050. IN RE BOWELL. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 05–1256. PHILIP MORRIS USA *v.* WILLIAMS, PERSONAL REPRESENTATIVE OF THE ESTATE OF WILLIAMS, DECEASED. Sup. Ct. Ore. Certiorari granted limited to Questions 1 and 2 presented by the petition. Reported below: 340 Ore. 35, 127 P. 3d 1165.

Certiorari Denied

No. 05–884. WEINER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 152 Fed. Appx. 38.

No. 05–916. RICHARDSON *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 421 F. 3d 17.

No. 05–929. UNITED SENIORS ASSN., INC. *v.* SOCIAL SECURITY ADMINISTRATION. C. A. 4th Cir. Certiorari denied. Reported below: 423 F. 3d 397.

No. 05–935. ROBERTSON, INDIVIDUALLY AND IN HER OFFICIAL CAPACITY AS PERSONAL REPRESENTATIVE OF THE ESTATE OF RICE *v.* HECKSEL ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 420 F. 3d 1254.

No. 05–944. DISABLED AMERICAN VETERANS *v.* NICHOLSON, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 419 F. 3d 1317.

No. 05–971. ROY *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 871 A. 2d 498.

No. 05–1030. ROE, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED *v.* DONAHUE, COMMISSIONER, INDIANA DEPARTMENT OF CORRECTION. Ct. App. Ind. Certiorari denied. Reported below: 829 N. E. 2d 99.

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No. 05–1061. *BLACKETTER, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION, ET AL. v. TARABOCHIA*. C. A. 9th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 753.

No. 05–1084. *JERSEY DENTAL LABORATORIES, FKA HOWARD HESS DENTAL LABORATORIES, INC., ET AL. v. DENTSPLY INTERNATIONAL, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 424 F. 3d 363.

No. 05–1087. *SOUTHWEST INVESTMENT CO., INC., ON BEHALF OF ITSELF AND ON BEHALF OF FIRST LOUISIANA FEDERAL SAVINGS BANK v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 158 Fed. Appx. 283.

No. 05–1098. *BAHAR ET AL. v. MICHIGAN BELL TELEPHONE Co., DBA SBC MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 05–1121. *JOELSON v. CADWELL*. C. A. 10th Cir. Certiorari denied. Reported below: 427 F. 3d 700.

No. 05–1244. *YBARRA v. BOEING NORTH AMERICAN, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 424 F. 3d 1018.

No. 05–1246. *VINTILLA v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO*. C. A. 6th Cir. Certiorari denied.

No. 05–1247. *PIPER JAFFRAY & Co., FKA U. S. BANCORP PIPER JAFFRAY INC., ET AL. v. PAFFHAUSEN*. Sup. Ct. Mont. Certiorari denied. Reported below: 330 Mont. 401, 126 P. 3d 507.

No. 05–1260. *SCALISE ET AL. v. BOY SCOUTS OF AMERICA ET AL.* Ct. App. Mich. Certiorari denied. Reported below: 265 Mich. App. 1, 692 N. W. 2d 858.

No. 05–1270. *CARRANZA ET AL. v. MARICOPA-STANFIELD IRRIGATION & DRAINAGE DISTRICT ET AL.* Sup. Ct. Ariz. Certiorari denied. Reported below: 211 Ariz. 485, 123 P. 3d 1122.

No. 05–1287. *MELA ET VIR v. SOUND PACIFIC RESOURCES INC.* Ct. App. Wash. Certiorari denied.

No. 05–1302. *LA LIGUE CONTRE LE RACISME ET L'ANTI-SEMITISME ET AL. v. YAHOO! INC.* C. A. 9th Cir. Certiorari denied. Reported below: 433 F. 3d 1199.

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No. 05–1314. *RICCIARDELLI v. UNITED STATES CONFERENCE OF CATHOLIC BISHOPS ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 887 A. 2d 1027.

No. 05–1354. *ESPINOSA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 05–1362. *BROWN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 05–1369. *G. I. APPAREL, INC. v. LITSKY.* C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 107.

No. 05–8556. *SILVA v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 430 F. 3d 1096.

No. 05–8997. *CABALLERO v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 420 F. 3d 819.

No. 05–9278. *MODY v. MODY.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 05–9905. *FREEMAN v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 356 Ill. App. 3d 1128, 889 N. E. 2d 808.

No. 05–9906. *HANCOCK v. LANGLEY, CORRECTIONAL ADMINISTRATOR I, ALBEMARLE CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 427.

No. 05–9908. *FULLER v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. Reported below: 172 S. W. 3d 533.

No. 05–9909. *GREEN v. CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 05–9914. *GUDINO v. ADAMS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05–9917. *FUENTES v. BOARD OF EDUCATION OF CITY OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 05–9921. *SANDERS v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

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No. 05-9922. *STEVENSON v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 05-9925. *LUTHER v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 108 Ohio St. 3d 1475, 842 N. E. 2d 1054.

No. 05-9928. *NORRIS v. WILSON, WARDEN*. Ct. App. Ohio, Richland County. Certiorari denied.

No. 05-9929. *ABBOTT v. HALL, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 05-9933. *HARRIS v. KIRKLAND, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05-9940. *GLENN v. SABA*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 05-9945. *PEMPTON v. BOBBY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05-9946. *HERSICK v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 05-9954. *TOKMAN v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 917 So. 2d 1119.

No. 05-9958. *COLE v. CONNECTICUT GENERAL LIFE INSURANCE CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 144 Fed. Appx. 919.

No. 05-9961. *HART v. FITZPATRICK*. C. A. 9th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 832.

No. 05-9965. *GOMEZ v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 05-9967. *GOLDEN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied.

No. 05-9974. *SMITH v. WHITE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05-9976. *SHABAZZ, AKA DEAN v. MILLS, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 05–9987. *HUFTILE v. MICCIO-FONSECA*. C. A. 9th Cir. Certiorari denied. Reported below: 410 F. 3d 1136.

No. 05–9993. *HAVIS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 354 Ill. App. 3d 1160, 883 N. E. 2d 1149.

No. 05–9995. *GAFFNEY v. MCDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 917 So. 2d 193.

No. 05–9997. *GOMEZ v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 448.

No. 05–9998. *HARVEY v. HUFF ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 125 Fed. Appx. 594.

No. 05–10000. *HUBEL v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 19 App. Div. 3d 1184, 797 N. Y. S. 2d 17.

No. 05–10002. *GONZALEZ v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied.

No. 05–10004. *KEENAN v. MICHIGAN*. Cir. Ct. Muskegon County, Mich. Certiorari denied.

No. 05–10009. *ABDURRAHMAN v. ENGSTROM*. C. A. D. C. Cir. Certiorari denied. Reported below: 168 Fed. Appx. 445.

No. 05–10013. *JOHNSON v. SANTA CLARA COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 683.

No. 05–10019. *PATTON v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 425 F. 3d 788.

No. 05–10021. *MURRAY v. MICHIGAN*. Cir. Ct. Genesee County, Mich. Certiorari denied.

No. 05–10024. *ROCHETTE v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 05–10025. *ROBERTS v. NORTH CAROLINA BAPTIST HOSPITAL EMPLOYEE RELATIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 90.

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No. 05–10027. *MITCHELL v. OKLAHOMA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 81.

No. 05–10030. *LYONS v. DINWIDDIE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 630.

No. 05–10031. *MARS v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 05–10033. *HARRINGTON v. DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 885 A. 2d 774.

No. 05–10036. *WILLIAMS v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 909 So. 2d 599.

No. 05–10040. *JOHNSON v. HARMON, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 05–10043. *BRAY v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied. Reported below: 177 S. W. 3d 741.

No. 05–10047. *BOUNDS v. ARIZONA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–10048. *BLACKBURN v. HOECHST MARION ROUSSEL, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 507.

No. 05–10064. *ASIMI v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 05–10068. *PARENT v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 05–10126. *REEVES v. ST. MARY'S COUNTY COMMISSIONERS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 127 Fed. Appx. 682.

No. 05–10131. *MOORE v. EGAN ET AL.* Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 05–10152. *RAMIREZ v. NEW YORK CITY HEALTH & HOSPITALS CORP., DBA GOUVERNEUR HOSPITAL.* C. A. 2d Cir. Certiorari denied. Reported below: 167 Fed. Appx. 232.

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No. 05–10157. *AYERS v. JOHNSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 130 Fed. Appx. 666.

No. 05–10226. *MORRIS v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 769.

No. 05–10253. *BUNKLEY v. MICHIGAN.* Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 05–10267. *TURNER v. DONNELLY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 156 Fed. Appx. 481.

No. 05–10337. *ACKERMAN v. ASSURANT, INC., FKA FORTIS, INC., ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–10341. *DUBON v. ROBINSON, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 511.

No. 05–10348. *DABNEY v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 799.

No. 05–10366. *GOMEZ v. BERGE, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 434 F. 3d 940.

No. 05–10367. *HOLLY v. SCOTT, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 434 F. 3d 287.

No. 05–10441. *CARTWRIGHT v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 126 Wash. App. 1032.

No. 05–10532. *SANCHEZ v. POTTER, POSTMASTER GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 957.

No. 05–10549. *COX v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 05–10550. *DAUGHERTY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 438 F. 3d 445.

No. 05–10551. *ELIZALDE-SANCHEZ v. UNITED STATES* (Reported below: 169 Fed. Appx. 269); *MONTES-CASTILLO v. UNITED STATES* (164 Fed. Appx. 472); *CISNEROS-COLCHADO v. UNITED STATES* (169 Fed. Appx. 289); *DON JUAN-SERRANO v. UNITED STATES* (169 Fed. Appx. 357); *ARCE-GONZALEZ, AKA PULIDO-DELEON v. UNITED STATES* (168 Fed. Appx. 640); *LOPEZ-CHES v. UNITED STATES* (169 Fed. Appx. 189); *GONZALEZ-GUERRA v.*

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UNITED STATES (169 Fed. Appx. 261); *TORRES-GONZALEZ v. UNITED STATES* (169 Fed. Appx. 190); *ARREAGA-LOPEZ, AKA ARRIOLA, AKA LOPEZ v. UNITED STATES* (169 Fed. Appx. 226); and *VELASQUEZ, AKA PECELLIN v. UNITED STATES* (169 Fed. Appx. 301). C. A. 5th Cir. Certiorari denied.

No. 05–10552. *EDWARDS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 954.

No. 05–10554. *ROBISON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 560.

No. 05–10555. *REYES-ARMENDARIZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 688.

No. 05–10556. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 429 F. 3d 1179.

No. 05–10562. *MAYBERRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 265.

No. 05–10563. *KELLUM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10564. *STARKES v. EVANS, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 173 Fed. Appx. 569.

No. 05–10576. *HILL, AKA BAILEY v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 05–10578. *HUMPHREY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–10586. *WESTOVER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 435 F. 3d 1273.

No. 05–10591. *PARK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 584.

No. 05–10594. *HURTADO-OLMEDO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 870.

