

ORDER LIST

MONDAY, MARCH 30, 1992

ORDERS IN PENDING CASES

No. --- LUIS CUEVAS V. UNITED STATES

The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

No. --- EDWARD HALAS V. DONALD J. QUIGG

The motion to direct the Clerk to file a petition for a writ of certiorari, out-of-time, is denied.

A-642 VIJAI B. PANDEY V. UNITED STATES

The application for release addressed to Justice White and referred to the Court is denied.

A-689 LESTER M. AYARS, ET UX. V. NEW JERSEY

The application for bail addressed to Justice White and referred to the Court is denied.

D-1065 IN THE MATTER OF ERIC STEVEN SOLOWITCH

Eric Steven Solowitch, of University Heights, Ohio, 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 admitted to practice before the Bar of this Court. The Rule to Show Cause, heretofore issued on January 13, 1992, is hereby discharged.

D-1071 IN THE MATTER OF DISBARMENT OF BUFORD B. WILEY, JR.

It having been reported to the Court that Buford B. Wiley, Jr., of San Diego, California, has resigned from the practice of law before the Supreme Court of California and this Court by order of January 21, 1992, having suspended the said Buford B. Wiley, Jr., from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued;

It is ordered that the said Buford B. Wiley, Jr., be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

D-1072 IN THE MATTER OF DISBARMENT OF JEFFREY C. TRUDGEON

It having been reported to the Court that Jeffrey C. Trudgeon, of Upland, California, has resigned from the practice of law before the Supreme Court of California and this Court by order of January 21, 1992, having suspended the said Jeffrey C. Trudgeon from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be

disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time to file a response has expired;

It is ordered that the said Jeffrey C. Trudgeon be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

D-1073 IN THE MATTER OF DISBARMENT OF MICHAEL E. ZADAN

It having been reported to the Court that Michael E. Zadan, of San Diego, California, has been disbarred from the practice of law by the Appellate Division, Supreme Court of New York, Second Judicial Department, and this Court by order of January 21, 1992, having suspended the said Michael E. Zadan from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time to file a response has expired;

It is ordered that the said Michael E. Zadan be disbarred from the practice of law in this Court and

that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

D-1077 IN THE MATTER OF DISBARMENT OF HARVEY S. SWICKLE

It having been reported to the Court that Harvey S. Swickle, of North Miami Beach, Florida, has been disbarred from the practice of law by the Supreme Court of Florida and this Court by order of January 21, 1992, having suspended the said Harvey S. Swickle from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time to file a response has expired;

It is ordered that the said Harvey S. Swickle be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

D-1080 IN THE MATTER OF DISBARMENT OF LOCKSLEY HUGH BRYAN

It having been reported to the Court that Locksley Hugh Bryan, of Lawrence, Massachusetts, has been disbarred from the practice of law by the Supreme Judicial Court of Massachusetts and this Court by order

of January 21, 1992, having suspended the said Locksley Hugh Bryan from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time to file a response has expired;

It is ordered that the said Locksley Hugh Bryan be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

D-1099 IN THE MATTER OF DISBARMENT OF HENRY CLAY HART, JR.

It is ordered that Henry Clay Hart, Jr., of Morgantown, West Virginia, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1100 IN THE MATTER OF DISBARMENT OF MICHAEL EATON CUNNINGHAM

It is ordered that Michael Eaton Cunningham, of Brick, New Jersey, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1101 IN THE MATTER OF DISBARMENT OF MARK TEMPLE WATSON

It is ordered that Mark Temple Watson, of Elizabeth, Kentucky, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1102 IN THE MATTER OF DISBARMENT OF KURT R. CONNER

It is ordered that Kurt R. Conner, of North Wilkesboro, North Carolina, be suspended from the

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

D-1103 IN THE MATTER OF DISBARMENT OF NEWTON ALFRED WINN

It is ordered that Newton Alfred Winn, of St. Petersburg, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1104 IN THE MATTER OF DISBARMENT OF GARY L. BLANK

It is ordered that Gary L. Blank, of Chicago, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1105 IN THE MATTER OF DISBARMENT OF PETER G. MEKAS

It is ordered that Peter G. Mekas, of Reed City, Michigan, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

91-471 CHEM. WASTE MGMT., INC. V. HUNT, GOV. OF ALABAMA

91-744) PLANNED PARENTHOOD OF SE PA V. CASEY, ROBERT, ET AL.)

91-902) CASEY, ROBERT, ET AL. V. PLANNED PARENTHOOD OF SE PA

The motions of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument are granted.

