

ORDER LIST

MONDAY, JUNE 1, 1992

APPEAL -- SUMMARY DISPOSITION

91-1615 TURNER, JESSE, ET AL. V. ARKANSAS, ET AL.

The judgment is affirmed. Justice White and Justice Blackmun would note probable jurisdiction and set the case for oral argument.

ORDERS IN PENDING CASES

No. --- JANE DOE V. UNITED STATES

The motion of petitioner for leave to file a petition for a writ of certioari under seal is denied. Petitioner may file a redacted petition for a writ of certiorari on or before June 19, 1992.

D-1089 IN THE MATTER OF DISBARMENT OF BRUCE D. WELLMAN

It having been reported to the Court that Bruce D. Wellman, of Dixon, Illinois, has been disbarred from the practice of law by the Supreme Court of Illinois and this Court by order of March 2, 1992, having suspended the said Bruce D. Wellman 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 Bruce D. Wellman 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-1096 IN THE MATTER OF DISBARMENT OF MAX CARLETON GARRICK, JR.

It having been reported to the Court that Max Carleton Garrick, Jr., of Whittier, California, has resigned from the practice of law before the Supreme Court of California and this Court by order of March 23, 1992, having suspended the said Max Carleton Garrick, 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 and served upon the respondent and that the time to file a response has expired;

It is ordered that the said Max Carleton Garrick, 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-1102 IN THE MATTER OF DISBARMENT OF KURT R. CONNER

It having been reported to the Court that Kurt R. Conner, of North Wilkesboro, North Carolina, has been suspended from the practice of law by the Supreme Court of North Carolina and this Court by order of March 30, 1992, having suspended the said Kurt R. Conner 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 Kurt R. Conner 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-1107 IN THE MATTER OF DISBARMENT OF ROBERT B. CHATZ

It having been reported to the Court that Robert B. Chatz, of Northbrook, Illinois, has been disbarred from the practice of law by the Supreme Court of Illinois and this Court by order of April 6, 1992, having suspended the said Robert B. Chatz 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 Robert B. Chatz 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-1129 IN THE MATTER OF DISBARMENT OF DAVID PAUL SMITH

It is ordered that David Paul Smith, of Englewood, Colorado, 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-1130 IN THE MATTER OF DISBARMENT OF JAMES R. BANDY

It is ordered that James R. Bandy, of River Rouge, 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.

65 ORIG. TEXAS V. NEW MEXICO

The motion of the River Master for approval of fees and expenses is granted and the River Master is awarded \$4,208.44 for the period January 1 - March 31, 1992, to

be paid equally by the parties.

91-794 HARPER, HENRY, ET AL. V. VIRGINIA DEPT. OF TAXATION

The order granting certiorari entered on May 18, 1992 is amended to read as follows: The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

91-1780 COLORADO V. GASKINS, JOHN H.
(A-669)

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

91-1862 GANTT, DAVID, ETC., ET AL. V. SKELOS, DEAN, ETC., ET AL.

The motion of appellants to expedite consideration of the appeal is denied.

91-7925 YAGOW, MORRIS V. MUSICH, VERNA, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until June 22, 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. Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U.S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*.

APPEAL -- JURISDICTION NOTED

91-1618 VOINOVICH, GOV. OF OHIO V. QUILTER, BARNEY, ET AL.

In this case probable jurisdiction is noted.

CERTIORARI DENIED

91-383 PENNSYLVANIA DEPT. OF REV. V. BLOOMINGDALE'S BY MAIL, LTD.

91-664 MILLS, AVERY V. UNITED STATES

91-1284 INTL. BHD., LOCAL 111 V. CO-UTE ELEC., ET AL.

91-1324) CONSOL PENNSYLVANIA COAL CO. V. HUGHES, JAMES, ET AL.)

91-1561) HUGHES, JAMES, ET AL. V. CONSOL PENNSYLVANIA COAL CO.)

)
91-1681) POLLOCK, EWING, ET AL. V. HUGHES, JAMES E., ET AL.

91-1366 DARTEZ, JAMES, ET AL. V. OWENS-ILLINOIS, INC., ET AL.

91-1380 DAVID, SHMUEL V. UNITED STATES

91-1441 SHWC, INC., ET AL. V. FDIC, ETC.

91-1452 CHICAGO TRIBUNE CO. V. NLRB, ET AL.

91-1463 SWORDS, LEONORA, ET AL. V. FED. S&L INS. CORP.

91-1483 IDAHO V. DOE, ET AL.

91-1497) JOINER, JIM, ET AL. V. ROBERTS, JIM, ET AL.

