

ORDERS FOR JUNE 26 THROUGH
SEPTEMBER 28, 2006

JUNE 26, 2006

Certiorari Granted—Vacated and Remanded

No. 04–1657. CRUZ, AS REPRESENTATIVE OF CRUZ *v.* BLUE CROSS AND BLUE SHIELD OF ILLINOIS ET AL. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Empire HealthChoice Assurance, Inc. v. McVeigh*, 547 U.S. 677 (2006). Reported below: 396 F. 3d 793.

No. 05–623. GERKE EXCAVATING, INC. *v.* UNITED STATES. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Rapanos v. United States*, 547 U.S. 715 (2006). Reported below: 412 F. 3d 804.

No. 05–776. DISHER *v.* CITIGROUP GLOBAL MARKETS INC. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Kircher v. Putnam Funds Trust*, 547 U.S. 633 (2006). THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 419 F. 3d 649.

No. 05–1092. MOUELLE ET UX. *v.* GONZALES, ATTORNEY GENERAL. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of 71 Fed. Reg. 27585 (2006). Reported below: 416 F. 3d 923.

No. 05–9171. CASTELLANOS *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Davis v. Washington*, 547 U.S. 813 (2006).

Miscellaneous Orders

No. 05A1067. JONES *v.* BAKER & HOSTETLER, LLP, ET AL. Ct. Common Pleas, Cuyahoga County, Ohio. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

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No. 05M90. PERKINS *v.* CITY OF CHICAGO, ILLINIOS, ET AL.; and

No. 05M91. MCFARLAND *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 05–1076. PADOT *v.* PADOT. Dist. Ct. App. Fla., 2d Dist.; and

No. 05–10787. MURPHY *v.* OKLAHOMA. Ct. Crim. App. Okla. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 05–9739. WILLIAMS *v.* DEPARTMENT OF LABOR ET AL. C. A. 4th Cir.; and

No. 05–10494. DELUCA *v.* KATCHMERIC. Sup. Ct. Va. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 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. 05–11263. IN RE ALLAH; and

No. 05–11293. IN RE WHITE. Petitions for writs of habeas corpus denied.

No. 05–10497. IN RE RUIZ; and

No. 05–10501. IN RE LETIZIA. Petitions for writs of mandamus denied.

No. 05–1418. IN RE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF MULTIJURISDICTIONAL PRACTICE ET AL.;

No. 05–10533. IN RE BUCK;

No. 05–10573. IN RE SHERRELL; and

No. 05–10581. IN RE MILES. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 04–1350. KSR INTERNATIONAL CO. *v.* TELEFLEX INC. ET AL. C. A. Fed. Cir. Motions of Progress & Freedom Foundation, Twenty-Four Intellectual Property Law Professors, and Cisco Systems Inc. et al. for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 119 Fed. Appx. 282.

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No. 05–381. WEYERHAEUSER CO. *v.* ROSS-SIMMONS HARDWOOD LUMBER CO., INC. C. A. 9th Cir. Certiorari granted. Reported below: 411 F. 3d 1030.

No. 05–1074. LEDBETTER *v.* GOODYEAR TIRE & RUBBER CO., INC. C. A. 11th Cir. Certiorari granted. Reported below: 421 F. 3d 1169.

No. 05–1120. MASSACHUSETTS ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. D. C. Cir. Certiorari granted. Reported below: 415 F. 3d 50.

No. 05–1126. BELL ATLANTIC CORP. ET AL. *v.* TWOMBLY ET AL. C. A. 2d Cir. Certiorari granted. Reported below: 425 F. 3d 99.

Certiorari Denied

No. 04–8888. PAYAN *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 05–646. DAVALOS *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–952. MAGLUTA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 418 F. 3d 1166.

No. 05–1058. VA LERIE *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 424 F. 3d 694.

No. 05–1090. SYNERGY STAFFING, INC., FKA PERSONNEL CONNECTION, INC. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 134 Fed. Appx. 158.

No. 05–1095. INDIANA WATER QUALITY COALITION *v.* ENVIRONMENTAL PROTECTION AGENCY. C. A. 6th Cir. Certiorari denied. Reported below: 411 F. 3d 726.

No. 05–1116. FLURY *v.* DAIMLERCHRYSLER CORP. C. A. 11th Cir. Certiorari denied. Reported below: 427 F. 3d 939.

No. 05–1177. AMERICAN TRUCKING ASSNS., INC., ET AL. *v.* OREGON DEPARTMENT OF TRANSPORTATION ET AL. Sup. Ct. Ore. Certiorari denied. Reported below: 339 Ore. 554, 124 P. 3d 1210.

No. 05–1209. ASHLEY CREEK PHOSPHATE CO. *v.* SCARLETT, ACTING SECRETARY OF THE INTERIOR, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 420 F. 3d 934.

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No. 05–1221. *MARTIN ET AL. v. UNITED STATES ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 422 F. 3d 1319.

No. 05–1222. *KEELER ET AL. v. STALDER, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 407 F. 3d 351.

No. 05–1223. *SINGH v. U. S. SECURITY ASSOCIATES, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 152 Fed. Appx. 36.

No. 05–1225. *MEMBERS OF THE PEANUT QUOTA HOLDERS ASSN., INC., ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 421 F. 3d 1323.

No. 05–1230. *FINANCE ONE PUBLIC CO. LTD. v. LEHMAN BROTHERS SPECIAL FINANCING, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 414 F. 3d 325.

No. 05–1232. *INSTA-MIX, INC., ET AL. v. LUV N’ CARE, LTD.* C. A. 5th Cir. Certiorari denied. Reported below: 438 F. 3d 465.

No. 05–1236. *SKF USA INC. v. INTERNATIONAL TRADE COMMISSION ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 423 F. 3d 1307.

No. 05–1239. *TVT RECORDS ET AL. v. ISLAND DEF JAM MUSIC GROUP ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 412 F. 3d 82.

No. 05–1243. *MEDEIROS v. SULLIVAN, DIRECTOR, RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 431 F. 3d 25.

No. 05–1298. *ROMERO ET UX., NEXT FRIENDS OF ROMERO, A MINOR CHILD v. WYETH, FKA LEDERLE LABORATORIES.* C. A. 5th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 962.

No. 05–1329. *KORESKO ET AL. v. BURSEY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 430 F. 3d 424.

No. 05–1331. *SCHULZ v. WASHINGTON COUNTY BOARD OF SUPERVISORS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 145 Fed. Appx. 704.

No. 05–1332. *MILNE, BY AND THROUGH COYNE, HER RECEIVER v. STEPHEN SLESINGER, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 430 F. 3d 1036.

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No. 05–1333. *MCCULLOUGH ET VIR v. HALL ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 538.

No. 05–1334. *CARNAHAN v. TEXAS.* Ct. App. Tex., 13th Dist. Certiorari denied.

No. 05–1336. *KNIERIEM, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SIADÉ, DECEASED v. GROUP HEALTH PLAN, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 434 F. 3d 1058.

No. 05–1337. *GARNER v. GONZALES, DIRECTOR, CHILD SUPPORT ENFORCEMENT DIVISION, NEW MEXICO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 167 Fed. Appx. 21.

No. 05–1339. *HAAN v. COX, ATTORNEY GENERAL OF MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–1344. *DURAND ET UX. v. UNITED STATES CUSTOMS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 542.

No. 05–1346. *LOUISIANA-PACIFIC CORP. v. LESTER BUILDING SYSTEMS, A DIVISION OF BUTLER MANUFACTURING CO., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 428 F. 3d 831.

No. 05–1347. *COLEMAN v. NEW ORLEANS & BATON ROUGE STEAMSHIP PILOTS' ASSN. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 437 F. 3d 471.

No. 05–1348. *SCHMIDT v. BUCHANAN.* Ct. App. Iowa. Certiorari denied. Reported below: 710 N. W. 2d 546.

No. 05–1349. *BANNA ET UX. v. OHIO.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 05–1352. *SMITH v. NEW YORK.* Ct. App. N. Y. Certiorari denied. Reported below: 6 N. Y. 3d 827, 850 N. E. 2d 622.