No. 05–10595. *JIMENEZ-VELASCO v. UNITED STATES*; *RAMOS v. UNITED STATES*; *BOLDING v. UNITED STATES*; and *PONCE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported

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below: 163 Fed. Appx. 336 (second judgment); 166 Fed. Appx. 130 (first judgment); 169 Fed. Appx. 906 (fourth judgment); 172 Fed. Appx. 609 (third judgment).

No. 05–10596. *MARTINEZ-FIGUEROA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 435 F. 3d 868.

No. 05–10597. *MARTINEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 722.

No. 05–10603. *SHAKUR v. WILEY, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 137.

No. 05–10605. *AREVALO-LOZANO v. UNITED STATES* (Reported below: 165 Fed. Appx. 357); *SANCHEZ HERNANDEZ v. UNITED STATES* (166 Fed. Appx. 774); *GONZALEZ-MENDOZA v. UNITED STATES* (169 Fed. Appx. 366); *MEJIA-MEDINA v. UNITED STATES* (167 Fed. Appx. 993); *ROMERO-FLORES v. UNITED STATES* (168 Fed. Appx. 599); *ELIZONDO-GUTIERREZ v. UNITED STATES* (166 Fed. Appx. 114); *LUGO-VALOIS v. UNITED STATES* (169 Fed. Appx. 905); *HERNANDEZ-URBINA v. UNITED STATES* (170 Fed. Appx. 339); *ENRIQUEZ v. UNITED STATES* (168 Fed. Appx. 602); *GOMEZ-ROMERO v. UNITED STATES* (168 Fed. Appx. 603); *BONILLA-FRAGOSO v. UNITED STATES* (166 Fed. Appx. 764); *CARRASCO-CASTRO v. UNITED STATES* (166 Fed. Appx. 145); *LOERA-CENTENO v. UNITED STATES* (168 Fed. Appx. 551); *ROCHA, AKA HERNANDEZ v. UNITED STATES* (169 Fed. Appx. 394); *VILLEGAS-CRUZ, AKA SOSA-RAMIREZ v. UNITED STATES* (169 Fed. Appx. 882); *MONDRAGON-GUSMAN v. UNITED STATES* (168 Fed. Appx. 582); *CASTILLO-RODRIGUEZ v. UNITED STATES* (166 Fed. Appx. 132); *CANTU-COVARRUBIAS v. UNITED STATES* (164 Fed. Appx. 533); and *URBINA-RODRIGUEZ v. UNITED STATES* (165 Fed. Appx. 302). C. A. 5th Cir. Certiorari denied.

No. 05–10607. *VASSER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 374.

No. 05–10608. *VARELA-MEDINA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 484.

No. 05–10611. *WASH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10614. *MCCLELLAND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 223.

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No. 05–10618. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–10619. *ROBERTSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–10620. *DELANA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 17.

No. 05–10621. *DUENAS-ALEMAN v. UNITED STATES* (Reported below: 165 Fed. Appx. 374); *ENCARNACION-MALDONADO, AKA ENCARNACION-ESTRADA v. UNITED STATES* (168 Fed. Appx. 592); *FELIX-SALAS v. UNITED STATES* (169 Fed. Appx. 848); *GALAN-DE LA TORRE, AKA GOMEZ-TORRES v. UNITED STATES* (167 Fed. Appx. 990); *GALVAN-MARIQUES v. UNITED STATES* (169 Fed. Appx. 885); *GARCIA-CONTRERAS v. UNITED STATES* (170 Fed. Appx. 312); *GONZALEZ-MARTINEZ v. UNITED STATES* (168 Fed. Appx. 569); *HERNANDEZ-LOZANO v. UNITED STATES* (169 Fed. Appx. 371); *JIMENEZ-SANCHEZ v. UNITED STATES* (165 Fed. Appx. 358); *LARA-VIEGAS v. UNITED STATES* (169 Fed. Appx. 838); *MORALES-AGUSTINE v. UNITED STATES* (170 Fed. Appx. 340); *PUENTE-SOLIS v. UNITED STATES* (166 Fed. Appx. 760); *RODRIGUEZ-PECINA v. UNITED STATES* (165 Fed. Appx. 325); and *MENDOZA SANCHEZ v. UNITED STATES* (168 Fed. Appx. 585). C. A. 5th Cir. Certiorari denied.

No. 05–10623. *AGUIRRE-JAIMES v. UNITED STATES* (Reported below: 169 Fed. Appx. 360); *GARCIA-HERRERA v. UNITED STATES* (169 Fed. Appx. 213); *MENDEZ-GONZALEZ v. UNITED STATES* (169 Fed. Appx. 192); *BOCHE, AKA PAZ-LOPEZ, AKA PERELES v. UNITED STATES* (169 Fed. Appx. 343); *TORRES-SANDOVAL v. UNITED STATES* (169 Fed. Appx. 295); *ESTRADA-ACOSTA v. UNITED STATES* (168 Fed. Appx. 677); *OLVERA-VALDOVINOS v. UNITED STATES* (168 Fed. Appx. 624); *SOTO-SORIA v. UNITED STATES* (164 Fed. Appx. 531); *MARTINEZ-GARCIA v. UNITED STATES* (168 Fed. Appx. 589); *MARTINEZ-ESCALANTE v. UNITED STATES* (164 Fed. Appx. 536); *VARGAS-RAMIREZ v. UNITED STATES* (164 Fed. Appx. 535); *GOMEZ v. UNITED STATES* (165 Fed. Appx. 353); and *GONZALEZ-RIBERA v. UNITED STATES* (167 Fed. Appx. 981). C. A. 5th Cir. Certiorari denied.

No. 05–10625. *WASHINGTON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 881 A. 2d 575.

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No. 05–10627. *VASQUEZ-RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 348.

No. 05–10628. *WATSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 165 Fed. Appx. 105.

No. 05–10631. *MCGREW v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 308.

No. 05–10632. *HARRIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 177 Fed. Appx. 388.

No. 05–10633. *HOSKINS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 602.

No. 05–10637. *FUNCHES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 974.

No. 05–10638. *HALL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 407.

No. 05–10639. *GOMEZ-ASTORGA, AKA GAITAN-DOMINGUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 759.

No. 05–10640. *SANCHEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 05–10641. *HERNANDEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 436 F. 3d 851.

No. 05–10643. *MORTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–10649. *HERNANDEZ-CARRANZA v. UNITED STATES* (Reported below: 164 Fed. Appx. 480); *SALGADO-RANGEL, AKA RANGEL-SALGADO v. UNITED STATES* (165 Fed. Appx. 355); *ONTIVEROS-MAYORGA v. UNITED STATES* (168 Fed. Appx. 5); *ANAYA-MARTINEZ v. UNITED STATES* (166 Fed. Appx. 109); *CARMONA-CALDERON v. UNITED STATES* (166 Fed. Appx. 149); *ANARIBA-RAMIREZ, AKA ZAVALA-GUZMAN v. UNITED STATES*; *APARICIO-MARTINEZ v. UNITED STATES* (164 Fed. Appx. 537); *REYES-BAUTISTA v. UNITED STATES* (167 Fed. Appx. 996); *NARANJO-MARTINEZ v. UNITED STATES* (168 Fed. Appx. 571); *ANGON-ZAMUDIO v. UNITED STATES* (168 Fed. Appx. 591); *GONZALEZ-PARDO v. UNITED STATES* (169 Fed. Appx. 246);

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MEDINA-ZAVALA, AKA PAECIDO, AKA QUINONES *v.* UNITED STATES (168 Fed. Appx. 605); ESCOBEDO-ESCAMILLA *v.* UNITED STATES (169 Fed. Appx. 365); GONZALEZ-LOPEZ *v.* UNITED STATES (169 Fed. Appx. 844); SOBREVILLA-SILVESTRE *v.* UNITED STATES (169 Fed. Appx. 417); ARAGUZ-BRIONES *v.* UNITED STATES (170 Fed. Appx. 332); RAMOS *v.* UNITED STATES (170 Fed. Appx. 329); and GARCIA *v.* UNITED STATES (169 Fed. Appx. 907). C. A. 5th Cir. Certiorari denied.

No. 05–10653. FLORES *v.* MCFADDEN, WARDEN. C. A. 11th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 913.

No. 05–10656. WILSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 360.

No. 05–10657. WILLIAMS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 498.

No. 05–10664. COX *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 05–10665. POMRANKY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 259.

No. 05–10667. LOREDO-TORRES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 523.

No. 05–10668. MADDOX *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 05–10670. CASTILLO-PENALOZA *v.* UNITED STATES (Reported below: 111 Fed. Appx. 322); CASTRO-GUZMAN *v.* UNITED STATES (169 Fed. Appx. 248); LOPEZ-GARCIA *v.* UNITED STATES (163 Fed. Appx. 306); GARCIA-NAVA *v.* UNITED STATES (168 Fed. Appx. 617); BETANCOURT-CRUZ *v.* UNITED STATES (169 Fed. Appx. 249); GARZA-GARZA *v.* UNITED STATES (169 Fed. Appx. 253); HERNANDEZ-HERNANDEZ *v.* UNITED STATES (169 Fed. Appx. 251); GARCIA-MEJIA *v.* UNITED STATES (169 Fed. Appx. 238); SANCHEZ-VALDIVIA *v.* UNITED STATES (168 Fed. Appx. 629); SALAS-LOPEZ *v.* UNITED STATES (168 Fed. Appx. 632); RUIZ-ROSAS *v.* UNITED STATES (169 Fed. Appx. 270); AGUILAR-MARTINEZ, AKA ACUNA-DOMINGUEZ *v.* UNITED STATES (169 Fed. Appx. 220); PAREDES-GARCIA, AKA PLARALES *v.* UNITED STATES (169 Fed. Appx. 231); ESTRADA-ZAMORA *v.* UNITED STATES (169 Fed. Appx. 217); DE LEON-GARCIA *v.* UNITED STATES (169 Fed.

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Appx. 863); *GONSALEZ-VERA v. UNITED STATES* (170 Fed. Appx. 331); and *VERGARA-GONZALEZ v. UNITED STATES* (168 Fed. Appx. 643). C. A. 5th Cir. Certiorari denied.

No. 05–10672. *COLLINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 514.

No. 05–10673. *SMOOT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 496.

No. 05–10676. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 418.

No. 05–10678. *MEANS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10679. *HARRIS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 887 A. 2d 1027.

No. 05–10684. *TOTTEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–10686. *STEWART v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 881 A. 2d 1100.

No. 05–10688. *MIRANDA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 435 F. 3d 767.

No. 05–10689. *MELGAR, AKA MELGAR BLANCO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 772.

No. 05–10693. *TURNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 431 F. 3d 332.

No. 05–10699. *MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–10701. *McKoy v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 431 F. 3d 1085.

No. 05–10705. *PERRY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–10709. *LENDOS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 05–10710. *CLARK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 190.

No. 05–907. *LOCKHEED MARTIN CORP. ET AL. v. MORGANTI ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 412 F. 3d 407.