)
91-1648) ROBERTS, JIM, ET AL. V. JOINER, JIM, ET AL.

91-1587 TONEY, ANTHONY J. V. ALABAMA

91-1604 WEIDMAN, RICHARD, ET AL. V. WEIDMAN, WILLIAM

91-1608) WINSTON, SAMUEL, ET AL. V. CHILDREN & YOUTH SERV.)

91-1669) CHILDREN & YOUTH SERV. V. WINSTON, SAMUEL, ET AL.

91-1609 ANIS, MAGDY V. NJ COMM. ON ATTY. ADV.

91-1610) JENNINGS, WILLIAM F. V. JOSHUA INDEPEND. SCH., ET AL.)
91-1611) GLADDEN, DON V. JOSHUA INDEPEND. SCH., ET AL.

91-1612 THOMAS, MARY V. HOFFMANN-LaROCHE, INC.,

91-1616 POTTER, ROBERT O. V. CALIFORNIA

91-1624 KOLOKOFF, LLOYD, ET UX. V. UNITED STATES

91-1625 CAIN PARTNERSHIP, LTD. V. PIONEER INVEST. SERV.

91-1630 KING, ROBERT E. V. NCNB TEXAS NAT. BANK, ET AL.

91-1631 ST. MARY'S HOSPITAL V. ARKANSAS BLUE CROSS/SHIELD

91-1637 ALFRED, GURNEY V. UNITED PARCEL SERV., ET AL.

91-1638 EVANS, EDDIE V. CITY OF TULSA

91-1639 NELSON, MICHAEL A. V. OFFICE OF SAM NUNN

91-1643) SIMON WIESENTHAL CTR., ET AL V. McCALDEN, VIVIANA)
91-1699) McCALDEN, VIVIANA V. SIMON WIESENTHAL CTR., ET AL.

91-1652 REYES, IGNACIA D., ET AL. V. UNITED STATES

91-1653 H. J., INC., ET AL. V. NORTHWESTERN BELL TEL. CO.

91-1662 JADER FUEL CO. V. WILLIAMS, BILLIE

91-1676 KNIGIN, KENNETH S. V. MANGANO, GUY J., ETC. ET AL.

91-1683 POLYAK, EARLENE V. HULEN, FRANK, ET AL.

91-1685 TIMMS, ESTELLA V. COUGHLIN, MICHAEL

91-1722 BARROW, WILLIAM D. V. UNITED STATES

91-1734 BERRIDGE, PAUL J., ET UX. V. UNITED STATES

91-1764 CUDA, THOMAS, ET UX. V. UNITED STATES

91-5465 PATTAN, JOSEPH V. UNITED STATES

91-7274 WILLIAMS, TERRANCE V. UNITED STATES
91-7316 MARTINI, ROBERT JOHN V. UNITED STATES
91-7500 McGEARY, EDWARD B. V. UNITED STATES
91-7530 REVELS, SHARMELLA V. UNITED STATES
91-7545) NAGI, TOUFIC V. UNITED STATES
)
91-7564) BARASH, ROBERT F. V. UNITED STATES
91-7546 RYAN, JOHN C. V. U.S. DEPT. OF JUSTICE
91-7555 KITCHENS, WILLIAM J. V. TEXAS
91-7569 DAMRON, KENNETH M. V. UNITED STATES
91-7593 EDGAR, BETTY V. UNITED STATES
91-7603 BENTSON, STEPHEN V. UNITED STATES
91-7766 HALL, LAUREN V. TURNAGE, THOMAS
91-7767 FRALEY, DENNIS V. CHARLES ROBERTS GANG, ET AL.
91-7839 FRANCHI, THOMAS C. V. UNITED STATES
91-7851 COFIELD, PAUL E. V. OPM
91-7886 TUCKER, JAMES V. BORGERT, WARDEN
91-7889 GRANT, BRUCE C. V. INDIANA
91-7890 KRAUL, KARL, ET AL. V. MAINE BONDING & CASUALTY CO.
91-7891 SMITH, RICHARD T. V. OKLAHOMA
91-7893 STOIANOFF, CARROLL V. FRANCIS, ARTHUR, ET AL.
91-7897 MORRISON, DERRIC V. MISSOURI, ET AL.
91-7902 THOMAS, CARL S. V. BOARD OF LAW EXAMINERS
91-7908 GARCIA, LUIS A. V. CALIFORNIA

91-7909 KINNEY, GREGORY N. V. INDIANA YOUTH CENTER, ET AL.
91-7910 GRIFFIN, DAVID B. V. WILLIAMS, K. K., ET AL.
91-7916 ROTT, VIRGIL V. CONNECTICUT GENERAL LIFE
91-7918 CONWAY-EL, GERALD L. V. JONES, SUPT.
91-7923 JONES, EDWIN L. V. INDIANAPOLIS POLICE, ET AL.
91-7924 TAYLOR, JOSEPH V. DUCKWORTH, WARDEN, ET AL.
91-7927 THOMAS-EL, GHEMELLE V. MISSOURI
91-7931 MERCIER, HARRY E. V. TRIPPETT, WARDEN
91-7937 MONTGOMERY, ERNEST V. WELLS, WARDEN
91-7939 TURNER, REGINALD E. V. OKLAHOMA
91-7942 GARNER, SIM V. ROTH, WARDEN
91-7949 ESPENSHADE, DONALD V. PHILADELPHIA HIGHER ED. AGENCY
91-7950 ANDRISANI, ALBERT V. VOGEL, MIRIAM A., ET AL.
91-7953 ROY, MICHAEL V. SAN FRANCISCO POLICE DEPT.
91-7954 CHASE, NORMAN K. V. OREGON
91-7957 BRIGAERTS, ROBERT V. CARDOZA, SHERIFF, ET AL.
91-7969 HOFFMAN, DENNIS D. V. UNITED STATES
91-7973 FRANKLIN, GEORGE T. V. OHIO
91-7979 CHASE, NORMAN K. V. BOARD OF PAROLE
91-8017 SINITO, THOMAS V. KINDT, WARDEN
91-8046 CLEMAS, THOMAS F. V. UNITED STATES
91-8054 THAKKAR, RAJESH V. DeBEVOISE, DICKINSON
91-8059 WEBB, JERRY L. V. UNITED STATES

91-8062 CASELLA, ANTONIO V. UNITED STATES
91-8073 LANDT, SARAH V. UNITED STATES
91-8085 CASTILLO-MORALES, JOSE V. IRS, ET AL.
91-8087 WINKLEMAN, STEVEN V. UNITED STATES
91-8088 TERRY, GAYLON C. V. UNITED STATES
91-8093 GARRETT, T. A. V. UNITED STATES
91-8098 WYATT, CASPER V. UNITED STATES
91-8107 GREEN, CYNTHIA K. V. UNITED STATES
91-8109 McLEOD, JOSEPH D. V. UNITED STATES
91-8113 BISHOP, WALTER L. V. UNITED STATES
91-8114 TALLMAN, MYRON V. UNITED STATES
91-8118 HARRIS, BILLY G. V. UNITED STATES
91-8120 TROUT, HOWARD N. V. UNITED STATES
91-8122 STUTTS, HENRY E. V. UNITED STATES
91-8125 CATES, EDWARD L. V. UNITED STATES
91-8135 ALLISON, ELMER D. V. UNITED STATES
91-8148 MATHENEY, ALAN V. INDIANA
91-8155 PEREZ-DOMINGUEZ, MANUEL V. UNITED STATES
91-8158 ELDER, BRENDA G. V. UNITED STATES
91-8159 FERRIOL, LOUIS V. UNITED STATES

The petitions for writs of certiorari are denied.

90-6315 PEREZ, RICKY V. LOUISIANA

The petition for a writ of certiorari is denied.

Justice Blackmun, Justice O'Connor and Justice Souter would grant the petition, vacate the judgment and remand the case to the Supreme Court of Louisiana for further consideration in light of *Foucha v. Louisiana*, 503 U.S. ____ (1992).

91-1447 BINGHAM, WANDA V. INLAND DIV. OF GEN. MOTORS

The petition for a writ of certiorari is denied.

Justice Blackmun would grant the petition, vacate the judgment and remand the case to the United States Court of Appeals for the Sixth Circuit for further consideration in light of the 1991 Amendments to Fed. R. Civ. P. 15(c).

91-1667 CENTRA, ETC., ET AL. V. McDONALD, CLIFTON, ET AL.

The petition for a writ of certiorari is denied.

Justice White would grant certiorari.

MANDAMUS DENIED

91-7926 IN RE ARNETT LEE THOMAS

The petition for a writ of mandamus is denied.

REHEARINGS DENIED

91-7247 WILLIAMSON, RONALD K. V. OKLAHOMA

91-7648 ANDERSON, FREDERICK M. V. UNITED STATES

91-7655 LLOYD, JOHNNIE V. UNITED STATES

The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, June 1, 1992 until Monday, June 8, 1992.

MOTIONS FOR ADMISSION

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