No. 05–1353. *BENSON ET UX. v. SOUTH DAKOTA ET AL.* Sup. Ct. S. D. Certiorari denied. Reported below: 710 N. W. 2d 131.

No. 05–1356. *PEREZ ET AL. v. UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 432 F. 3d 1163.

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No. 05–1357. *SEAMAN v. GARAMENDI*, INSURANCE COMMISSIONER OF THE STATE OF CALIFORNIA, ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 05–1374. *OKLAHOMA v. GOLDEN*; *OKLAHOMA v. HOGAN*; and *OKLAHOMA v. GIBBS*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 127 P. 3d 1150 (first judgment).

No. 05–1375. *HILL, ADMINISTRATOR OF THE ESTATE OF BARBER, ET AL. v. DIXON ET UX*. Ct. App. N. C. Certiorari denied. Reported below: 174 N. C. App. 252, 620 S. E. 2d 715.

No. 05–1380. *WILLIAMS v. JACKSON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 908.

No. 05–1389. *AMERICAN CIVIL LIBERTIES UNION OF TENNESSEE ET AL. v. BREDESEN, GOVERNOR OF TENNESSEE, ET AL.*; and

No. 05–1483. *NEW LIFE RESOURCES, INC. v. AMERICAN CIVIL LIBERTIES UNION OF TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 441 F. 3d 370.

No. 05–1392. *MANGRA v. GONZALES, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 615.

No. 05–1396. *YOUNG v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 710 N. W. 2d 258.

No. 05–1397. *CARNERO v. BOSTON SCIENTIFIC CORP.* C. A. 1st Cir. Certiorari denied. Reported below: 433 F. 3d 1.

No. 05–1402. *FOLLUM v. FOLLUM, AKA VIOLANTE*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 20 App. Div. 3d 886, 797 N. Y. S. 2d 331.

No. 05–1407. *HIGUIT v. GONZALES, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 433 F. 3d 417.

No. 05–1409. *KOSOY ET AL. v. GTE MOBILNET OF HOUSTON, INC., ET AL.* Sup. Ct. Tex. Certiorari denied. Reported below: 184 S. W. 3d 707.

No. 05–1412. *MOSSA v. GONZALES, ATTORNEY GENERAL*. C. A. 8th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 554.

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No. 05–1420. *PINO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 916.

No. 05–1438. *VALLECILLO v. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT*. C. A. 5th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 764.

No. 05–1440. *HENDERSON v. OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 143 Fed. Appx. 741.

No. 05–1451. *LOUBSER v. THACKER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 440 F. 3d 439.

No. 05–1457. *BOWEN v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 05–1463. *CROCKETT, INDIVIDUALLY AND AS HEIR TO THE ESTATE OF CROCKETT, ET AL. v. R. J. REYNOLDS TOBACCO CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 436 F. 3d 529.

No. 05–1471. *HARRIS COUNTY TOLL ROAD AUTHORITY ET AL. v. CENTERPOINT ENERGY HOUSTON ELECTRIC LLC ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 436 F. 3d 541.

No. 05–1475. *EARLS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 157 Fed. Appx. 421.

No. 05–1479. *CLARKE v. NICHOLSON, SECRETARY OF VETERANS AFFAIRS*. C. A. 3d Cir. Certiorari denied. Reported below: 153 Fed. Appx. 69.

No. 05–1484. *LAMERE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–1487. *O’CONNOR v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 513.

No. 05–1495. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 946.

No. 05–1497. *BOLANOS-MUNOZ ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 545.

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No. 05–1503. *YORK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 428 F. 3d 1325.

No. 05–1504. *EDWARDS ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 442 F. 3d 258.

No. 05–1510. *MIEDZIANOWSKI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 743.

No. 05–1511. *BATIE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 433 F. 3d 1287.

No. 05–7667. *HEDRICK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 871.

No. 05–8392. *VASQUEZ v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 356 Ill. App. 3d 420, 824 N. E. 2d 1071.

No. 05–8925. *MARINO v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 21 App. Div. 3d 430, 800 N. Y. S. 2d 39.

No. 05–9386. *DIAS MOREIRA v. GONZALES, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 05–9561. *HILL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 430 F. 3d 939.

No. 05–9636. *MORTIER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 937.

No. 05–9728. *GRIFFIN v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05–9801. *RANSOM v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 919 So. 2d 887.

No. 05–9829. *PAYNE v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 418 F. 3d 644.

No. 05–9842. *ROGERS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 165 Fed. Appx. 873.

No. 05–9866. *GLASS v. MINNESOTA*. C. A. 8th Cir. Certiorari denied.

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No. 05–9982. *NALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 146 Fed. Appx. 462.

No. 05–10005. *BOWLING v. LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT ET AL.* Sup. Ct. Ky. Certiorari denied. Reported below: 172 S. W. 3d 333.

No. 05–10062. *BRIDGERS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 431 F. 3d 853.

No. 05–10233. *FRY v. NEW MEXICO*. Sup. Ct. N. M. Certiorari denied. Reported below: 138 N. M. 700, 126 P. 3d 516.

No. 05–10465. *SIGMON v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 366 S. C. 552, 623 S. E. 2d 648.

No. 05–10469. *JIMENEZ v. RYAN, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–10472. *WILLIAMS v. IBERIA PARISH SHERIFF’S DEPARTMENT ET AL.*; and *WILLIAMS v. PFIZER INC. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 242 (second judgment) and 277 (first judgment).

No. 05–10476. *OWUSU v. MICHIGAN*. Cir. Ct. Genesee County, Mich. Certiorari denied.

No. 05–10480. *DYE v. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 144 Fed. Appx. 995.

No. 05–10484. *SEMPLE v. WALKER, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 05–10486. *SCANLON v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 05–10496. *CARTER v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 05–10498. *STEPHENS v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 05–10506. *BROWDER v. CHIEF DEPUTY JAILER OF LEE COUNTY, ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 160 Fed. Appx. 534.

No. 05–10514. *SAVCHICK v. JOHNSEN ET AL.* Ct. App. Ariz. Certiorari denied.

No. 05–10516. *CARNEY v. LUOMA, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 05–10517. *SANCHEZ v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 05–10518. *CONYERS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 05–10521. *NELSON v. WONG ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 719.

No. 05–10527. *TATUM v. LASALLE BANK, NA, TRUSTEE, ET AL.* App. Ct. Conn. Certiorari denied.

No. 05–10528. *ALLEN v. HARRISON, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 618.

No. 05–10530. *SMILEY v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 05–10531. *MICHAU v. CHARLESTON COUNTY, SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 434 F. 3d 725.

No. 05–10534. *WAKEFIELD v. CITY OF MIAMI-DADE, FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 05–10535. *FREEMAN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 926 So. 2d 1080.

No. 05–10538. *METZSCH v. AVAYA, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 159 Fed. Appx. 736.

No. 05–10540. *PRUITT v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 834 N. E. 2d 90.

No. 05–10542. *MEEK v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

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No. 05–10548. *ESTACIO v. OREGON DEPARTMENT OF CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 05–10558. *LOPEZ v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05–10567. *BENNETT v. JONES, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 05–10571. *MIXON v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 05–10572. *SHERBURNE v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 05–10574. *PORTALES v. MADIGAN, ATTORNEY GENERAL OF ILLINOIS.* C. A. 7th Cir. Certiorari denied.

No. 05–10575. *RAMIREZ v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 05–10579. *FLEETWOOD v. GRANHOLM, GOVERNOR OF MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 05–10580. *NEVINS v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 16 App. Div. 3d 1046, 791 N. Y. S. 2d 771.

No. 05–10582. *STANFORD v. SMITH, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–10583. *WILLIAMS v. PORTACCI ET AL.* C. A. 5th Cir. Certiorari denied.

No. 05–10584. *TWYMAN v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 954 So. 2d 1145.

No. 05–10590. *MURPHY v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 37 Cal. 4th 490, 123 P. 3d 155.

No. 05–10592. *BURKETT v. TEXAS.* Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 172 S. W. 3d 250.

No. 05–10598. *DOMINO v. KENTUCKY.* Ct. App. Ky. Certiorari denied.