91-538 FORSYTH CTY., GEORGIA V. NATIONALIST MOVEMENT

The motion of International Association of Chiefs of Police, et al. for leave to file a brief as *amici curiae* is granted.

91-719 PARKE, WARDEN V. RALEY, RICKY

The motion of respondent for leave to proceed further herein *in forma pauperis* is granted. The motion for appointment of counsel is granted and it is ordered that J. Gregory Clare, Esquire, of Louisville, Kentucky, is appointed to serve as counsel for the respondent in this case.

91-971 TWO PESOS, INC. V. TACO CABANA, ET AL.

The motion of respondents to expedite consideration of the motion to dismiss the writ as improvidently granted is granted. The motion of respondents to dismiss the writ as improvidently granted is denied.

91-1010 PUERTO RICO AQUEDUCT AUTH. V. METCALF & EDDY, INC.

The motion of respondent for summary disposition is denied.

91-1270 RICHARDS, GOV. OF TEXAS V. TERRAZAS, LOUIS, ET AL.

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

91-1283 GREENBERG, EXECUTOR V. H & H MUSIC CO., ET AL.

The motion of American Public Health Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of Bay Area Lawyers for Individual Freedom, et al. for leave to file a brief as *amici curiae* is granted. The motion of Michigan Protection and Advocacy for leave to file a brief as *amicus curiae* is granted. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

91-1494 GUNTER, FRANK O., ET AL. V. ABDULLAH, SHAKUR (A-670)

The application for stay addressed to Justice Thomas and referred to the Court is denied.

91-6619 SHANNON, JAMES P., ET UX. V. UNITED SERVICES AUTOMOBILE

The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until April 20, 1992, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in

compliance with Rule 33 of the Rules of this Court.

91-6646 HADLEY, VERL V. UNITED STATES

The motion for appointment of counsel is granted and it is ordered that John Trebon, Esquire, of Flagstaff, Arizona, is appointed to serve as counsel for the petitioner in this case.

91-7252 NEWMAN, PEARL, ET AL. V. ORENTREICH, NORMAN

The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until April 20, 1992, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court.

APPEAL -- JURISDICTION NOTED

91-1420 GROWE, SEC. OF STATE, MINNESOTA V. EMISON, JAMES, ET AL.

In this case probable jurisdiction is noted.

CERTIORARI GRANTED

91-1043 PROF. REAL ESTATE, ET AL. V. COLUMBIA PICT. INDUS. ET AL.

The petition for a writ of certiorari is granted.

91-10 SPECTRUM SPORTS, INC., ET AL. V. McQUILLAN, SHIRLEY

The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

91-7094 RICHMOND, WILLIE L. V. LEWIS, DIR., ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

CERTIORARI DENIED

91-758 RASA, PONCIANO, ET AL. V. UNITED STATES

91-961 INTL. CHEM. CO., ET AL. V. NLRB

91-1058 McBRIDE, HAYDEE V. INS

91-1097 WARD, ALDEN V. SEC. OF TRANSPORTATION

91-1104 KEGLEY, WILLIAM, ET AL. V. UNITED STATES

91-1123 RIVES, CHARLES, ET AL. V. ICC, ET AL.

91-1124 HAVASUPAI TRIBE, ET AL. V. UNITED STATES, ET AL.

91-1155 SMITH, JO A., ETC., ET AL. V. UNITED STATES

91-1266 WILSON, ROBERT, ET AL. V. KARR, TUTTLE, KOCH, ET AL.

91-1268 CITY OF NEWPORT, ET AL. V. LEE, ARMINA

91-1275 WILKERSON, OSCAR V. LAKE CTY. SUPER. CT., ET AL.

91-1276 GORDON, IRVIN, ET UX. V. BD. OF ZONING, CARROLL CTY.

91-1278 FELDMAN, MARK V. GLUCROFT, STEPHEN, ET AL.

91-1290 SCHWARZER, HENRY V. DOUGLAS CTY., NEVADA

91-1291 CARLISLE, ELIZABETH, ET AL. V. BRADSHAW, BERNARD, ET AL.

91-1293 LENDABARKER, WILLIAM V. ILLINOIS

91-1309 CORTEC INDUS., INC., ET AL. V. WESTINGHOUSE CREDIT CORP.