No. 05–1070. *TYUMEN OIL CO. ET AL. v. NOREX PETROLEUM LTD.* C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 416 F. 3d 146.

No. 05–9971. *RUDOLPH v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–9986. *HARVEY v. PLAINS TOWNSHIP POLICE DEPARTMENT ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 421 F. 3d 185.

No. 05–10056. *JACKSON v. GORDON ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 145 Fed. Appx. 774.

No. 05–10065. *BONHAM v. PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–10087. *GRIGSBY v. KANE ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 157 Fed. Appx. 539.

No. 05–10345. *CLAY v. BENNING ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–10378. *GALLOWAY v. GRACE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

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Rehearing Denied

- No. 05–7499. CRUTCHER *v.* NEVADA, *ante*, p. 1041;
No. 05–8604. CORDOVA *v.* SOARES, WARDEN, ET AL., 546 U. S. 1201;
No. 05–8915. GILBERT *v.* BAY AREA RAPID TRANSIT DISTRICT ET AL., *ante*, p. 1057;
No. 05–8950. HURST *v.* WILKINS, *ante*, p. 1057;
No. 05–9007. GOSS *v.* DEPARTMENT OF THE AIR FORCE, *ante*, p. 1027;
No. 05–9071. JOHNSON *v.* TERRY, WARDEN, *ante*, p. 1059;
No. 05–9149. SIMS *v.* INDIANA, *ante*, p. 1059;
No. 05–9189. MICHALSKI *v.* NEW YORK, *ante*, p. 1077;
No. 05–9252. SABBIA *v.* LOMBARDI, *ante*, p. 1078;
No. 05–9691. NORRIS *v.* WILLS ET VIR, *ante*, p. 1102; and
No. 05–9703. IN RE BLACKWELL, *ante*, p. 1054. Petitions for rehearing denied.

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Miscellaneous Orders

- No. 05A1101. BOLTZ *v.* SIRMONS, WARDEN. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied.
No. 05A1114. BOLTZ *v.* JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL. Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied.

JUNE 5, 2006

Certiorari Dismissed

- No. 05–10755. MENDEZ *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 167 Fed. Appx. 966.

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Miscellaneous Orders

No. 05M83. MOORE *v.* COLORADO; and

No. 05M86. CREW *v.* UNITED STATES POSTAL SERVICE ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 05M84. FRUDAKIS *v.* SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS, DESIGN AND CONSTRUCTION. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 05M85. BLANCO-LOYA *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. D-2420. IN RE DISBARMENT OF SIMURO. Disbarment entered. [For earlier order herein, see 546 U. S. 1164.]

No. D-2421. IN RE DISBARMENT OF ROSTOKER. Disbarment entered. [For earlier order herein, see 546 U. S. 1164.]

No. D-2422. IN RE DISBARMENT OF TENENBAUM. Disbarment entered. [For earlier order herein, see 546 U. S. 1165.]

No. D-2423. IN RE DISBARMENT OF ISRAEL. Disbarment entered. [For earlier order herein, see 546 U. S. 1165.]

No. D-2424. IN RE DISBARMENT OF ROBERTS. Disbarment entered. [For earlier order herein, see 546 U. S. 1165.]

No. D-2426. IN RE DISBARMENT OF ZAMECK. Disbarment entered. [For earlier order herein, see 546 U. S. 1165.]

No. 05-9324. IN RE KORNAFEL. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 1068] denied.

No. 05-10918. IN RE GUINN. Petition for writ of habeas corpus denied.

Certiorari Granted

No. 05-908. PARENTS INVOLVED IN COMMUNITY SCHOOLS *v.* SEATTLE SCHOOL DISTRICT NO. 1 ET AL. C. A. 9th Cir. Certiorari granted, and case to be argued in tandem with No. 05-915, *Meredith, Custodial Parent and Next Friend of McDonald v.*

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Jefferson County Board of Education et al., immediately *infra*.
Reported below: 426 F. 3d 1162.

No. 05–915. MEREDITH, CUSTODIAL PARENT AND NEXT FRIEND OF McDONALD *v.* JEFFERSON COUNTY BOARD OF EDUCATION ET AL. C. A. 6th Cir. Certiorari granted, and case to be argued in tandem with No. 05–908, *Parents Involved in Community Schools v. Seattle School District No. 1 et al.*, immediately *supra*. Reported below: 416 F. 3d 513.

No. 05–9222. BURTON *v.* WADDINGTON, SUPERINTENDENT, STAFFORD CREEK CORRECTIONS CENTER. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 142 Fed. Appx. 297.

Certiorari Denied

No. 05–469. SCHAD *v.* JONES. C. A. 7th Cir. Certiorari denied. Reported below: 415 F. 3d 671.

No. 05–471. CHAVEZ *v.* BROWNSVILLE INDEPENDENT SCHOOL DISTRICT ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 135 Fed. Appx. 664.

No. 05–905. SENECA NATION OF INDIANS ET AL. *v.* NEW YORK ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 382 F. 3d 245 and 383 F. 3d 45.

No. 05–956. CAWLEY, ADMINISTRATRIX OF THE ESTATE OF ABRAHAM *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 1st Cir. Certiorari denied. Reported below: 408 F. 3d 26.

No. 05–1089. LAWRENCE ET AL. *v.* BLACKWELL, SECRETARY OF STATE OF OHIO, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 430 F. 3d 368.

No. 05–1107. TODD *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 424 F. 3d 525.

No. 05–1109. ALLEY ET AL. *v.* QUEBECOR WORLD KINGSPORT, INC., DBA QUEBECOR WORLD HAWKINS, INC. Ct. App. Tenn. Certiorari denied. Reported below: 182 S. W. 3d 300.

No. 05–1248. TECHNOLOGY LICENSING CORP. *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALI-

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FORNIA ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 423 F. 3d 1286.

No. 05-1249. AFFRUNTI *v.* LONG ISLAND UNIVERSITY. C. A. 2d Cir. Certiorari denied. Reported below: 136 Fed. Appx. 402.

No. 05-1254. HAAGENSEN *v.* REED ET AL. Super. Ct. Pa. Certiorari denied. Reported below: 881 A. 2d 894.

No. 05-1263. GIBSON GUITAR CORP. *v.* PAUL REED SMITH GUITARS, LP. C. A. 6th Cir. Certiorari denied. Reported below: 423 F. 3d 539.

No. 05-1264. KANE ET AL. *v.* BOARD OF APPEALS OF PRINCE GEORGE'S COUNTY, SITTING AS THE BOARD OF ADMINISTRATIVE APPEALS. Ct. App. Md. Certiorari denied. Reported below: 390 Md. 145, 887 A. 2d 1060.

No. 05-1266. MORRIS *v.* UNUM LIFE INSURANCE COMPANY OF AMERICA. C. A. 1st Cir. Certiorari denied. Reported below: 430 F. 3d 500.

No. 05-1268. U. S. STEEL MINING Co., LLC, ET AL. *v.* HELTON, WEST VIRGINIA STATE TAX COMMISSIONER. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 219 W. Va. 1, 631 S. E. 2d 559.

No. 05-1273. COWAN *v.* TOHONO O'ODHAM NATION, BY AND THROUGH CHAIRWOMAN JUAN-SAUNDERS. Ct. App. Ariz. Certiorari denied.

No. 05-1274. HOWARD ET AL. *v.* CITY OF MARION, INDIANA, ET AL. Ct. App. Ind. Certiorari denied. Reported below: 832 N. E. 2d 528.

No. 05-1278. MANRIQUEZ *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. Reported below: 37 Cal. 4th 547, 123 P. 3d 614.

No. 05-1291. MALAK *v.* GONZALES, ATTORNEY GENERAL. C. A. 6th Cir. Certiorari denied. Reported below: 419 F. 3d 533.

No. 05-1297. PHARMACEUTICAL CARE MANAGEMENT ASSN. *v.* ROWE, ATTORNEY GENERAL OF MAINE. C. A. 1st Cir. Certiorari denied. Reported below: 429 F. 3d 294.

No. 05-1299. BLAKE *v.* MARYLAND. Ct. App. Md. Certiorari denied. Reported below: 389 Md. 124, 883 A. 2d 914.

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No. 05–1324. *GOMEZ v. UNITED STATES*; and
No. 05–10509. *GONZALES v. UNITED STATES*. C. A. 5th Cir.
Certiorari denied. Reported below: 436 F. 3d 560.

No. 05–1358. *TOKYO KIKAI SEISAKUSHO, LTD., ET AL. v. GOSS
INTERNATIONAL CORP. ET AL.* C. A. 8th Cir. Certiorari denied.
Reported below: 434 F. 3d 1081.

No. 05–1400. *ZVI v. UNITED STATES*. C. A. 2d Cir. Certio-
rari denied.

No. 05–8866. *CRUZ v. UNITED STATES*. C. A. 11th Cir. Cer-
tiorari denied. Reported below: 153 Fed. Appx. 587.

No. 05–9154. *BARBER v. UNITED STATES*. C. A. 11th Cir.
Certiorari denied. Reported below: 147 Fed. Appx. 941.

No. 05–9580. *HONEYCUTT v. ROPER, SUPERINTENDENT, PO-
TOSI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari
denied. Reported below: 426 F. 3d 957.

No. 05–9581. *HARDY v. UNITED STATES*. Ct. App. D. C. Cer-
tiorari denied. Reported below: 841 A. 2d 8.

No. 05–10020. *O'BRIEN v. QUARTERMAN, DIRECTOR, TEXAS
DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITU-
TIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported
below: 156 Fed. Appx. 725.

No. 05–10070. *ROWE v. REGISTER ET AL.* C. A. 6th Cir. Cer-
tiorari denied. Reported below: 172 Fed. Appx. 660.

No. 05–10074. *THOMAS v. VIRGINIA*. C. A. 4th Cir. Certio-
rari denied. Reported below: 155 Fed. Appx. 696.

No. 05–10078. *YOUNG v. CULLIVER, WARDEN*. C. A. 11th Cir.
Certiorari denied.

No. 05–10085. *LAWRENCE v. PENNSYLVANIA*. Super. Ct. Pa.
Certiorari denied. Reported below: 880 A. 2d 9.

No. 05–10098. *MOSES v. SIRMONS, WARDEN*. C. A. 10th Cir.
Certiorari denied. Reported below: 151 Fed. Appx. 728.

No. 05–10099. *HANSON v. MAHONEY, WARDEN*. C. A. 9th Cir.
Certiorari denied. Reported below: 433 F. 3d 1107.

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No. 05–10102. *GARCIA v. WOODFORD*, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. C. A. 9th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 736.

No. 05–10106. *WILCOX v. MORGAN*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 05–10108. *BAKER v. BASKERVILLE*, WARDEN, ET AL. Sup. Ct. Va. Certiorari denied.

No. 05–10123. *EVANS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 05–10138. *DRUITT v. COLLEGE OF WILLIAM & MARY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 179.

No. 05–10139. *ANTHONY v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 05–10143. *MALICOAT v. SIRMONS*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 426 F. 3d 1241.

No. 05–10144. *MARQUARD v. McDONOUGH*, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 429 F. 3d 1278.

No. 05–10146. *LEETH v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 945 So. 2d 1101.

No. 05–10148. *WILLIAMS v. ALABAMA BOARD OF PARDONS AND PAROLES*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 935 So. 2d 478.

No. 05–10149. *RHEA v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied. Reported below: 181 S. W. 3d 478.

No. 05–10153. *MILLS v. CARTER*, REGIONAL DIRECTOR/REGION II, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 05–10155. *ADAMS v. JONES*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 140 Fed. Appx. 617.

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No. 05–10158. *LEE v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 130 Fed. Appx. 913.

No. 05–10161. *LANCASTER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 05–10164. *RAIMONDO v. VILLAGE OF ARMADA, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–10170. *GRANT v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 344.

No. 05–10172. *HAMILTON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 353 Ill. App. 3d 1090, 881 N. E. 2d 973.

No. 05–10173. *VARGAS v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–10175. *TURNER v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 924 So. 2d 811.

No. 05–10186. *PEREZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 919 So. 2d 347.

No. 05–10187. *JACKSON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 107 Ohio St. 3d 300, 839 N. E. 2d 362.

No. 05–10191. *SANTIAGO v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05–10202. *FLEMING v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 903 So. 2d 22.

No. 05–10213. *COOLEY v. ALABAMA DEPARTMENT OF MENTAL HEALTH*. C. A. 11th Cir. Certiorari denied.

No. 05–10219. *VOHRA v. ORANGE COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 542.

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No. 05–10240. CALDWELL *v.* DOUGLAS ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 986.

No. 05–10243. CALDWELL *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY. C. A. 9th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 994.

No. 05–10258. GUZIKOWSKI *v.* YUKINS, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 05–10266. PATTEN *v.* MINNESOTA. Ct. App. Minn. Certiorari denied.

No. 05–10296. OGUREK *v.* ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 356 Ill. App. 3d 429, 826 N. E. 2d 605.

No. 05–10300. LOVEDAY *v.* BERGHUIS, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 05–10304. STRICKLAND *v.* PITCHER, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 511.

No. 05–10307. BANDA *v.* NEW JERSEY SPECIAL TREATMENT UNIT ANNEX ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 164 Fed. Appx. 286.

No. 05–10309. OLIVER *v.* KANSAS. Sup. Ct. Kan. Certiorari denied. Reported below: 280 Kan. 681, 124 P. 3d 493.

No. 05–10365. VILLESAS *v.* HERNANDEZ, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 612.

No. 05–10368. HOUFF, AKA BAXTER *v.* OREGON. Ct. App. Ore. Certiorari denied.

No. 05–10372. HUDE *v.* MICHIGAN. Ct. App. Mich. Certiorari denied.

No. 05–10411. WILLIAMS *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 05–10425. NICARRY *v.* FLORIDA. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 919 So. 2d 460.

No. 05–10520. JONES *v.* PENNSYLVANIA. Super. Ct. Pa. Certiorari denied. Reported below: 876 A. 2d 465.

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No. 05–10615. *JOSE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–10651. *MICHELIN v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 926 So. 2d 1283.

No. 05–10681. *WRIGHT v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 880 A. 2d 1066.

No. 05–10695. *TOLEDO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10708. *SHELBY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 174 Fed. Appx. 203.

No. 05–10712. *BLOOM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 565.

No. 05–10713. *BURNETTE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 423 F. 3d 22.

No. 05–10714. *BARRAGAN-SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 758.

No. 05–10715. *ALCALA v. UNITED STATES*; *RAMOS-MENDIOLA v. UNITED STATES*; *QUINTERO v. UNITED STATES*; and *GUZMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 333 (first judgment); 168 Fed. Appx. 636 (third judgment) and 657 (fourth judgment); 169 Fed. Appx. 233 (second judgment).

No. 05–10718. *ARDILLA-TEPETATE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10721. *BIRKS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 141 Fed. Appx. 506.

No. 05–10722. *AJAJ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–10724. *AHERN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–10727. *WEST v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 752.

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No. 05–10732. *PRICE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 438 F. 3d 1005.

No. 05–10734. *KELLY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 864.

No. 05–10735. *LEVERING v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 431 F. 3d 289.

No. 05–10737. *CORNELIO-PENA, AKA PUENTE-CUEVAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 435 F. 3d 1279.

No. 05–10739. *CARO PAYAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–10741. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 178 Fed. Appx. 590.

No. 05–10744. *SILER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 116.

No. 05–10751. *EATMON v. B. D. MORGAN, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 839.

No. 05–10756. *DANSER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10760. *HOLGUIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 436 F. 3d 111.

No. 05–10761. *GRISSOM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–10762. *MEEKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 297.

No. 05–10766. *MARISCAL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 425.

No. 05–10767. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 215.

No. 05–10769. *HAYNES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 940.

No. 05–10770. *ARRIETTA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 436 F. 3d 1246.

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No. 05–10771. *UDONKANG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 162.

No. 05–10772. *ALVAREZ-PEREZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 797.

No. 05–10778. *HASTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 548.

No. 05–10779. *ISLAND, AKA TOMAS, AKA THOMAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 05–10780. *GONZALEZ, AKA RUIZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 441 F. 3d 596.

No. 05–10781. *McMILLION v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 175 Fed. Appx. 588.

No. 05–10783. *THOMAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 165 Fed. Appx. 138.

No. 05–10785. *INGUANZO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 110.

No. 05–10790. *MATTHEWS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 440 F. 3d 818.

No. 05–10791. *BARRETT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 755.

No. 05–10795. *GARCIA-LEAL v. UNITED STATES* (Reported below: 166 Fed. Appx. 138); *CORADO v. UNITED STATES* (168 Fed. Appx. 615); *ALCAZAR-OLIVAREZ, AKA GONZALEZ v. UNITED STATES* (169 Fed. Appx. 187); *ZAMBRANO-DUENEZ v. UNITED STATES* (169 Fed. Appx. 234); *GARCIA-ARIOLA v. UNITED STATES* (168 Fed. Appx. 619); *HERNANDEZ-GONZALEZ v. UNITED STATES* (169 Fed. Appx. 207); *RAMIREZ-TRUJILLO v. UNITED STATES* (169 Fed. Appx. 272); *GARCIA-HERNANDEZ v. UNITED STATES* (169 Fed. Appx. 230); *SALAS-JIMENEZ v. UNITED STATES* (168 Fed. Appx. 625); *RODRIGUEZ-RUIZ v. UNITED STATES* (169 Fed. Appx. 212); *ACUNA-SALAZAR v. UNITED STATES* (169 Fed. Appx. 281); *FELIX-TERRAZAS v. UNITED STATES* (169 Fed. Appx. 244); *HERNANDEZ-AGUIRRE v. UNITED STATES* (169 Fed. Appx. 193); *RIOS-RIVERA v. UNITED STATES* (169 Fed. Appx. 237); *MARTINEZ-GASCA v. UNITED STATES* (168 Fed. Appx. 626); *PEREZ-BARRIENTOS v. UNITED STATES* (169 Fed. Appx. 283);

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KINTANA-CAMACHO *v.* UNITED STATES (169 Fed. Appx. 254); MONTES-FLORES, AKA BLANCO-CARRIYO *v.* UNITED STATES (169 Fed. Appx. 227); AGUILAR-CRISTALES *v.* UNITED STATES (169 Fed. Appx. 263); CHIRINOS-TORRES *v.* UNITED STATES (169 Fed. Appx. 191); GUERECA-TRISTAN *v.* UNITED STATES (169 Fed. Appx. 237); ROMERO-MONTIEL, AKA ROMERO *v.* UNITED STATES (169 Fed. Appx. 273); RODRIGUEZ-CAMPOS *v.* UNITED STATES (169 Fed. Appx. 232); VALLEJO-MORENO *v.* UNITED STATES (169 Fed. Appx. 265); MOLINA-MARTINEZ *v.* UNITED STATES (169 Fed. Appx. 192); GUEVARA-BETANCOURT *v.* UNITED STATES (169 Fed. Appx. 205); GAYTON-SILVA, AKA REYNOSO-CARILLO *v.* UNITED STATES (169 Fed. Appx. 315); CASTANEDA-SALGADO, AKA GUERRA *v.* UNITED STATES (168 Fed. Appx. 666); MORENO-MORA *v.* UNITED STATES (169 Fed. Appx. 392); ARGUETA-RAMIREZ *v.* UNITED STATES (169 Fed. Appx. 851); VARGAS-GUILLEN *v.* UNITED STATES (169 Fed. Appx. 414); GONZALEZ-RUIZ *v.* UNITED STATES (169 Fed. Appx. 920); and DIAZ-PEREZ, AKA CABRABA *v.* UNITED STATES (177 Fed. Appx. 392). C. A. 5th Cir. Certiorari denied.

No. 05–10805. STONE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 05–10806. ROBINSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 05–10810. BURKETT *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 05–10814. BLACK BEAR *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 05–10816. BURSE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 150 Fed. Appx. 829.

No. 04–1025. KIRBY *v.* CITY OF ELIZABETH CITY, NORTH CAROLINA, ET AL. C. A. 4th Cir. Motion of Professional Fire Fighters and Paramedics of North Carolina et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 388 F. 3d 440.

No. 05–969. DROGIN ET AL. *v.* WEN HO LEE ET AL.; and

No. 05–1114. THOMAS *v.* WEN HO LEE. C. A. D. C. Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of these petitions. Reported below: 413 F. 3d 53.

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No. 05–1119. CINGULAR WIRELESS, LLC *v.* MENDOZA ET AL. Ct. App. Cal., 1st App. Dist. Motions of Pacific Legal Foundation, American Bankers Association et al., Chamber of Commerce of the United States of America, and Amazon.Com, Inc., et al., for leave to file briefs as *amici curiae* granted. Certiorari denied.

No. 05–10388. CHIN *v.* CAREY, WARDEN. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 160 Fed. Appx. 633.

No. 05–10768. SMITH *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 104 Fed. Appx. 266.

Rehearing Denied

No. 05–858. ALSTON *v.* CITY OF PHILADELPHIA, ZONING BOARD OF ADJUSTMENT, ET AL., *ante*, p. 1019;

No. 05–861. BOWERSOCK *v.* CITY OF LIMA, OHIO, ET AL., *ante*, p. 1019;

No. 05–994. LAWRENCE *v.* WESTINGHOUSE SAVANNAH RIVER Co. LLC, *ante*, p. 1070;

No. 05–6375. BERAS *v.* UNITED STATES, 546 U. S. 966;

No. 05–8693. JORDAN *v.* B. F. FIELDS MOVING & STORAGE, INC., *ante*, p. 1026;

No. 05–8751. ROBINSON *v.* PADULA, WARDEN, ET AL., *ante*, p. 1043;

No. 05–9138. MERTENS *v.* CITY OF SEATTLE, WASHINGTON, ET AL., *ante*, p. 1076;

No. 05–9139. TAYLOR *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 1028;

No. 05–9163. PHILLIPS *v.* MISSOURI, *ante*, p. 1059;

No. 05–9390. DOBY *v.* MCDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 1080;

No. 05–9488. SPENCER *v.* KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER, *ante*, p. 1081;

No. 05–9583. GRAVES *v.* EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL., *ante*, p. 1082;

No. 05–9809. SUGGS *v.* UNITED STATES, *ante*, p. 1089;

No. 05–9902. IN RE OSAMOR, *ante*, p. 1068; and

No. 05–10150. SEALS *v.* UNITED STATES, *ante*, p. 1121. Petitions for rehearing denied.

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No. 05–1031. *PALLOTTA v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*, *ante*, p. 1092;

No. 05–8401. *RHINES v. UNITED STATES*, 546 U. S. 1210; and

No. 05–8793. *JOSEPH v. WEST MANHEIM POLICE DEPARTMENT ET AL.*, *ante*, p. 1052. Petitions for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of these petitions.

No. 05–6350. *ZADEH v. CALIFORNIA*, 546 U. S. 1019. Motion for leave to file petition for rehearing denied.

JUNE 8, 2006

Miscellaneous Order

No. 05A1147. *WALTON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* Application for preliminary injunction, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

Certiorari Denied

No. 05–11199 (05A1100). *WALTON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* 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, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of execution. Reported below: 440 F. 3d 160.

JUNE 12, 2006

Certiorari Granted—Vacated and Remanded

No. 05–710. *FRIEMANN v. UNITED STATES*. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Zedner v. United States*, *ante*, p. 489. Reported below: 136 Fed. Appx. 396.

No. 05–988. *LINGLE, GOVERNOR OF HAWAII v. ARAKAKI ET AL.* C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *DaimlerChrysler Corp. v. Cuno*, *ante*, p. 332. Reported below: 423 F. 3d 954. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

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No. 05–7009. SMITH *v.* UNITED STATES. C. A. 7th 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 *Zedner v. United States*, *ante*, p. 489. Reported below: 415 F. 3d 682.

No. 05–9182. BAZAN *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Booker*, 543 U. S. 220 (2005). Reported below: 114 Fed. Appx. 157.

Certiorari Dismissed

No. 05–10624. AL-HAKIM *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA. 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. 05A738. SCHULZ *v.* WASHINGTON COUNTY BOARD OF SUPERVISORS ET AL. C. A. 2d Cir. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. 05M87. GOSSAGE *v.* OFFICE OF PERSONNEL MANAGEMENT. Motion of petitioner for leave to proceed as a veteran granted.

No. 05M88. DEVBROW *v.* COTTON, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 05–409. KIRCHER ET AL. *v.* PUTNAM FUNDS TRUST ET AL. C. A. 7th Cir. [Certiorari granted, 546 U. S. 1085.] Motion of respondents for leave to file supplemental brief after argument granted. Motion of petitioners for leave to file supplemental brief after argument granted.

No. 05–493. ORNASKI, WARDEN *v.* BELMONTES. C. A. 9th Cir. [Certiorari granted, *ante*, p. 1110.] Motion of respondent for appointment of counsel granted. Eric S. Multhaup, Esq., of Mill Valley, Cal., is appointed to serve as counsel for respondent in this case.

No. 05–1159. HATCH, ATTORNEY GENERAL OF MINNESOTA *v.* CELLCO PARTNERSHIP, DBA VERIZON WIRELESS, ET AL. C. A.

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8th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 05–1526 (05A1090). IN RE GRAND JURY PROCEEDINGS. C. A. 11th Cir. Application for stay, addressed to JUSTICE BREYER and referred to the Court, denied. Motion of petitioner to expedite consideration of petition for writ of certiorari denied.

No. 05–9212. LAFRENIERE *v.* TRUSTEES OF CALIFORNIA STATE UNIVERSITY. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1054] denied.

No. 05–10231. DELUCA *v.* KATCHMERIC. Sup. Ct. Va.; and

No. 05–10655. HEATH *v.* PERRY. C. A. 8th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 3, 2006, 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. 05–10224. IN RE COTHRON. Petition for writ of mandamus denied.

Certiorari Granted

No. 05–996. MARRAMA *v.* CITIZENS BANK OF MASSACHUSETTS ET AL. C. A. 1st Cir. Certiorari granted. Reported below: 430 F. 3d 474.

No. 05–9264. JAMES *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 2 presented by the petition. Reported below: 430 F. 3d 1150.

Certiorari Denied

No. 04–1276. DOTSON *v.* GRIESA, JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 398 F. 3d 156.

No. 05–1019. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY *v.* GERSTEN. C. A. 2d Cir. Certiorari denied. Reported below: 426 F. 3d 588.

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No. 05–1032. *OTAH v. GONZALES, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied.

No. 05–1037. *XEROX CORP. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 423 F. 3d 1356.

No. 05–1062. *COREAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 419 F. 3d 151.

No. 05–1073. *MARTIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 426 F. 3d 68.

No. 05–1082. *BUTTRICK v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 432 F. 3d 373.

No. 05–1125. *OSMAN, INDEPENDENT ADMINISTRATRIX OF THE ESTATE OF LAUGHLIN, DECEASED v. FORD MOTOR Co.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 359 Ill. App. 3d 367, 833 N. E. 2d 1011.

No. 05–1136. *E. I. DU PONT DE NEMOURS & Co. v. LIVING DESIGNS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 431 F. 3d 353.

No. 05–1138. *ALABAMA ET AL. v. UNITED STATES ARMY CORPS OF ENGINEERS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 424 F. 3d 1117.

No. 05–1141. *MATTAPONI INDIAN TRIBE ET AL. v. VIRGINIA ET AL.* Sup. Ct. Va. Certiorari denied. Reported below: 270 Va. 423, 621 S. E. 2d 78.

No. 05–1142. *SNYDER, FORMER DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL. v. THORNTON*. C. A. 7th Cir. Certiorari denied. Reported below: 428 F. 3d 690.

No. 05–1280. *DESERT LAND, LLC v. DEL MAR MORTGAGE, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 586.

No. 05–1283. *SADOSKI v. MOSLEY, JUDGE, DISTRICT COURT OF NEVADA, CLARK COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 435 F. 3d 1076.

No. 05–1290. *KOVALCHICK v. R/S FINANCIAL CORP.* Super. Ct. Pa. Certiorari denied.

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No. 05–1292. *BARR v. CAMELOT FOREST CONSERVATION ASSN., INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 153 Fed. Appx. 860.

No. 05–1295. *MITCHELL v. LOS ANGELES COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 433 F. 3d 1138.

No. 05–1296. *SCHINDLER v. WHITEMAN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 431 F. 3d 57.

No. 05–1300. *ANDUZE v. FLORIDA ATLANTIC UNIVERSITY.* C. A. 11th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 875.

No. 05–1338. *HARTER v. COMMISSIONER FOR PATENTS.* C. A. Fed. Cir. Certiorari denied. Reported below: 164 Fed. Appx. 981.

No. 05–1371. *ANTHONY v. VIRGINIA STATE BAR.* Sup. Ct. Va. Certiorari denied. Reported below: 270 Va. 601, 621 S. E. 2d 121.

No. 05–1377. *SMALLRIDGE v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 904 So. 2d 601.

No. 05–1383. *ABERNETHY v. SNOW, SECRETARY OF THE TREASURY.* C. A. 11th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 896.

No. 05–1395. *TAYLOR ET AL. v. SECURITIES AND EXCHANGE COMMISSION.* C. A. 9th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 659.

No. 05–1408. *RODRIGUEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 853.

No. 05–1417. *JONES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 05–9351. *SAMPSON v. UNITED STATES;* and

No. 05–9423. *FRANKLIN v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 867 A. 2d 988.

No. 05–9579. *FOWLER v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 809 N. E. 2d 960.

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No. 05–9782. *PETTY v. STINE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 424 F. 3d 509.

No. 05–10200. *FOX v. HURLEY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 333.

No. 05–10201. *GONZALEZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 05–10207. *FITCH v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–10222. *BLANTON v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–10232. *ELKINS v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 918 So. 2d 828.

No. 05–10235. *JAMES v. MCDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–10238. *ROSS v. SPITZER, ATTORNEY GENERAL OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 161 Fed. Appx. 175.

No. 05–10245. *SMITH v. ORANGE COUNTY, CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied. Reported below: 132 Cal. App. 4th 1434, 34 Cal. Rptr. 3d 383.

No. 05–10252. *BERGSTROM v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 05–10257. *LANG v. BRISCOE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–10260. *MCGHEE v. PALMER*. C. A. 6th Cir. Certiorari denied.

No. 05–10262. *LANE v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 920 So. 2d 3.

No. 05–10265. *FLEMING v. CARUSO, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 05–10268. *WILCOX v. GRIBBINS*. C. A. 6th Cir. Certiorari denied.

No. 05–10269. *WOODARD v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 05–10270. *GARNER v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 05–10274. *HALL v. ROMANOWSKI, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–10282. *BOWMAN v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 366 S. C. 485, 623 S. E. 2d 378.

No. 05–10284. *BENNETT v. LIGHT*. C. A. 6th Cir. Certiorari denied.

No. 05–10288. *BYRD v. CORNELL CORRECTIONS, INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 759.

No. 05–10292. *DENT v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 05–10293. *COLEMAN v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 05–10294. *ENCALADE v. WAKEFIELD ET AL.* C. A. 5th Cir. Certiorari denied.

No. 05–10302. *MICHAELESKO v. EMC MORTGAGE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 154 Fed. Appx. 230.

No. 05–10303. *CHISUM v. KELLEY ET AL.* C. A. 5th Cir. Certiorari denied.

No. 05–10306. *AUBUCHONT v. CATTELL, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 05–10313. *NELSON v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

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No. 05–10319. *HAMM v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 876 A. 2d 463.

No. 05–10328. *COLONEL v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 922 So. 2d 197.

No. 05–10340. *SIMPSON v. WALKER, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 05–10352. *NOORLUN v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 705 N. W. 2d 819.

No. 05–10386. *PHU VAN HUYNH v. CASTRO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 725.

No. 05–10426. *PARIS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 05–10432. *BLAKE v. POTTER, POSTMASTER GENERAL, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 131 Fed. Appx. 777.

No. 05–10463. *SCARBERRY v. IOWA*. C. A. 8th Cir. Certiorari denied. Reported below: 430 F. 3d 956.

No. 05–10488. *SAFRIT v. PICKELSIMER, SUPERINTENDENT, PIEDMONT CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied.

No. 05–10490. *NUNEZ v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 05–10504. *ABIMBOLA v. GONZALES, ATTORNEY GENERAL, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 05–10544. *KALSKI v. LOS ANGELES COUNTY, CALIFORNIA, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–10557. *LOWERY v. ARIZONA*. Super. Ct. Ariz., County of Yavapai. Certiorari denied.

No. 05–10585. *ZARAGOZA v. EVANS, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 572.

No. 05–10692. *WATERFIELD v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 05–10696. *MATTOX v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 280 Kan. 473, 124 P. 3d 6.

No. 05–10698. *LAGRASSA v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–10704. *LEWIS v. GRAMS, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 05–10717. *BROCK v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 280 Kan. xxiii, 127 P. 3d 341.

No. 05–10720. *BRANCH v. PRUETT, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 148 Fed. Appx. 162.

No. 05–10725. *CLARK v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 280 Kan. xxiii, 127 P. 3d 341.

No. 05–10733. *PIERRE v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 277 Conn. 42, 890 A. 2d 474.

No. 05–10745. *WALKUP v. HAINES, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 776.

No. 05–10797. *LEWIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10801. *DILL, AKA TUCKER v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 244.

No. 05–10817. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–10820. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 623.

No. 05–10821. *RESNICK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 295.

No. 05–10827. *TRETO-BANUELOS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 668.

No. 05–10833. *WHITE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 863 A. 2d 839.

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No. 05–10834. *SIERRA-GONZALEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 52.

No. 05–10835. *WILSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 437 F. 3d 616.

No. 05–10836. *BOOMER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 266.

No. 05–10837. *ABREGO-VILLARREAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 837.

No. 05–10839. *BASS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 444.

No. 05–10840. *BENNETT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–10841. *BLACK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10842. *BLACK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 149 Fed. Appx. 547.

No. 05–10843. *ACKLIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 414.

No. 05–10844. *WASHINGTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10845. *WEST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 150.

No. 05–10853. *PAZ-BARONA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 278.

No. 05–10854. *JENSEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 290.

No. 05–10859. *SANTIAGO-OCASIO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–10860. *DE LA GARZA v. UNITED STATES*; *PARDINAS-FLORES, AKA PARDINAS v. UNITED STATES*; *HERNANDEZ-GUTIERREZ v. UNITED STATES*; *SIERRA-GAITAN, AKA DOE v. UNITED STATES*; and *BARRERA v. UNITED STATES*. C. A. 9th Cir.

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Certiorari denied. Reported below: 166 Fed. Appx. 981 (second judgment); 167 Fed. Appx. 654 (third judgment); 168 Fed. Appx. 225 (first judgment); 177 Fed. Appx. 622 (fourth judgment) and 682 (fifth judgment).

No. 05–10861. *CURRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 277.

No. 05–10862. *DANIELS v. UNITED STATES* (two judgments). C. A. 4th Cir. Certiorari denied.

No. 05–10863. *LEACH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 171 Fed. Appx. 765.

No. 05–10864. *WALTER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 434 F. 3d 30.

No. 05–10868. *DURHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 261.

No. 05–10870. *MARTINEZ ENRIQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 134.

No. 05–10871. *ERAZO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10876. *JACKSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 05–10881. *WHITMAN v. BARTOW, DIRECTOR, WISCONSIN RESOURCE CENTER*. C. A. 7th Cir. Certiorari denied. Reported below: 434 F. 3d 968.

No. 05–10887. *HOOPER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 397.

No. 05–10888. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 124.

No. 05–10908. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 445 F. 3d 793.

No. 05–10909. *MCDUGALD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 450.

No. 05–10914. *TATUM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 367.

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No. 05–10915. VARGAS-GARCIA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 266.

No. 05–10920. FRANCE, AKA FRANCIS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 50.

No. 05–10921. PAGE *v.* NORTH CAROLINA. Gen. Ct. Justice, Super. Ct. Div., Forsyth County, N. C. Certiorari denied.

No. 05–1024. EVANS, ACTING WARDEN *v.* TREVINO. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 150 Fed. Appx. 741.

No. 05–1128. ARAKAKI ET AL. *v.* LINGLE, GOVERNOR OF HAWAII, ET AL. C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 423 F. 3d 954.

No. 05–1167. TEXAS *v.* PENRY. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 178 S. W. 3d 782.

No. 05–1204. SARKES TARZIAN, INC. *v.* U. S. TRUST COMPANY OF FLORIDA SAVINGS BANK, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF TARZIAN. C. A. 7th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 168 Fed. Appx. 108.

No. 05–1372. SPIEGEL *v.* LENG ET AL. App. Ct. Ill., 1st Dist. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 357 Ill. App. 3d 1089, 895 N. E. 2d 697.

No. 05–9916. KLIESH *v.* BUCKS COUNTY DOMESTIC RELATIONS. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 05–10706. RANGEL-REYES *v.* UNITED STATES (Reported below: 168 Fed. Appx. 616); REYNA-MATA *v.* UNITED STATES (169 Fed. Appx. 198); ESTRADA SANCHEZ, AKA ESTRADA-SANCHEZ *v.* UNITED STATES (168 Fed. Appx. 611); PERALTA-BARAJAS *v.* UNITED STATES (169 Fed. Appx. 188); MORIN-GARCIA, AKA MORALES-GARCIA *v.* UNITED STATES (169 Fed. Appx. 284);

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REYES-NAJERA *v.* UNITED STATES (169 Fed. Appx. 279); OSORTO-FORTIN, AKA FORTIN, AKA OSORTO MARTINEZ, AKA ORTIZ SOLIS, AKA OSORTO, AKA GONZALEZ, AKA OSORTO FORTIN *v.* UNITED STATES (169 Fed. Appx. 359); ESPINA-MOSCOLO *v.* UNITED STATES (169 Fed. Appx. 356); AVALOS-CORTEZ, AKA CORTEZ-AVALOS *v.* UNITED STATES (169 Fed. Appx. 355); ALVIZO-CORPUZ *v.* UNITED STATES (169 Fed. Appx. 296); RODRIGUEZ-MARADIAGA *v.* UNITED STATES (169 Fed. Appx. 186); MACIAS-LEON *v.* UNITED STATES (169 Fed. Appx. 354); ORTIZ-CERVANTES *v.* UNITED STATES (169 Fed. Appx. 305); GARCIA-GONZALEZ *v.* UNITED STATES (169 Fed. Appx. 325); ARVIZU-GARCIA *v.* UNITED STATES (171 Fed. Appx. 460); SILVA-ESPINOZA *v.* UNITED STATES (176 Fed. Appx. 495); HUERTA-MARTINEZ *v.* UNITED STATES (176 Fed. Appx. 522); GAYTAN-PEREZ *v.* UNITED STATES (176 Fed. Appx. 512); and GARAY-ORELLANA *v.* UNITED STATES (169 Fed. Appx. 302). C. A. 5th Cir.;

No. 05-10743. SHUMAN *v.* UNITED STATES (Reported below: 165 Fed. Appx. 250). C. A. 4th Cir.; and

No. 05-10815. BANEGAS-HERNANDEZ *v.* UNITED STATES (Reported below: 169 Fed. Appx. 255); CANO-RODRIGUEZ *v.* UNITED STATES (169 Fed. Appx. 229); GARCIA-GALLEGOS *v.* UNITED STATES (169 Fed. Appx. 267); RODRIGUEZ-MERCADO, AKA VILLAFRANCO-PONCE *v.* UNITED STATES (169 Fed. Appx. 202); RODRIGUEZ-DEL CAMPO *v.* UNITED STATES (168 Fed. Appx. 676); HERRERA-MARTINEZ *v.* UNITED STATES (168 Fed. Appx. 664); and GONZALEZ-MACIAS *v.* UNITED STATES (169 Fed. Appx. 287). C. A. 5th Cir. Certiorari denied.

Statement of JUSTICE STEVENS respecting the denial of the petitions for writs of certiorari.

While I continue to believe that *Almendarez-Torres v. United States*, 523 U. S. 224 (1998), was wrongly decided, that is not a sufficient reason for revisiting the issue. The denial of a jury trial on the narrow issues of fact concerning a defendant's prior conviction history, unlike the denial of a jury trial on other issues of fact that give rise to mandatory minimum sentences, see *Harris v. United States*, 536 U. S. 545 (2002), will seldom create any significant risk of prejudice to the accused. Accordingly, there is no special justification for overruling *Almendarez-Torres*. Moreover, countless judges in countless cases have relied on *Almendarez-Torres* in making sentencing determinations. The

doctrine of *stare decisis* provides a sufficient basis for the denial of certiorari in these cases.

JUSTICE THOMAS, dissenting.

Under our Constitution, a person accused of a crime is entitled to a “trial, by an impartial jury of the State and district wherein the crime shall have been committed,” Amdt. 6, pursuant to an indictment for that offense by a grand jury, Amdt. 5. See also Art. III, § 2, cl. 3 (“The Trial of all Crimes . . . shall be by Jury”). Determining the proper scope of these constitutional rights requires a definition of the term “crime.” As I have previously written, “a ‘crime’ includes *every fact* that is by law a basis for imposing or increasing punishment.” *Apprendi v. New Jersey*, 530 U. S. 466, 501 (2000) (concurring opinion) (emphasis added).

Notwithstanding the broad meaning of the term “crime,” this Court has qualified the protections of the Fifth and Sixth Amendments by holding that, “[o]ther than the fact of a prior conviction, any fact that increases the penalty for a crime beyond the prescribed statutory maximum must be submitted to a jury, and proved beyond a reasonable doubt.” *Id.*, at 490 (majority opinion) (emphasis added). But the exception to trial by jury for establishing “the fact of a prior conviction” finds its basis not in the Constitution, but in a precedent of this Court. See *Almendarez-Torres v. United States*, 523 U. S. 224 (1998). Moreover, it has long been clear that a majority of this Court now rejects that exception. See *Shepard v. United States*, 544 U. S. 13, 27–28 (2005) (THOMAS, J., concurring in part and concurring in judgment); see also *Almendarez-Torres*, *supra*, at 248–249 (SCALIA, J., joined by STEVENS, SOUTER, and GINSBURG, JJ., dissenting); *Apprendi*, *supra*, at 520–521 (THOMAS, J., concurring).

In our previous cases, the parties have not asked this Court to overrule *Almendarez-Torres*. *Apprendi*, *supra*, at 489–490; *Shepard*, *supra*, at 28 (THOMAS, J., concurring in part and concurring in judgment). Last Term, I indicated that the Court should address the ongoing validity of the *Almendarez-Torres* exception in an appropriate case. *Shepard*, *supra*, at 28. Petitioners, like many other criminal defendants, have done their part by specifically presenting this Court with opportunities to reconsider *Almendarez-Torres*. It is time for this Court to do its part.

The Court’s duty to resolve this matter is particularly compelling, because we are the *only* court authorized to do so. See

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State Oil Co. v. Khan, 522 U. S. 3, 20 (1997) (“[I]t is this Court’s prerogative alone to overrule one of its precedents”). And until we do so, countless criminal defendants will be denied the full protection afforded by the Fifth and Sixth Amendments, notwithstanding the agreement of a majority of the Court that this result is unconstitutional. There is no good reason to allow such a state of affairs to persist.

Accordingly, I dissent from the Court’s denial of certiorari.

No. 05–10726. *SANTO v. PIAZZA, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

Rehearing Denied

No. 05–877. *JERONIMO-BAUTISTA v. UNITED STATES*, *ante*, p. 1069;

No. 05–967. *M2 SOFTWARE, INC. v. MADACY ENTERTAINMENT ET AL.*; and *M2 SOFTWARE, INC. v. M2 COMMUNICATIONS, L.L.C., ET AL.*, *ante*, p. 1069;

No. 05–985. *TITTLE v. BOTTORFF-TITTLE ET AL.*, *ante*, p. 1070;

No. 05–1015. *AMAYA v. PITNER ET AL.*, *ante*, p. 1070;

No. 05–1038. *VALLADARES v. DIEDE ET AL.*, *ante*, p. 1097;

No. 05–9049. *IN RE HOWARD*, *ante*, p. 1068;

No. 05–9078. *VELISHKA v. T. N. T. HOME BUILDERS ET AL.*, *ante*, p. 1074;

No. 05–9107. *PAGEL v. WASHINGTON MUTUAL BANK, INC., ET AL.*, *ante*, p. 1075;

No. 05–9248. *BEA v. VIRGINIA*, *ante*, p. 1078;

No. 05–9299. *FULLER v. CAMUS, DBA UNITED STATES MARSHALS SERVICE, PREMIER TRENDS, ET AL.*, *ante*, p. 1080;

No. 05–9310. *WILSON v. GODDARD, ATTORNEY GENERAL OF ARIZONA, ET AL.*, *ante*, p. 1080;

No. 05–9388. *CRUZ v. FLORIDA DEPARTMENT OF CORRECTIONS*, *ante*, p. 1101;

No. 05–9416. *WILLIAMS v. WASHINGTON, WARDEN*, *ante*, p. 1081;

No. 05–9419. *HARBISON v. BELL, WARDEN*, *ante*, p. 1101;

No. 05–9621. *IN RE DOOSE*, *ante*, p. 1097; and

No. 05–9648. *MILLS v. HELLING, WARDEN, ET AL.*, *ante*, p. 1117. Petitions for rehearing denied.

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JUNE 14, 2006

Dismissal Under Rule 46

No. 05–11105. MILES *v.* UNITED STATES. C. A. 5th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 440 F. 3d 693.

JUNE 19, 2006

Certiorari Granted—Vacated and Remanded. (See also No. 05–6997, *ante*, p. 867.)

No. 05–8895. RUTHERFORD *v.* McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Hill v. McDonough*, *ante*, p. 573. Reported below: 438 F. 3d 1087.

Certiorari Dismissed

No. 05–10314. GANT *v.* 24 HOUR FITNESS WORLD WIDE INC. ET AL. Ct. App. Tex., 2d Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 05–11108. AGUILAR *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. Ct. Crim. App. Tex. Certiorari dismissed as moot.

Miscellaneous Orders

No. 05M89. JOINER *v.* AMERICAN RED CROSS. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. D–2425. IN RE DISBARMENT OF AYELE. Disbarment entered. [For earlier order herein, see 546 U. S. 1165.]

No. 135, Orig. TEXAS ET AL. *v.* LEAVITT, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. Motion of plaintiffs for preliminary injunction denied. Motion for leave to file bill of complaint denied.

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No. 04–1324. *DAY v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, *ante*, p. 198. Respondent is invited to file a response to the petition for rehearing within 30 days.

No. 05–1157. *CREDIT SUISSE FIRST BOSTON LTD. ET AL. v. BILLING ET AL.* C. A. 2d Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States. THE CHIEF JUSTICE took no part in the consideration or decision of this order.

Certiorari Granted

No. 05–1240. *WALLACE v. KATO ET AL.* C. A. 7th Cir. Certiorari granted limited to the following question: “When does a claim for damages arising out of a false arrest or other search or seizure forbidden by the Fourth Amendment accrue when the fruits of the search were introduced in the claimant’s criminal trial and he was convicted?” Reported below: 440 F. 3d 421.

No. 05–1342. *WATTERS, COMMISSIONER, MICHIGAN OFFICE OF INSURANCE AND FINANCIAL SERVICES v. WACHOVIA BANK, N. A., ET AL.* C. A. 6th Cir. Certiorari granted. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 431 F. 3d 556.

No. 05–1382. *GONZALES, ATTORNEY GENERAL v. PLANNED PARENTHOOD FEDERATION OF AMERICA, INC., ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 435 F. 3d 1163.

Certiorari Denied

No. 04–1702. *FRANKLIN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 05–331. *AIR CONDITIONING & REFRIGERATION INSTITUTE ET AL. v. ENERGY RESOURCES CONSERVATION & DEVELOPMENT COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 410 F. 3d 492.

No. 05–417. *EMPRESA CUBANA DEL TABACO, AKA CUBATABACO v. GENERAL CIGAR Co., INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 399 F. 3d 462.

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No. 05–1042. *MILLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 430 F. 3d 93.

No. 05–1099. *UNAL v. AKINCI-UNAL*. App. Ct. Mass. Certiorari denied. Reported below: 64 Mass. App. 212, 832 N. E. 2d 1.

No. 05–1165. *NEW CINGULAR WIRELESS SERVICES, INC., FKA AT&T WIRELESS SERVICES, INC. v. BUCY*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 05–1168. *TEXAS STATE BANK v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 423 F. 3d 1370.

No. 05–1169. *NEW CINGULAR WIRELESS SERVICES, INC., FKA AT&T WIRELESS SERVICES, INC., ET AL. v. MEOLI ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 05–1170. *CINGULAR WIRELESS, LLC v. WING*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 05–1171. *SASSON v. SOKOLOFF, INDIVIDUALLY AND AS TRUSTEE FOR CAMELOT MEDICAL GROUP, INC., PROFIT SHARING PLAN*. C. A. 9th Cir. Certiorari denied. Reported below: 424 F. 3d 864.

No. 05–1187. *SAMUEL v. SUPERIOR MACHINE COMPANY OF SOUTH CAROLINA, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 486.

No. 05–1194. *METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE v. DEJA VU OF NASHVILLE, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 421 F. 3d 417.

No. 05–1206. *STRAWBRIDGE ET UX. v. SUGAR MOUNTAIN RESORT, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 286.

No. 05–1234. *C. P. ET VIR v. J. D.* Sup. Ct. Mont. Certiorari denied. Reported below: 329 Mont. 337, 124 P. 3d 1091.

No. 05–1275. *HOLOCAUST SURVIVORS FOUNDATION USA, INC., ET AL. v. UNION BANK OF SWITZERLAND ET AL.; and*

No. 05–1416. *WEISSHAUS ET AL. v. UNION BANK OF SWITZERLAND ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 424 F. 3d 132.

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No. 05–1303. *SLAGLE v. CLARION COUNTY, PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 435 F. 3d 262.

No. 05–1316. *HOGGATT v. YOUTH COURT OF ADAMS COUNTY, MISSISSIPPI*. Ct. App. Miss. Certiorari denied.

No. 05–1320. *COURTNEY v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 05–1321. *MACKENZIE v. DONOVAN ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 23 App. Div. 3d 361, 804 N. Y. S. 2d 112.

No. 05–1322. *PALINSKI v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied.

No. 05–1325. *FORD v. COUNTY OF HAWAII ET AL.* Sup. Ct. Haw. Certiorari denied. Reported below: 108 Haw. 318, 120 P. 3d 217.

No. 05–1330. *STEWART v. SILVA*. C. A. 9th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 647.

No. 05–1341. *PRINCO CORP. ET AL. v. U. S. PHILIPS CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 424 F. 3d 1179.

No. 05–1351. *BACA, SHERIFF, LOS ANGELES COUNTY, CALIFORNIA, ET AL. v. MORENO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 431 F. 3d 633.

No. 05–1364. *STEARMAN v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. Reported below: 436 F. 3d 533.

No. 05–1393. *CHEN v. NORTHWESTERN UNIVERSITY*. C. A. 7th Cir. Certiorari denied. Reported below: 175 Fed. Appx. 24.

No. 05–1434. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 437 F. 3d 665.

No. 05–1441. *HART ET AL. v. CITY OF LITTLE ROCK, ARKANSAS*. C. A. 8th Cir. Certiorari denied. Reported below: 432 F. 3d 801.

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No. 05–1452. *WILLAMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 437 F. 3d 354.

No. 05–1453. *MCCULLOUGH, AKA BOYINGTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 469.

No. 05–1460. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 107.

No. 05–5810. *BOSLEY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 409 F. 3d 657.

No. 05–8656. *ABDUL-WASI v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 05–8880. *COAKLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 410.

No. 05–9085. *BRADFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 396.

No. 05–9212. *LAFRENIERE v. TRUSTEES OF CALIFORNIA STATE UNIVERSITY*. C. A. 9th Cir. Certiorari denied.

No. 05–9467. *MOONEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 425 F. 3d 1093.

No. 05–9469. *BURKE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 425 F. 3d 400.

No. 05–9558. *JIMENEZ-CID v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 697.

No. 05–9733. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 898.

No. 05–9779. *MARTIN v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 931 So. 2d 759.

No. 05–10315. *FREEMAN v. TEXAS*. Ct. App. Tex., 11th Dist. Certiorari denied. Reported below: 168 S. W. 3d 888.

No. 05–10318. *HILL v. TEXAS*. Ct. App. Tex., 10th Dist. Certiorari denied.

No. 05–10321. *HOWARD v. KOZAK ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 05–10324. *BURNS v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 126 Wash. App. 1056.

No. 05–10327. *CIAPRAZI v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 151 Fed. Appx. 62.

No. 05–10339. *STOUT v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–10343. *COLEMAN v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 05–10344. *KINDRED v. LA BOSSIERE ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–10346. *ESTRADA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 292.

No. 05–10350. *JOHNSON v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 127 Wash. App. 1033.

No. 05–10357. *SMITH v. SALISH KOOTENAI COLLEGE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 434 F. 3d 1127.

No. 05–10363. *ROOKLIDGE v. DRIVER AND MOTOR VEHICLE SERVICES BRANCH OF THE OREGON DEPARTMENT OF TRANSPORTATION (DMV) ET AL.* Ct. App. Ore. Certiorari denied.

No. 05–10369. *HARVEY v. CRIST, ATTORNEY GENERAL OF FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 05–10371. *GAITAN v. CONAGRA BEEF CO. ET AL.* Ct. App. Colo. Certiorari denied.

No. 05–10373. *FAUCONIER v. WATERS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 644.

No. 05–10374. *FENLON v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 05–10375. *HARRELL v. TEXAS*. Ct. App. Tex., 10th Dist. Certiorari denied.

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No. 05–10376. *FENSTERMACHER v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–10377. *CHIARIGUERRERO v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 909 So. 2d 868.

No. 05–10380. *MODICA v. TEXAS.* Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 151 S. W. 3d 716.

No. 05–10382. *BOLDEN v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 151 Fed. Appx. 88.

No. 05–10384. *HANN v. MICHIGAN DEPARTMENT OF CORRECTIONS.* Ct. App. Mich. Certiorari denied.

No. 05–10392. *MILLER ET AL. v. BRONSON ET UX.* Ct. App. Wash. Certiorari denied.

No. 05–10395. *NGHIEM v. AGHA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 723.

No. 05–10396. *NIELDS v. BRADSHAW, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 05–10398. *VU HUY NGUYEN v. KERNAN, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05–10399. *MANCEBO v. ADAMS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 435 F. 3d 977.

No. 05–10405. *CRITTENDEN v. MORGAN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 05–10407. *BRAXTON v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 05–10409. *SALDANA PEREZ v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 05–10417. *FADLALLAH v. DEARBORN PUBLIC SCHOOLS.* Ct. App. Mich. Certiorari denied.

No. 05–10423. *MATTHEWS v. NEVADA ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 121 Nev. 1149, 152 P. 3d 787.

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No. 05–10424. *SENGSUWAN v. WHORTON, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–10436. *BORST v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 125 Wash. App. 1029.

No. 05–10438. *KHUONG VAN WANG v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–10439. *WILLIAMS v. RUNNELS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05–10440. *WILCOX v. MUDD ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–10445. *DORVAL v. CATHEL, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 05–10447. *KAUFMAN v. HEPP, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 05–10448. *LOMAS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 05–10449. *PEARSON v. OHIO.* C. A. 6th Cir. Certiorari denied.

No. 05–10451. *TEMS v. TEXAS.* Ct. App. Tex., 6th Dist. Certiorari denied.

No. 05–10452. *GLASS v. UNDERWOOD.* Ct. App. Tenn. Certiorari denied.

No. 05–10456. *BATTLES v. BUSS, SUPERINTENDENT, INDIANA STATE PRISON.* C. A. 7th Cir. Certiorari denied.

No. 05–10457. *CHAVEZ LERMA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 05–10458. *WILLIFORD v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 931 So. 2d 10.

No. 05–10460. *COBB v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 905 So. 2d 936.

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No. 05–10495. *DARDEN v. BERKELEY COMMUNITY MEDIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 896.

No. 05–10644. *JORDAN v. NORTH CAROLINA.* Ct. App. N. C. Certiorari denied. Reported below: 174 N. C. App. 479, 621 S. E. 2d 229.

No. 05–10660. *DANNER v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 923 So. 2d 1162.

No. 05–10674. *SLOVER ET AL. v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied.

No. 05–10675. *SULOLLARI v. GONZALES, ATTORNEY GENERAL.* C. A. 6th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 842.

No. 05–10784. *THIRSTON v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 05–10811. *ANDERSON v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 176 Fed. Appx. 242.

No. 05–10823. *MARTIN v. CHIARA.* C. A. 6th Cir. Certiorari denied.

No. 05–10855. *REED v. MISSOURI.* Sup. Ct. Mo. Certiorari denied. Reported below: 181 S. W. 3d 567.

No. 05–10878. *HUTCHINS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 05–10889. *GOLOSOW, AKA TERAZZO v. WEST VIRGINIA.* Sup. Ct. App. W. Va. Certiorari denied.

No. 05–10892. *GUYTON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 05–10895. *DAVIS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 165 Fed. Appx. 586.

No. 05–10898. *HUGHES v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 966.

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No. 05–10901. *HACKLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 301.

No. 05–10904. *FIELDS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–10906. *GUILLEN-ZAPATA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 75.

No. 05–10912. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 375.

No. 05–10913. *CLARK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 147 Fed. Appx. 387.

No. 05–10922. *DEMERY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 521.

No. 05–10928. *NUNN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 249.

No. 05–10930. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 431 F. 3d 296.

No. 05–10933. *SASSO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 623.

No. 05–10934. *LEON GUERRERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 995.

No. 05–10935. *OAKMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 05–10939. *DUBOC v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 441.

No. 05–10941. *JAMES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 144.

No. 05–10942. *OLIVAS-ALDAME v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 307.

No. 05–10943. *MERINO-LEON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 170 Fed. Appx. 679.

No. 05–10944. *PRITCHETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 170 Fed. Appx. 252.

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No. 05–10947. *LUEDTKE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–10951. *ROSS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–10952. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 453.

No. 05–10953. *FLIPPEN v. POLK, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 05–10956. *REYES-ENCINAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 610.

No. 05–10957. *KNOWS HIS GUN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 438 F. 3d 913.

No. 05–10961. *GARDENER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 687.

No. 05–10962. *GRUNEFELD, AKA GRUNFELD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–10963. *GIBSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 434 F. 3d 1234.

No. 05–10965. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 132.

No. 05–10969. *ASHCROFT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 454.

No. 05–10971. *ZAMBRANO BERRIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 247.

No. 05–10972. *BURGESS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 170 Fed. Appx. 275.

No. 05–10973. *BADILLO-PEREZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–10976. *AMISON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 170 Fed. Appx. 707.

No. 05–10979. *VIOLA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 05–10987. SUAREZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 947.

No. 05–10989. TRIPLETT *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 753.

No. 05–10991. WOLFE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 228.

No. 05–11001. BARRIENTOS-MALDONADO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 829.

No. 05–11003. BARKER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 437 F. 3d 787.

No. 05–11008. SANTACRUZ-SANCHEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 982.

No. 05–11011. SCOFIELD *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 433 F. 3d 580.

No. 05–11013. BROWNING *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 436 F. 3d 780.

No. 05–11016. OVALLE-MARQUEZ *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 05–11017. RYAN-WEBSTER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 142 Fed. Appx. 779.

No. 05–11019. MEJIA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 171 Fed. Appx. 406.

No. 05–11021. JONES *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 05–11023. RIOS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 200.

No. 05–11024. SALDANA-LOPEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 559.

No. 05–11027. ANTHONY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 906.

No. 05–11031. RICHARDSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

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No. 05–11033. *HERNANDEZ-PEREZ v. UNITED STATES; GONZALEZ-SILVA, AKA GARCIA-SALAZAR v. UNITED STATES; NUNEZ-MUNOZ v. UNITED STATES; HERNANDEZ-ARREDONDO v. UNITED STATES; MARTIN-PARADA v. UNITED STATES; MIRANDA-SANCHEZ v. UNITED STATES; REYNA-VELOZ, AKA PAZ-RODRIGUEZ v. UNITED STATES; and MARTINEZ-MENDOZA, AKA ALVAREZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 758 (first judgment); 167 Fed. Appx. 998 (fourth judgment); 168 Fed. Appx. 566 (third judgment) and 601 (sixth judgment); 169 Fed. Appx. 282 (seventh judgment), 298 (eighth judgment), 874 (second judgment), and 884 (fifth judgment).

No. 05–11035. *HARROD v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 331.

No. 05–11037. *TERRY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 05–11038. *TAYLOR v. HOLINKA, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 05–11039. *HANDS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 05–11040. *GUERRERO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 757.

No. 05–11042. *POPHAL v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 864.

No. 05–11044. *JOSEPH v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 891.

No. 05–11046. *STAPLETON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 440 F. 3d 700.

No. 05–11047. *MEDINA-VALENZUELA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 171 Fed. Appx. 32.

No. 05–11049. *JACKSON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 05–11050. *AGUIRRE-CRUZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 171 Fed. Appx. 69.

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No. 05–11051. *AYON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 894.

No. 05–11053. *ALVARADO v. UNITED STATES* (Reported below: 168 Fed. Appx. 658); *BAENA-AGUILAR v. UNITED STATES* (168 Fed. Appx. 637); *CARRILLO-MARAVILLA v. UNITED STATES* (168 Fed. Appx. 627); *CRUZ-ALVARADO v. UNITED STATES* (168 Fed. Appx. 645); *DE PAZ-SAUCEDO v. UNITED STATES* (168 Fed. Appx. 618); *PENA-AMARO v. UNITED STATES* (169 Fed. Appx. 214); *ANAYA-GOMEZ, AKA NAVA-VASQUEZ, AKA HERNANDEZ v. UNITED STATES* (169 Fed. Appx. 299); *MARTINEZ-HERRERA v. UNITED STATES* (168 Fed. Appx. 678); *SANDOVAL v. UNITED STATES* (169 Fed. Appx. 353); *SILVA-RODRIGUEZ v. UNITED STATES* (169 Fed. Appx. 325); and *GARCIA-MENDOZA v. UNITED STATES* (169 Fed. Appx. 288). C. A. 5th Cir. Certiorari denied.

No. 05–11054. *MORALES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–11055. *WRIGHT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 393.

No. 05–11056. *VELEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 349.

No. 05–11058. *CIAMPI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 419 F. 3d 20.

No. 05–11060. *SHIPP v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–11061. *FAIRCLOUGH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 439 F. 3d 76.

No. 05–11063. *GOOD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 170 Fed. Appx. 820.

No. 05–11064. *THOMAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–11065. *DOWDELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 158 Fed. Appx. 442.

No. 05–11066. *PAYNE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 437 F. 3d 540.

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No. 05–11067. *BUILES MEDINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 161.

No. 05–11068. *JAMIESON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 427 F. 3d 394.

No. 05–11070. *MALDONADO-GUTIERREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 175 Fed. Appx. 795.

No. 05–11079. *PERRY v. DEWALT, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 156 Fed. Appx. 591.

No. 05–489. *SMITHKLINE BEECHAM CORP. ET AL. v. APOTEX CORP. ET AL.* C. A. Fed. Cir. Motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 403 F. 3d 1331.

No. 05–736. *TILTON, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION v. RAMIREZ*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 128 Fed. Appx. 663.

No. 05–755. *ORNOSKI, ACTING WARDEN v. REYES*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 399 F. 3d 964.

No. 05–1135. *CRATER CORP. v. LUCENT TECHNOLOGIES, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 423 F. 3d 1260.

No. 05–1309. *ALABAMA v. ADAMS*. Sup. Ct. Ala. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 955 So. 2d 1106.

No. 05–10418. *HERRSCHAFT v. GRACE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

Rehearing Denied

No. 05–8534. *GLAGOLA v. ILLINOIS*, *ante*, p. 1023;

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No. 05–8650. *WRIGHT v. RYAN*, ACTING WARDEN, *ante*, p. 1025;

No. 05–9109. *TAYLOR v. TAYLOR*, WARDEN, *ante*, p. 1075;

No. 05–9258. *COCKRELL v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*, *ante*, p. 1079;

No. 05–9387. *MINTON v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 1101;

No. 05–9479. *LEWIS v. GEORGIA*, *ante*, p. 1116;

No. 05–9671. *IN RE HIGGINS*, *ante*, p. 1110; and

No. 05–10038. *CORINES v. UNITED STATES*, *ante*, p. 1105. Petitions for rehearing denied.

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Miscellaneous Order

No. 05A1187. *REESE v. LIVINGSTON*, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

Certiorari Denied

No. 05–11590 (05A1177). *REESE 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.