No. 05–10599. *CADY v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied.

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No. 05–10602. *CLELLAND v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 34 Kan. App. 2d xxi, 116 P. 3d 55.

No. 05–10606. *DUQUE v. OHIO*. Ct. App. Ohio, Seneca County. Certiorari denied.

No. 05–10610. *WILLIAMS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 05–10616. *JACKSON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 107 Ohio St. 3d 53, 836 N. E. 2d 1173.

No. 05–10654. *HUERTA v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05–10659. *WELLS v. MINZEY, SHERIFF, WASHTENAW COUNTY, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 05–10666. *MCKNIGHT v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 107 Ohio St. 3d 101, 837 N. E. 2d 315.

No. 05–10728. *WILLIAMS v. CRIST, ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–10752. *CANNON v. BAZZLE, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 364.

No. 05–10753. *SAMUEL v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 05–10786. *HALL v. HOUSTON ET AL.* Sup. Ct. Neb. Certiorari denied.

No. 05–10792. *BROWNING v. BI-LO, INC.* Ct. App. S. C. Certiorari denied.

No. 05–10804. *ROSS v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 280 Kan. 878, 127 P. 3d 249.

No. 05–10808. *MITCHELL v. HALL ET AL.* C. A. 1st Cir. Certiorari denied.

No. 05–10809. *MCDONALD v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 05–10819. *WILLIAMS v. BAZZLE, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 161.

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No. 05–10829. *MARTIN v. KANSAS*. Sup. Ct. Kan. Certiorari denied.

No. 05–10851. *WILLIAMS v. DEPARTMENT OF JUSTICE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 177 Fed. Appx. 231.

No. 05–10867. *CHEN v. BRANCH BANKING & TRUST CO.* Cir. Ct. Prince George’s County, Md. Certiorari denied.

No. 05–10877. *ROLLING v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 438 F. 3d 1296.

No. 05–10903. *GLASS v. YOUNG, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 153.

No. 05–11059. *ALLEN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 169 Fed. Appx. 634.

No. 05–11072. *PORTER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 153 Fed. Appx. 912.

No. 05–11073. *NUNEZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 05–11076. *GALLARZA v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 161 Fed. Appx. 267.

No. 05–11078. *PATTERSON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 05–11088. *WENGER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 427 F. 3d 840.

No. 05–11090. *GRIFFIN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 05–11091. *GROSS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 437 F. 3d 691.

No. 05–11095. *CHAVEZ GARCIA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 166 Fed. Appx. 981.

No. 05–11096. *CHONG v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

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No. 05–11101. *LUCERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 164 Fed. Appx. 594.

No. 05–11102. *COFFMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–11106. *MCCARTHY v. GALLEGOS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 276.

No. 05–11110. *SCOTT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 163 Fed. Appx. 791.

No. 05–11111. *RUBIO-LADEZMA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–11112. *CARMONA ROZUK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 736.

No. 05–11115. *ROMERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 826.

No. 05–11116. *SALGADO-BRITO v. UNITED STATES* (Reported below: 169 Fed. Appx. 206); *RODRIGUEZ-RESENDIZ v. UNITED STATES* (169 Fed. Appx. 192); *LINO-MEJIA v. UNITED STATES* (169 Fed. Appx. 268); *MARTINEZ-FIGUEROA v. UNITED STATES* (169 Fed. Appx. 211); *ORNELAS-RODRIGUEZ v. UNITED STATES* (169 Fed. Appx. 262); *HERNANDEZ-BELTRAN v. UNITED STATES* (169 Fed. Appx. 195); *VACA-ANDRADE v. UNITED STATES* (169 Fed. Appx. 355); *HERRERA-PEREZ v. UNITED STATES* (169 Fed. Appx. 293); *VERA-BEDOLLA v. UNITED STATES* (169 Fed. Appx. 300); *TAVERA-TERAN v. UNITED STATES* (168 Fed. Appx. 667); *BERNAL-VENCES v. UNITED STATES* (169 Fed. Appx. 292); *CRUZ-RANGEL v. UNITED STATES* (169 Fed. Appx. 301); *MOTA v. UNITED STATES* (169 Fed. Appx. 314); *ORTIZ-AROZENA v. UNITED STATES* (169 Fed. Appx. 358); *CANTU-RODRIGUEZ v. UNITED STATES* (176 Fed. Appx. 439); *SOLORZANO-CRUZ v. UNITED STATES* (176 Fed. Appx. 482); *RENDON-GARCIA v. UNITED STATES* (176 Fed. Appx. 497); *CHAVEZ-PEREZ v. UNITED STATES* (176 Fed. Appx. 528); *ZAQUERO-SANCHEZ v. UNITED STATES* (176 Fed. Appx. 531); *HERRERA-RESENDEZ v. UNITED STATES* (176 Fed. Appx. 526); and *QUIROZ-ESCONDON v. UNITED STATES* (176 Fed. Appx. 523). C. A. 5th Cir. Certiorari denied.

No. 05–11117. *LOPEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 05–11118. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 05–11120. *BROWN v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 157 Fed. Appx. 295.

No. 05–11121. *DARE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 425 F. 3d 634.

No. 05–11125. *POWELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 155 Fed. Appx. 725.

No. 05–11126. *PECK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 05–11127. *PICKETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 174 Fed. Appx. 731.

No. 05–11130. *BLALOCK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–11138. *SCHEER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 628.

No. 05–11143. *BAXTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 878.

No. 05–11153. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 444 F. 3d 430.

No. 05–11156. *BADRUDDOZZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 05–11158. *CASTORENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 181.

No. 05–11162. *WAGAR v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 05–11164. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–11167. *AMAYA-MEMBRENO v. UNITED STATES*; *ANGEL-LEONARDO v. UNITED STATES*; *BETANCOURT-OCHOA v. UNITED STATES*; *ECHAVARRIA-RIVERA v. UNITED STATES*; *GONZALEZ-ROJAS v. UNITED STATES*; *GONZALEZ-VARGAS v. UNITED STATES*;

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LUNA-PEREZ *v.* UNITED STATES; and MORALES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 612 (eighth judgment) and 613 (second judgment); 169 Fed. Appx. 216 (fifth judgment), 280 (third judgment), 294 (fourth judgment), 297 (first judgment), and 839 (sixth judgment).

No. 05–11169. BATTEN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 05–11171. TAIWO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 596.

No. 05–11172. DICLEMENTE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 154 Fed. Appx. 409.

No. 05–11178. SEGURA-LARA *v.* UNITED STATES; and DE LA GARZA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 647 (second judgment).

No. 05–11181. REYES *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied.

No. 05–11183. STEWART *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 622.

No. 05–11187. RIOJAS-VICTORIO *v.* UNITED STATES; RAMOS-MORA *v.* UNITED STATES; GUTIERREZ-SALAZAR, AKA GUTIERREZ, AKA SALAZAR, AKA GUTIERREZ SALAZAR *v.* UNITED STATES; FLORES-AMPARAN *v.* UNITED STATES; and ALCAYAGA-MALDONADO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 662 (fourth judgment); 169 Fed. Appx. 309 (fifth judgment), 349 (first and second judgments), and 352 (third judgment).

No. 05–11188. LAYNE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 05–11189. JACKSON *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 05–11191. CORRIETTE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 171 Fed. Appx. 319.

No. 05–11193. BAD MARRIAGE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 439 F. 3d 534.

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No. 05–11194. *LEWIS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 406 F. 3d 11.

No. 05–11195. *LEONARD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 439 F. 3d 648.

No. 05–11202. *MEHIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 857.

No. 05–11206. *BAKER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 05–11208. *BOULANGER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–11210. *ROJERO VALLES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 340.

No. 05–11214. *RICHARDSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 893 A. 2d 590.

No. 05–11215. *BANEGAS-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 321.

No. 05–11217. *LYONS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 176 Fed. Appx. 69.

No. 05–11219. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–11224. *RITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 171 Fed. Appx. 228.

No. 05–11225. *GONZALES CHAVEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 311.

No. 05–11226. *ROQUE-SANTIAGO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 05–11227. *RODRIGUEZ-HERRERA v. UNITED STATES*; and *RODRIGUEZ-REYES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 664 (second judgment); 169 Fed. Appx. 339 (first judgment).

No. 05–11229. *SALES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 162.

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No. 05–11233. *HARKREADER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 688.

No. 05–11236. *CARDENAS-RIOS v. UNITED STATES* (Reported below: 169 Fed. Appx. 312); *CHACON-AVITIA v. UNITED STATES* (168 Fed. Appx. 659); *FLORES-FLORES v. UNITED STATES* (168 Fed. Appx. 661); *GAMBOA-FLORES v. UNITED STATES* (168 Fed. Appx. 671); *GARCIA-GUERRERO v. UNITED STATES* (168 Fed. Appx. 661); *GONZALEZ-GARIBAY v. UNITED STATES* (169 Fed. Appx. 321); *HERNANDEZ-FUENTES v. UNITED STATES* (169 Fed. Appx. 323); *MARES-GARCIA v. UNITED STATES* (169 Fed. Appx. 322); *MARTINEZ VALDEZ v. UNITED STATES* (168 Fed. Appx. 669); *PAZ-MIRALDA v. UNITED STATES* (169 Fed. Appx. 304); *RAMOS-BARRIENTOS v. UNITED STATES* (169 Fed. Appx. 319); *RODRIGUEZ-GARCIA v. UNITED STATES* (168 Fed. Appx. 662); *ROSALES-ORTEGA v. UNITED STATES* (169 Fed. Appx. 313); *SALAS-OLIVAS v. UNITED STATES* (169 Fed. Appx. 303); *SALAS-SALAS v. UNITED STATES* (169 Fed. Appx. 348); *SANCHEZ-GALVAN v. UNITED STATES* (169 Fed. Appx. 348); and *ZUNIGA-PERALTA v. UNITED STATES* (442 F. 3d 345). C. A. 5th Cir. Certiorari denied.

No. 05–11237. *BROTHERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 438 F. 3d 1068.

No. 05–11238. *ANDERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 438 F. 3d 823.

No. 05–11239. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05–11240. *BERNI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 439 F. 3d 990.

No. 05–11244. *MITCHELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 175 Fed. Appx. 524.

No. 05–11245. *VENEGAS-MENDOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 168 Fed. Appx. 665.

No. 05–11248. *MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 434 F. 3d 1318.

No. 05–11253. *RAMOS-OSGUERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 05–11254. RAMIREZ-VIRUETE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 169 Fed. Appx. 871.

No. 05–11256. ROY *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 438 F. 3d 140.

No. 05–11272. TUCKER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 172 Fed. Appx. 83.

No. 05–11274. CISNEROS-DE VERA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 170 Fed. Appx. 314.

No. 05–273. FEDERAL TRADE COMMISSION *v.* SCHERING-PLOUGH CORP. ET AL. C. A. 11th Cir. Motions of Henry A. Waxman, National Association of Chain Drug Stores, Public Patent Foundation, Bayer Corporation, and AARP and Prescription Access Litigation Project for leave to file briefs as *amici curiae* granted. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of these motions and this petition. Reported below: 402 F. 3d 1056.

No. 05–1211. BOYKIN *v.* BANK OF AMERICA CORP., DBA BANK OF AMERICA, ET AL. C. A. 11th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 162 Fed. Appx. 837.

No. 05–1231. GIPPETTI *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 153 Fed. Appx. 865.

No. 05–1259. DASTAR CORP. *v.* RANDOM HOUSE, INC., ET AL. C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE and JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 429 F. 3d 869.

No. 05–7955. SCZUBELEK *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 175.

No. 05–11160. VAN VELZER *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT ET AL. C. A. 9th Cir. Certiorari before judgment denied.

Rehearing Denied

No. 04–1611. NEBRASKA BEEF, LTD. *v.* GREENING ET AL., 547 U.S. 1110;

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No. 04–1704. DAIMLERCHRYSLER CORP. ET AL. *v.* CUNO ET AL., 547 U. S. 332;

No. 04–1724. WILKINS, TAX COMMISSIONER FOR THE STATE OF OHIO, ET AL. *v.* CUNO ET AL., 547 U. S. 332;

No. 05–1057. IN RE OLSON, 547 U. S. 1068;

No. 05–1094. HORTON *v.* AHLER ET AL., 547 U. S. 1112;

No. 05–1104. TALLEY *v.* HOUSING AUTHORITY OF COLUMBUS, GEORGIA, 547 U. S. 1112;

No. 05–8973. RIGGINS *v.* TEXAS, 547 U. S. 1058;

No. 05–9020. CLEVELAND *v.* TEXAS, 547 U. S. 1073;

No. 05–9151. VISHEVNIK *v.* BOARD OF EDUCATION OF THE CITY OF NEW YORK, 547 U. S. 1076;

No. 05–9177. DUMAS *v.* UNITED STATES PAROLE COMMISSION ET AL., 547 U. S. 1077;

No. 05–9352. STANFORD *v.* SMITH, WARDEN, ET AL., 547 U. S. 1100;

No. 05–9585. MONTEJANO-QUINTANAR *v.* UNITED STATES, 547 U. S. 1062;

No. 05–9596. THOMPSON *v.* UNITED STATES, 547 U. S. 1082;

No. 05–9760. LAFRENIERE *v.* REGENTS OF THE UNIVERSITY OF CALIFORNIA, 547 U. S. 1117;

No. 05–9930. BORDERS *v.* UNITED STATES, 547 U. S. 1092;

No. 05–10137. WALKER *v.* UNITED STATES, 547 U. S. 1121;

No. 05–10217. IN RE SISNEROS, 547 U. S. 1110; and

No. 05–10275. IN RE FOGLE, 547 U. S. 1110. Petitions for rehearing denied.

No. 05–9496. KERRIGAN *v.* CHAO, SECRETARY OF LABOR, 547 U. S. 1093. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

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Miscellaneous Orders

No. 05A1030. ALLEY *v.* KEY ET AL. Application for order requiring preservation of evidence, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

No. 05A1215. RESENDIZ *v.* TEXAS. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

No. 05A1219. RESENDIZ *v.* LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. Appli-

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cation for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

No. 05A1220. RESENDIZ *v.* TEXAS. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

Certiorari Denied

No. 05–1639 (05A1207). MAGALLON, INDIVIDUALLY AND AS NEXT FRIEND OF RESENDIZ *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: 453 F. 3d 268.

No. 05–10958 (05A1208). ALLEY *v.* KEY ET AL. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied.

No. 05–10959 (05A1209). ALLEY *v.* LITTLE, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTIONS, ET AL. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 181 Fed. Appx. 509.

No. 05–10960 (05A1210). ALLEY *v.* BELL, WARDEN. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 178 Fed. Appx. 538.

No. 05–11686 (05A1206). RESENDIZ *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 452 F. 3d 356.

No. 05–11704 (05A1213). ALLEY *v.* LITTLE, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTIONS, ET AL. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 186 Fed. Appx. 604.

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No. 05–11710 (05A1214). *RESENDIZ v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE BREYER would grant the application for stay of execution. Reported below: 454 F. 3d 456.

No. 05–11733 (05A1216). *ALLEY v. TENNESSEE*. Ct. Crim. App. Tenn. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied.

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Miscellaneous Orders

No. 05A1230. *BELL, WARDEN v. MARTINIANO*, NEXT FRIEND OF REID. Application to vacate the stay of execution of sentence of death entered by the United States District Court for the Middle District of Tennessee on June 27, 2006, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

No. 05–11734 (05A1221). *IN RE ALLEY*. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 05–11735 (05A1222). *ALLEY v. BELL, WARDEN*. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied.

JUNE 30, 2006

Affirmed on Appeal

No. 04–10649. *HENDERSON v. PERRY*, GOVERNOR OF TEXAS, ET AL.; and

No. 05–298. *SOECHTING v. PERRY*, GOVERNOR OF TEXAS, ET AL. Appeals from D. C. E. D. Tex. The Court affirmed in part, reversed in part, and vacated in part the judgment below in *League of United Latin American Citizens v. Perry*, ante, p. 399. Judgment affirmed with respect to the claims in these

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cases. JUSTICE STEVENS and JUSTICE BREYER would reverse the judgment. Reported below: 399 F. Supp. 2d 756.

Appeal Dismissed

No. 05-460. LEE, UNITED STATES CONGRESSWOMAN, ET AL. v. PERRY, GOVERNOR OF TEXAS, ET AL. Appeal from D. C. E. D. Tex. dismissed. Reported below: 399 F. Supp. 2d 756.

Certiorari Granted—Vacated and Remanded

No. 05-294. NORTH CAROLINA v. SPEIGHT. Sup. Ct. N. C. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Washington v. Recuenco*, ante, p. 212. Reported below: 359 N. C. 602, 614 S. E. 2d 262.

No. 05-507. GARNER v. ASHLEY FURNITURE INDUSTRIES, INC. C. A. 5th Cir. Reported below: 141 Fed. Appx. 287;

No. 05-683. MCADAMS v. HARVEY. C. A. 11th Cir. Reported below: 141 Fed. Appx. 802;

No. 05-770. CAVICCHI v. CHERTOFF, SECRETARY OF HOMELAND SECURITY, ET AL. C. A. 11th Cir. Reported below: 154 Fed. Appx. 189;

No. 05-1233. JORDAN v. CHERTOFF, SECRETARY OF HOMELAND SECURITY. C. A. 7th Cir. Reported below: 160 Fed. Appx. 528; and

No. 05-1267. THOMAS v. POTTER, POSTMASTER GENERAL. C. A. 7th Cir. Reported below: 145 Fed. Appx. 182. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Burlington N. & S. F. R. Co. v. White*, ante, p. 53.

No. 05-660. WASHINGTON v. HALL. Sup. Ct. Wash. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Washington v. Recuenco*, ante, p. 212.

No. 05-6102. FORREST v. NORTH CAROLINA. Sup. Ct. N. C. Reported below: 359 N. C. 424, 611 S. E. 2d 833;

No. 05-7551. WRIGHT v. MINNESOTA. Sup. Ct. Minn. Reported below: 701 N. W. 2d 802;

No. 05-7998. BILLINGSLEA v. UNITED STATES. C. A. 11th Cir. Reported below: 144 Fed. Appx. 98;

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No. 05–8778. *WARSAME v. MINNESOTA*. Ct. App. Minn. Reported below: 701 N. W. 2d 305;

No. 05–8785. *ANDERSON v. ALASKA*. Ct. App. Alaska. Reported below: 111 P. 3d 350;

No. 05–8875. *LEWIS v. NORTH CAROLINA*. Sup. Ct. N. C. Reported below: 360 N. C. 1, 619 S. E. 2d 830; and

No. 05–9233. *THOMAS v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Davis v. Washington*, 547 U. S. 813 (2006).

No. 05–10032. *SCURLOCK-FERGUSON v. CITY OF DURHAM, NORTH CAROLINA*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Burlington N. & S. F. R. Co. v. White*, ante, p. 53. Reported below: 154 Fed. Appx. 390.

Miscellaneous Order

No. 05–790. *IN RE HAMDAN*. Petition for writ of habeas corpus denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

Certiorari Denied

No. 05–357. *TEXAS v. LEE*. Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 143 S. W. 3d 565.

No. 05–672. *MASSACHUSETTS v. RODRIGUEZ*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 45 Mass. 1003, 833 N. E. 2d 134.

No. 05–883. *ROBERSON v. GAME STOP/BABBAGE’S*. C. A. 5th Cir. Certiorari denied. Reported below: 152 Fed. Appx. 356.

No. 05–1027. *GOLDRING, PARENT AND NEXT FRIEND OF ANDERSON, A MINOR v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 416 F. 3d 70.

No. 05–1049. *WHITTAKER v. NORTHERN ILLINOIS UNIVERSITY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 424 F. 3d 640.

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No. 05-1065. *BREWER v. ENGLAND, SECRETARY OF THE NAVY*. C. A. 4th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 590.

No. 05-1115. *GRAHAM v. GONZALES, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 157 Fed. Appx. 139.

No. 05-1327. *MOWBRAY v. AMERICAN GENERAL LIFE COS. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 162 Fed. Appx. 369.

No. 05-5304. *RAMIREZ CARDENAS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 405 F. 3d 244.

No. 05-5669. *VIVERO-RENTERIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 05-5981. *HEMBERTT v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 269 Neb. 840, 696 N. W. 2d 473.

No. 05-6025. *MINOR v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 914 So. 2d 372.

No. 05-6093. *LINDELL v. O'DONNELL ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 135 Fed. Appx. 876.

No. 05-6336. *JOHNSON v. MEADOWS, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 418 F. 3d 1152.

No. 05-7157. *MASSEY v. EVANS, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 05-7502. *QUINTERO v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 05-7630. *FEUER v. MCCOLLUM ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 139 Fed. Appx. 928.

No. 05-8038. *MARTINEZ AUGUSTINE v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 359 N. C. 709, 616 S. E. 2d 515.

No. 05-8144. *VALENCIA MICHILENO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 05–8187. *GREENE v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 274 Conn. 134, 874 A. 2d 750.

No. 05–8236. *JOHNSON v. MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES*. C. A. 4th Cir. Certiorari denied. Reported below: 145 Fed. Appx. 827.

No. 05–8306. *MARKOVIC v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 285 Wis. 2d 805, 701 N. W. 2d 652.

No. 05–8398. *RUSSEAU v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 171 S. W. 3d 871.

No. 05–8439. *STEFFLER v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 200 Ore. App. 291, 114 P. 3d 1157.

No. 05–8485. *GONSALVES v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 445 Mass. 1, 833 N. E. 2d 549.

No. 05–8520. *SORTO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 173 S. W. 3d 469.

No. 05–8766. *BRITO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 427 F. 3d 53.

No. 05–8964. *DENNIS v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 05–9280. *CHAVEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 151 Fed. Appx. 302.

No. 05–9835. *CALHOUN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 932 So. 2d 923.

No. 04–1579. *LABORATORY CORPORATION OF AMERICA HOLDINGS, DBA LABCORP v. METABOLITE LABORATORIES, 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: 121 Fed. Appx. 396.

No. 05–674. *MASSACHUSETTS v. GONSALVES*. Sup. Jud. Ct. Mass. Motion of respondent for leave to proceed *in forma pau-*

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peris granted. Certiorari denied. Reported below: 445 Mass. 1, 833 N. E. 2d 549.

No. 05-769. MASSACHUSETTS *v.* FOLEY. Sup. Jud. Ct. Mass. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 445 Mass. 1001, 833 N. E. 2d 130.

No. 05-856. TEXAS *v.* RUSSEAU. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 171 S. W. 3d 871.

No. 05-1180. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS *v.* MOORMANN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 426 F. 3d 1044.

JULY 5, 2006

Miscellaneous Order

No. 06A7. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, ET AL. *v.* DAVIS. Application to vacate the stay of execution of sentence of death entered by the United States District Court for the Eastern District of Arkansas on June 26, 2006, presented to JUSTICE ALITO, and by him referred to the Court, denied.

JULY 11, 2006

Miscellaneous Order

No. 06A36 (06-5147). WILCHER *v.* EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, granted pending the disposition of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the sending down of the judgment of the Court. THE CHIEF JUSTICE, JUSTICE SCALIA, and JUSTICE ALITO would deny the application for stay of execution.

Certiorari Denied

No. 06-5093 (06A29). O'BRIEN *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented

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to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 190 S. W. 3d 677.

JULY 13, 2006

Dismissal Under Rule 46

No. 05–10622. ATUAR, AKA ROZEN *v.* UNITED STATES. C. A. 4th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 156 Fed. Appx. 555.

JULY 19, 2006

Miscellaneous Order

No. 06–5355 (06A69). IN RE BROWN. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 06–5356 (06A70). BROWN *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

No. 06–5357 (06A71). BROWN *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: 457 F. 3d 390.

JULY 20, 2006

Certiorari Denied

No. 06–5072 (06A17). HEDRICK *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: 443 F. 3d 342.

JULY 27, 2006

Certiorari Denied

No. 06–5331 (06A64). LENZ *v.* KELLY, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented

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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: 444 F. 3d 295.

JULY 31, 2006

Miscellaneous Orders

No. D-2427. IN RE DISCIPLINE OF TELESFORD. Cyrena Ann Telesford, of Brooklyn, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-2428. IN RE DISCIPLINE OF TARTAGLIA. John Anthony Tartaglia, of Bedford, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2429. IN RE DISCIPLINE OF STALL. Todd Simon Stall, of Poughkeepsie, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2430. IN RE DISCIPLINE OF KESSLER. Stuart W. Kessler, of Key West, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2431. IN RE DISCIPLINE OF MITCHELL. Wilhemena Lawrence Mitchell, of Englewood, Colo., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-2432. IN RE DISCIPLINE OF ROTHENBERG. Steven G. Rothenberg, of Kingston, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2433. IN RE DISCIPLINE OF BOYAR. Daniel Martin Boyar, of Dunellon, Fla., is suspended from the practice of law in

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

No. D-2434. *IN RE DISCIPLINE OF BARRETT*. David A. Barrett, of Tallahassee, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2435. *IN RE DISCIPLINE OF KNICKMEIER*. Jeffrey David Knickmeier, of McFarland, Wis., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2436. *IN RE DISCIPLINE OF TRUONG*. Mac Truong, of New York, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2437. *IN RE DISCIPLINE OF REICH*. Edward Stuart Reich, of Otisville, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2438. *IN RE DISCIPLINE OF FULLER*. Clifton S. Fuller, Jr., of Atlanta, Ga., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

Rehearing Denied

No. 05-1002. *SHAW v. SAN DIEGO COUNTY, CALIFORNIA*, 547 U. S. 1070;

No. 05-1166. *ALLY v. GRAVER ET AL.*, 547 U. S. 1130;

No. 05-1504. *EDWARDS ET AL. v. UNITED STATES*, *ante*, p. 908;

No. 05-7919. *JAAKKOLA v. GOTHAM ET AL.*, 546 U. S. 1181;

No. 05-8856. *DIXON v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*, 547 U. S. 1027;

No. 05-9396. *SHERMAN v. RYAN, ACTING WARDEN*, 547 U. S. 1101;

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No. 05-9397. *REDFORD v. HAMIL*, JUDGE, SUPERIOR COURT OF GEORGIA, GWINNETT JUDICIAL CIRCUIT, 547 U. S. 1114;

No. 05-9441. *STRAMAGLIA v. FAMILY INDEPENDENCE AGENCY*, 547 U. S. 1115;

No. 05-9446. *BUNCH v. NORTH CAROLINA DEPARTMENT OF CORRECTION ET AL.*, 547 U. S. 1115;

No. 05-9480. *WILSON v. NICHOLSON*, SECRETARY OF VETERANS AFFAIRS, 547 U. S. 1101;

No. 05-9552. *MICHAEL v. McDONOUGH*, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 547 U. S. 1133;

No. 05-9559. *FOX v. YUKINS*, WARDEN, ET AL., 547 U. S. 1133;

No. 05-9572. *STRAHAN v. MICHIGAN*, 547 U. S. 1116;

No. 05-9606. *SALAR v. CITY OF MESA POLICE DEPARTMENT ET AL.*, 547 U. S. 1133;

No. 05-9615. *PICKETT v. MCCLINTOCK*, DEPUTY FEDERAL DEFENDER, 547 U. S. 1134;

No. 05-9626. *THORPE v. OHIO*, 547 U. S. 1134;

No. 05-9643. *BAKER v. COTO ET AL.*, 547 U. S. 1134;

No. 05-9680. *LANE-EL v. KNIGHT*, 547 U. S. 1135;

No. 05-9734. *GREENE v. FINGER LAKES DEVELOPMENTAL DISABILITIES OFFICE ET AL.*, 547 U. S. 1136;

No. 05-9772. *CLARK v. UNITED STATES*, 547 U. S. 1088;

No. 05-9884. *KANDEKORE v. FLORIDA BAR*, 547 U. S. 1152;

No. 05-9894. *TALBOTT v. CALIFORNIA DEPARTMENT OF CORRECTIONS ET AL.*, 547 U. S. 1152;

No. 05-9940. *GLENN v. SABA*, 547 U. S. 1165;

No. 05-9990. *IN RE FOOSE*, 547 U. S. 1162;

No. 05-9995. *GAFFNEY v. McDONOUGH*, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 547 U. S. 1166;

No. 05-10001. *HANN v. STATE TREASURER*, 547 U. S. 1153;

No. 05-10033. *HARRINGTON v. DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES ET AL.*, 547 U. S. 1167;

No. 05-10034. *HAYNES v. FLORIDA*, 547 U. S. 1138;

No. 05-10050. *IN RE BOWELL*, 547 U. S. 1162;

No. 05-10060. *POINDEXTER v. COMMISSIONER OF INTERNAL REVENUE*, 547 U. S. 1138;

No. 05-10126. *REEVES v. ST. MARY'S COUNTY COMMISSIONERS ET AL.*, 547 U. S. 1167;

No. 05-10131. *MOORE v. EGAN ET AL.*, 547 U. S. 1167;

No. 05-10194. *KENNEDY v. SMITH ET AL.*, 547 U. S. 1154;

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- No. 05–10197. *WARMUS v. UNITED STATES*, 547 U. S. 1122;
No. 05–10218. *WEST v. STOUFFER, WARDEN, ET AL.*, 547 U. S. 1154;
No. 05–10219. *VOHRA v. ORANGE COUNTY, CALIFORNIA, ET AL.*, 547 U. S. 1182;
No. 05–10241. *MESINA v. UNITED STATES*, 547 U. S. 1139;
No. 05–10276. *IN RE HAMMOND*, 547 U. S. 1126;
No. 05–10298. *JONES v. UNITED STATES*, 547 U. S. 1140;
No. 05–10310. *IN RE MITCHELL*, 547 U. S. 1126;
No. 05–10321. *HOWARD v. KOZAK ET AL.*, 547 U. S. 1208;
No. 05–10336. *WILLIAMS v. UNITED STATES*, 547 U. S. 1141;
No. 05–10337. *ACKERMAN v. ASSURANT, INC., FKA FORTIS, INC., ET AL.*, 547 U. S. 1168;
No. 05–10417. *FADLALLAH v. DEARBORN PUBLIC SCHOOLS*, 547 U. S. 1210;
No. 05–10421. *HAIRSTON v. UNITED STATES*, 547 U. S. 1143;
No. 05–10568. *BUSTILLO v. HOOD, WARDEN*, 547 U. S. 1159;
No. 05–10578. *HUMPHREY v. UNITED STATES*, 547 U. S. 1169;
and
No. 05–10918. *IN RE GUINN*, 547 U. S. 1177. Petitions for rehearing denied.

No. 05–348. *COMFORT, ON BEHALF OF HER MINOR CHILD NEUMYER, ET AL. v. LYNN SCHOOL COMMITTEE ET AL.*, 546 U. S. 1061;
No. 05–5957. *KANDEKORE v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA*, 546 U. S. 982; and
No. 05–8413. *MANESS v. UNITED STATES*, 546 U. S. 1196. Motions for leave to file petitions for rehearing denied.

AUGUST 3, 2006

Certiorari Denied

No. 05–11297 (05A1204). *WYATT v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 165 Fed. Appx. 335.

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Miscellaneous Order

No. 06–5874 (06A171). *IN RE HINOJOSA*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

AUGUST 17, 2006

Certiorari Denied

No. 06–5945 (06A191). *FLIPPEN 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.

AUGUST 18, 2006

Dismissal Under Rule 46

No. 06–5196. *DAVIS v. DINOME ET AL.* C. A. 4th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 180 Fed. Appx. 478.

Certiorari Denied

No. 06–5865 (06A197). *FLIPPEN v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Forsyth County, N. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

AUGUST 21, 2006

Miscellaneous Orders

No. 05A1162. *SWEATMON v. JONES ET AL.* Ct. Sp. App. Md. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 06A11. *IN RE MARTIN*. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. 06A19. *MORRIS v. MORRIS*. Sup. Ct. Fla. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

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No. 06A79. *S. A. STOLT-NIELSEN ET AL. v. UNITED STATES*. C. A. 3d Cir. Application to recall and stay the mandate, addressed to JUSTICE STEVENS and referred to the Court, denied. JUSTICE ALITO took no part in the consideration or decision of this application.

No. D-2439. *IN RE DISCIPLINE OF MORALES*. Daniel C. Morales, of Austin, Tex., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2440. *IN RE DISCIPLINE OF ANKERMAN*. William Lewis Ankerman, of West Hartford, Conn., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

Rehearing Denied

No. 05-1065. *BREWER v. ENGLAND, SECRETARY OF THE NAVY*, *ante*, p. 925;

No. 05-1168. *TEXAS STATE BANK v. UNITED STATES*, 547 U. S. 1206;

No. 05-1223. *SINGH v. U. S. SECURITY ASSOCIATES, INC.*, *ante*, p. 904;

No. 05-1232. *INSTA-MIX, INC., ET AL. v. LUV N' CARE, LTD.*, *ante*, p. 904;

No. 05-1310. *ELSO v. UNITED STATES*, 547 U. S. 1131;

No. 05-1511. *BATIE v. UNITED STATES*, *ante*, p. 908;

No. 05-5810. *BOSLEY v. CAIN, WARDEN*, 547 U. S. 1208;

No. 05-8556. *SILVA v. UNITED STATES*, 547 U. S. 1164;

No. 05-9166. *SCOTT v. ROMERO, WARDEN, ET AL.*, 547 U. S. 1077;

No. 05-9265. *MASON v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*, 547 U. S. 1079;

No. 05-9353. *RANDALL v. BEHRNS ET AL.*, 547 U. S. 1100;

No. 05-9377. *RANDOLPH v. TATAROW FAMILY PARTNERS, LTD., ET AL.*, 547 U. S. 1100;

No. 05-9405. *PAIGE v. McDONOUGH, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, 547 U. S. 1114;

No. 05-9601. *BREEDLOVE v. SIRMONS, WARDEN*, 547 U. S. 1133;

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- No. 05-9740. *RANDOLPH v. FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS*, 547 U. S. 1136;
- No. 05-9747. *WHITE v. McDONOUGH*, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 547 U. S. 1150;
- No. 05-9869. *HENDERSON v. MINNESOTA*, 547 U. S. 1160;
- No. 05-9932. *FAUNTLEROY v. VIRGINIA*, 547 U. S. 1137;
- No. 05-9939. *HILL v. UNITED STATES*, 547 U. S. 1103;
- No. 05-9961. *HART v. FITZPATRICK*, 547 U. S. 1165;
- No. 05-9966. *HINTZ v. UNITED STATES*, 547 U. S. 1104;
- No. 05-10000. *HUBEL v. NEW YORK*, 547 U. S. 1166;
- No. 05-10106. *WILCOX v. MORGAN*, WARDEN, 547 U. S. 1181;
- No. 05-10117. *RUSH v. KANSAS*, 547 U. S. 1154;
- No. 05-10159. *AULTMAN v. NORTH CAROLINA*, 547 U. S. 1154;
- No. 05-10161. *LANCASTER v. TEXAS*, 547 U. S. 1182;
- No. 05-10213. *COOLEY v. ALABAMA DEPARTMENT OF MENTAL HEALTH*, 547 U. S. 1182;
- No. 05-10267. *TURNER v. DONNELLY ET AL.*, 547 U. S. 1168;
- No. 05-10269. *WOODARD v. MISSISSIPPI*, 547 U. S. 1195;
- No. 05-10294. *ENCALADE v. WAKEFIELD ET AL.*, 547 U. S. 1195;
- No. 05-10303. *CHISUM v. KELLEY ET AL.*, 547 U. S. 1195;
- No. 05-10306. *AUBUCHONT v. CATTELL*, WARDEN, 547 U. S. 1195;
- No. 05-10333. *JORGENSEN v. SONY MUSIC ENTERTAINMENT ET AL.*, 547 U. S. 1154;
- No. 05-10343. *COLEMAN v. ARIZONA*, 547 U. S. 1209;
- No. 05-10390. *SMITH v. DEPARTMENT OF THE TREASURY*, 547 U. S. 1155;
- No. 05-10452. *GLASS v. UNDERWOOD*, 547 U. S. 1211;
- No. 05-10521. *NELSON v. WONG ET AL.*, *ante*, p. 910;
- No. 05-10534. *WAKEFIELD v. CITY OF MIAMI-DADE, FLORIDA*, *ante*, p. 910;
- No. 05-10538. *METZSCH v. AVAYA, INC.*, *ante*, p. 910;
- No. 05-10705. *PERRY v. UNITED STATES*, 547 U. S. 1174;
- No. 05-10713. *BURNETTE v. UNITED STATES*, 547 U. S. 1184;
- No. 05-10751. *EATMON v. B. D. MORGAN, INC., ET AL.*, 547 U. S. 1185;
- No. 05-10792. *BROWNING v. BI-LO, INC.*, *ante*, p. 912;
- No. 05-10840. *BENNETT v. UNITED STATES*, 547 U. S. 1198;
- No. 05-10845. *WEST v. UNITED STATES*, 547 U. S. 1198;

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No. 05–10867. CHEN *v.* BRANCH BANKING & TRUST CO., *ante*, p. 913;

No. 05–10989. TRIPLETT *v.* UNITED STATES, 547 U. S. 1215;

No. 05–11017. RYAN-WEBSTER *v.* UNITED STATES, 547 U. S. 1215;

No. 05–11088. WENGER *v.* UNITED STATES, *ante*, p. 913; and

No. 05–11160. VAN VELZER *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT ET AL., *ante*, p. 919. Petitions for rehearing denied.

No. 05–10490. NUNEZ *v.* FLORIDA, 547 U. S. 1196. Motion for leave to file petition for rehearing denied.

AUGUST 24, 2006

Certiorari Denied

No. 05–11440 (05A1151). FULLER *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 161 Fed. Appx. 413.

AUGUST 28, 2006

Miscellaneous Order

No. 06A179. LEEGIN CREATIVE LEATHER PRODUCTS *v.* PSKS, INC., DBA KAY’S KLOSET . . . KAY’S SHOES, ET AL. Application to recall and stay the mandate of the United States Court of Appeals for the Fifth Circuit, presented to JUSTICE SCALIA, and by him referred to the Court, granted pending the timely filing and disposition of a petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the issuance of the judgment of this Court. This order is conditioned upon the remaining in effect of the bond posted in the United States District Court for the Eastern District of Texas.

AUGUST 29, 2006

Certiorari Denied

No. 06–6151 (06A232). PATTON *v.* JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 10th Cir.

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Application for stay of execution of sentence of death, presented to JUSTICE BREYER, and by him referred to the Court, denied. Certiorari denied. Reported below: 193 Fed. Appx. 785.

AUGUST 31, 2006

Miscellaneous Order

No. 06–6234 (06A245). *IN RE FRAZIER*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 06–6043 (06A208). *FRAZIER 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. Reported below: 206 S.W. 3d 666.

No. 06–6231 (06A244). *FRAZIER 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.

SEPTEMBER 1, 2006

Miscellaneous Orders

No. 05A1143. *RODRIGUEZ v. PEREIRA ET AL.* C. A. 4th Cir. Application to recall and stay the mandate, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. 05A1202. *OSTOPOSIDES ET AL. v. GLIMP ET AL.* Ct. App. Cal., 2d App. Dist. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 06A20. *ROBERTS v. WMC MORTGAGE CORP. ET AL.* C. A. 9th Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. D–2428. *IN RE TARTAGLIA*. John Anthony Tartaglia, of Bedford, N. Y., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys permitted to the practice of law before

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this Court. The rule to show cause, issued on July 31, 2006 [*ante*, p. 929], is discharged.

No. D-2429. *IN RE STALL*. Todd Simon Stall, of Poughkeepsie, N. Y., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys permitted to the practice of law before this Court. The rule to show cause, issued on July 31, 2006 [*ante*, p. 929], is discharged.

No. 04-1350. *KSR INTERNATIONAL CO. v. TELEFLEX INC. ET AL.* C. A. Fed. Cir. [Certiorari granted, *ante*, p. 902.] Motion of Joseph V. Colaianni, Sr., and James E. Armstrong III for leave to file a brief as *amici curiae* granted.

No. 05-380. *GONZALES, ATTORNEY GENERAL v. CARHART ET AL.* C. A. 8th Cir. [Certiorari granted, 546 U. S. 1169.] Motion of Alan Ernest to allow counsel, or guardian ad litem, to represent children unborn and born alive denied. Motion of Legal Defense for Unborn Children for leave to file a brief as *amicus curiae* denied.

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. [Certiorari granted, 547 U. S. 1054.] Joint motion of petitioners for divided argument granted.

No. 05-608. *MEDIMMUNE, INC. v. GENENTECH, INC., ET AL.* C. A. Fed. Cir. [Certiorari granted, 546 U. S. 1169.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 05-705. *GLOBAL CROSSING TELECOMMUNICATIONS, INC. v. METROPHONES TELECOMMUNICATIONS, INC.* C. A. 9th Cir. [Certiorari granted, 546 U. S. 1169.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 05-746. *NORFOLK SOUTHERN RAILWAY CO. v. SORRELL.* Ct. App. Mo., Eastern Dist. [Certiorari granted, 547 U. S. 1127.] Motion of Association of American Railroads for leave to file a brief as *amicus curiae* granted.

No. 05-915. *MEREDITH, CUSTODIAL PARENT AND NEXT FRIEND OF McDONALD v. JEFFERSON COUNTY BOARD OF EDUCA-*

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TION ET AL. C. A. 6th Cir. [Certiorari granted, 547 U. S. 1178.] Motion of petitioner for leave to proceed further herein *in forma pauperis* granted.

No. 05–1382. GONZALES, ATTORNEY GENERAL *v.* PLANNED PARENTHOOD FEDERATION OF AMERICA, INC., ET AL. C. A. 9th Cir. [Certiorari granted, 547 U. S. 1205.] Motion of Alan Ernest to allow counsel, or guardian ad litem, to represent children unborn and born alive denied.

Rehearing Denied

No. 05–1339. HAAN *v.* COX, ATTORNEY GENERAL OF MICHIGAN, ET AL., *ante*, p. 905;

No. 05–9197. JOHNSON *v.* GRACE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL., 547 U. S. 1077;

No. 05–9829. PAYNE *v.* BELL, WARDEN, *ante*, p. 908;

No. 05–10472. WILLIAMS *v.* IBERIA PARISH SHERIFF’S DEPARTMENT ET AL.; and WILLIAMS *v.* PFIZER INC. ET AL., *ante*, p. 909;

No. 05–11156. BADRUDDOZZA *v.* UNITED STATES, *ante*, p. 915; and

No. 05–11208. BOULANGER *v.* UNITED STATES, *ante*, p. 917. Petitions for rehearing denied.

No. 05–9883. KANIADAKIS *v.* UNITED STATES, 547 U. S. 1091. Motion for leave to file petition for rehearing denied.

No. 05–10768. SMITH *v.* UNITED STATES, 547 U. S. 1188. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

SEPTEMBER 5, 2006

Dismissals Under Rule 46

No. 06–5044. CHING TANG LO *v.* UNITED STATES. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 447 F. 3d 1212.

No. 06–5160. STORK *v.* GILCHRIST. C. A. 4th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 444 F. 3d 237.

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SEPTEMBER 12, 2006

Miscellaneous Order

No. 06–6390 (06A279). *IN RE MATCHETT*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 06–6389 (06A278). *MATCHETT 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.

SEPTEMBER 13, 2006

Dismissal Under Rule 46

No. 05–1111. *CLARK ET AL. v. WYETH*. C. A. 3d Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 431 F. 3d 141.

SEPTEMBER 18, 2006

Miscellaneous Order

No. 06A302. *BELL, WARDEN v. HOLTON*. Application to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Sixth Circuit on September 18, 2006, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

SEPTEMBER 19, 2006

Dismissal Under Rule 46

No. 06–98. *WIEN & MALKIN LLP ET AL. v. HELMSLEY-SPEAR, INC.* Ct. App. N. Y. Certiorari dismissed under this Court's Rule 46.1. Reported below: 6 N. Y. 3d 471, 846 N. E. 2d 1201.

SEPTEMBER 20, 2006

Miscellaneous Order

No. 06A301 (06–6545). *HILL v. McDONOUGH, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th

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September 20, 22, 26, 2006

Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, 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.

SEPTEMBER 22, 2006

Dismissals Under Rule 46

No. 05–1426. COLOMBO SAVINGS BANK, F. S. B. *v.* HEIKO. C. A. 4th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 434 F. 3d 249.

No. 05–1433. MACKEY ET AL. *v.* COMPASS MARKETING, INC. Ct. App. Md. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 391 Md. 117, 892 A. 2d 479.

SEPTEMBER 26, 2006

Certiorari Granted

No. 05–1345. UNITED HAULERS ASSN., INC., ET AL. *v.* ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY ET AL. C. A. 2d Cir. Certiorari granted. Reported below: 261 F. 3d 245 and 438 F. 3d 150.

No. 05–1508. ZUNI PUBLIC SCHOOL DISTRICT NO. 89 ET AL. *v.* DEPARTMENT OF EDUCATION ET AL. C. A. 10th Cir. Certiorari granted. Reported below: 437 F. 3d 1289.

No. 05–1575. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS *v.* LANDRIGAN, AKA HILL. C. A. 9th Cir. Certiorari granted. Reported below: 441 F. 3d 638.

No. 05–1272. ROCKWELL INTERNATIONAL CORP. ET AL. *v.* UNITED STATES ET AL. C. A. 10th Cir. Certiorari granted limited to Question 1 presented by the petition. Petitioners’ brief to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, October 26, 2006. Respondents’ brief to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, November 20, 2006. The reply brief, if any, to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, November 27, 2006. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 92 Fed. Appx. 708.

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No. 05–1589. *DAVENPORT ET AL. v. WASHINGTON EDUCATION ASSN.*; and

No. 05–1657. *WASHINGTON v. WASHINGTON EDUCATION ASSN.* Sup. Ct. Wash. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 156 Wash. 2d 543, 130 P. 3d 352.

No. 05–1629. *GONZALES, ATTORNEY GENERAL v. DUENAS-ALVAREZ.* C. A. 9th Cir. Certiorari granted. Petitioner’s brief to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Thursday, October 26, 2006. Respondent’s brief to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, November 20, 2006. The reply brief, if any, to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Monday, November 27, 2006. Reported below: 176 Fed. Appx. 820.

No. 06–102. *SINOCHEM INTERNATIONAL CO. LTD. v. MALAYSIA INTERNATIONAL SHIPPING CORP.* C. A. 3d Cir. Certiorari granted. Reported below: 436 F. 3d 349.

No. 06–84. *SAFECO INSURANCE COMPANY OF AMERICA ET AL. v. BURR ET AL.*; and

No. 06–100. *GEICO GENERAL INSURANCE CO. ET AL. v. EDO.* C. A. 9th Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: No. 06–100, 435 F. 3d 1081; No. 06–84, 140 Fed. Appx. 746.

No. 06–116. *MOYLAN, ATTORNEY GENERAL OF GUAM v. CAMACHO, GOVERNOR OF GUAM.* Sup. Ct. Guam. Certiorari granted. In addition to the question presented by the petition for writ of certiorari, the parties are directed to brief and argue the following question: “Whether the time for filing a petition for writ of certiorari from this Court was tolled while a petition for writ of certiorari or writ of certiorari with respect to the same judgment was pending before the United States Court of Appeals for the Ninth Circuit.”

SEPTEMBER 28, 2006

Dismissal Under Rule 46

No. 06–6348. *STEPHENS v. WYNNE, SECRETARY OF THE AIR FORCE.* C. A. D. C. Cir. Certiorari dismissed under this Court’s Rule 46.