91-1311 RAPPS, WILLIAM, ET AL. V. JACKSON, GLENDA, ET AL.
91-1315 MIRMAN, PAUL S. V. GRIEVANCE COMMITTEE, ETC.
91-1317 ADAM CAB, INC. V. COLLINS, MARCUS
91-1319 LANGFORD, FRED V. UNITED STATES
91-1323 BURNEY, CALVIN, ET AL. V. OHIO
91-1329 MOODY, SHEARN V. SMITH, W. STEVE, ET AL.
91-1350 SPAETH, ROMAN, ET UX. V. UNITED STATES
91-1358 SCHWARTZ, JOSEPH V. CITY OF FLINT
91-1372 WOODS, JARRETT V. UNITED STATES
91-1373 CALERO, RAMON, ET AL. V. UNITED STATES
91-1386 LOWRY, JONATHAN V. UNITED STATES
91-1389 VIGIL, HERBERT V. SOLANO, HENRY, ET AL.
91-6300 KALTENBACH, ROBERT V. WHITLEY, WARDEN
91-6663 WALLACE, PHILLIP V. ROBINSON, MERLE, ET AL.
91-6682 JEFFRESS, JESSE W. V. JEFFRESS, GLENDA J.
91-6781 KATTULA, RICHARD P. V. UNITED STATES
91-6837 REED, ZELDONIA Q. V. SOCIAL SECURITY ADMIN.
91-6858 CHERIF, DANNY O. V. UNITED STATES
91-6859 RESTREPO, DARIO V. UNITED STATES
91-6899 JAUREGUI, PEDRO L. V. UNITED STATES
91-6905 OCHOA-FABIAN, JESUS V. UNITED STATES
91-6938 ALZAMORA, RUBEN V. UNITED STATES
91-6939 JERMOSEN, DONALD V. SMITH, HAROLD, ET AL.

91-6966 RAIBON, LAWRENCE E. V. UNITED STATES
91-7121 SINGER, CHARLES V. UNITED STATES
91-7142 BLANKENSHIP, ROY V. ZANT, WARDEN
91-7168 GILES, OLIVER V. GEORGIA
91-7173 BACCAM, PHET V. IOWA
91-7175 ROSS, JEROME V. DAKOTA RAIL, INC., ET AL.
91-7182 KEYES, ELLIS V. HUCKLEBERRY HOUSE, ET AL.
91-7184 GREEN, SAM V. SOUTH CAROLINA
91-7189 AKIONA, AARON K., ET AL. V. UNITED STATES, ET AL.
91-7190 SEWELL, CHARLES V. UNITED STATES
91-7191 WILLIAMS, MITCHELL V. BANKS, RALPH
91-7193 VORHAUER, HANS V. CONRAD, JOSEPH, ET AL.
91-7198 BOCLAIR, STANLEY V. ILLINOIS
91-7201 CARTWRIGHT, BRYAN V. WHITE, SUPT.
91-7206 JOHNSON, GARY N. V. CALIFORNIA
91-7211 CORDLE, ARZELLA A. V. SQUARE D CO.
91-7214 GRIMES, JASON M. V. WELLS, WARDEN
91-7215 FANT, ARNOLD N. V. TURNER, WARDEN, ET AL.
91-7216 KALTENBACH, ROBERT V. STALDER, WARDEN, ET AL.
91-7218 MERCHANT, JACK W. V. SINGLETARY, SEC., FL DOC
91-7219 PAIGE, TYRONE V. UNITED STATES
91-7223 MASUTH, DANIEL E. V. INDIANA
91-7224 PATTILLO, JOHNNY V. LAS VEGAS, NEVADA

91-7228 MORGAN, NATHANIEL V. SOUTH CAROLINA
91-7232 HOFMANN, ELSA O. V. PRESSMAN TOY CORP., ET AL.
91-7234 LEE, MICHAEL O. V. WALGREEN'S COMPANY, ET AL.
91-7236 MOORE, JAMES C. V. JAMES, JUDGE
91-7245 RENEER, JOHN E. V. SAMBERG, MIKE, ET AL.
91-7246 CONNOR, MICHAEL V. MOBIL CHEM. CO.
91-7271 STOKES, DENNIS V. UNITED STATES
91-7275 SMITH, OTIS V. OHIO
91-7276 GREEN, MICHAEL V. PENNSYLVANIA
91-7278 VALLADARES, ROY V. TEXAS
91-7279 AGATI, ANTONIO, ETC. V. UNITED STATES
91-7283 YOUNG, LARRY, J. V. UNITED STATES
91-7286 LAWRENCE, GILBERT V. HOKE, SUPT.
91-7293 BAILES, ROBERT E. V. UNITED STATES
91-7299 SCHMITT, KENNETH V. FLORIDA
91-7312 JORDAN, ABRAM J. V. SINGLETARY, SEC., FL DOC
91-7317 QUINSKY, TOM V. UNITED STATES
91-7343 MARSHALL, JOHN D. V. SALTON, EDITH E.
91-7365 COWAN, CLARENCE M. V. GALLEY, WARDEN, ET AL.
91-7387 CARRION-CALIZ, RAMIRO V. UNITED STATES
91-7391 STOUFFER, BIGLER J. V. OKLAHOMA
91-7394 IRWIN, WILLIAM T. V. UNITED STATES
91-7402 BARRIOS-BARCELONA, MOISES V. UNITED STATES

91-7405 DELGADO, MRS. G.A. V. UNITED STATES
91-7407 MASSEY, LARRY B. V. UNITED STATES
91-7429 HINTZE, BARRY J. V. SOUTHWEST GAS INCORPORATED
91-7433 WILLIAMS, LEONARD V. UNITED STATES
91-7436 CORN, LESLIE K. V. UNITED STATES
91-7440 CARR, MELVIN W. V. UNITED STATES
91-7454 REYNOLDS, WILLIE V. UNITED STATES
91-7464 THOMAS, MICHAEL G. V. UNITED STATES
91-7465 CRANFILL, EDMOND M. V. UNITED STATES
91-7466 SCHIMMEL, WILLIAM V. UNITED STATES
91-7467 CHASE, DARIN V. UNITED STATES
91-7473 DIXON, NOLAN V. UNITED STATES
91-7479 TAYLOR, JOHN A. V. UTAH
91-7486 GOMEZ, DAVE V. UNITED STATES
91-7489 ZUCKERMAN, RICHARD P. V. UNITED STATES
91-7492 LANGE, JEROME F. V. UNITED STATES
91-7499 TOVAR-PAZ, JORGE V. UNITED STATES
91-7501 BLADE, RONNIE V. UNITED STATES
91-7513 CAHILL, ROBERT V. SINGLETARY, SEC., FL DOC

The petitions for writs of certiorari are denied.

91-1032 SHEARSON LEHMAN MORT. CORP. V. LAGUNA, EMILIO, ET AL.
91-1198 CHESAPEAKE W. RWY., ET AL. V. TAX COMMR., VIRGINIA, ET AL.

The petitions for writs of certiorari are denied.

Justice White and Justice O'Connor would grant certiorari.

91-1255 DeROBERTIS, WARDEN, ET AL. V. HENDERSON, ROBERT, ET AL.

The motion of respondents for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

91-1282 CONNECTICUT BANK & TRUST V. WILMINGTON TRUST CO., ET AL.

The motion of Maritime Law Association of the United States for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

91-1288 KINDIG, MARION, ET AL. V. DEPT. OF TRANSPORTATION

The petition for a writ of certiorari is denied. Justice Thomas took no part in the consideration or decision of this petition.

91-1341 HOAI, THANH VONG, ET AL. V. VO, THANH VAN, ET AL.

The motion of Vietnamese Community of Washington, D. C., Maryland and Virginia for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied. Justice Thomas took no part in the consideration or decision of this motion and this petition.

HABEAS CORPUS DENIED

91-7511 IN RE RICHARD ZZIE

91-7542 IN RE OSCAR GATES

The petitions for writs of habeas corpus are denied.

REHEARINGS DENIED

91-6026 WION, BARRY M. V. COLLINS, DIR., TEXAS DCJ

91-6318 CHOICE, THOMAS V. BEYER, HOWARD L., ET AL.

91-6388 MOORE, HOWARD V. O'MALLEY, MICHAEL, ET AL.

91-6425 PAVLICO, JOSEPH J. V. UNITED STATES

The petitions for rehearing are denied.

91-5429 PIRON, PETER C. V. DE GROOTE, PAUL M., ET AL.

The petition for rehearing is denied. Justice Thomas took no part in the consideration or decision of this petition.

91-6802 ANDREWS, WILLIAM V. DELAND, DIR., UTAH DOC, ET AL.
(A-644)

The application to suspend the effect of the order denying the petition for a writ of certiorari addressed to Justice Blackmun and referred to the Court is denied. The petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from Monday, April 6, 1992 until Monday, April 20, 1992.

MOTIONS FOR ADMISSION

The written motions for admission of the following lawyers to the Bar of this Court are granted: