

## **ORDER LIST**

**MONDAY, JUNE 22, 1992**

### **APPEAL -- SUMMARY DISPOSITION**

91-962 HARRIS, CYNTHIA V. CITY OF BIRMINGHAM, ET AL.

The judgment is vacated and the case is remanded to the United States District Court for the Northern District of Alabama with instructions to dismiss the appeal as moot. *United States v. Munsingwear, Inc.*, 340 U.S. 36 (1950).

### **CERTIORARI -- SUMMARY DISPOSITION**

91-505 WEST, WILLIAM V. NORTHWEST AIRLINES, INC.

Upon consideration of the petition for rehearing, the order entered June 8, 1992, denying the petition for a writ of certiorari is vacated. The petition for a writ certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Morales v. Trans World Airlines*, 504 U.S. \_\_\_\_ (1992).

91-670 UNITED STATES V. VERDUGO-URQUIDEZ, RENE M.

The petition for a writ of certiorari is granted.

The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *United States v. Alvarez-Machain*, 504 U.S. \_\_\_\_ (1992).

91-1269 U.S. METROLINE SERVICES V. SW BELL TELEPHONE CO.

The petition for a writ of certiorari is granted.

The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Federal Trade Commission v. Ticor Title Insurance Company*, 504 U.S. \_\_\_\_ (1992). Justice O'Connor took no part in the consideration or decision of this case.

91-1527 OHIO PUB. EMPLOYS. PROGRAM V. SICHERMAN, MARVIN

The petition for a writ of certiorari is granted.

The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Patterson v. Shumate*, 504 U.S. \_\_\_\_ (1992).

### **ORDERS IN PENDING CASES**

D-1112 IN THE MATTER OF DISBARMENT OF IVAN VANCE WHITE, JR.

It having been reported to the Court that Ivan

Vance White, Jr., of Wilmington, North Carolina, has been disbarred from the practice of law by the Supreme Court of New Jersey and this Court by order of April 20, 1992, having suspended the said Ivan Vance White, 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 Ivan Vance White, 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-1113 IN THE MATTER OF DISBARMENT OF HILTON DAVIS

It having been reported to the Court that Hilton Davis, of Newark, New Jersey, has been disbarred from the practice of law by the Supreme Court of New Jersey and this Court by order of April 20, 1992, having suspended the said Hilton Davis 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 Hilton Davis 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-1141 IN THE MATTER OF DISBARMENT OF ROBERT M. ELLIS

It is ordered that Robert M. Ellis, of Wilmette, 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.

119 ORIG. CONNECTICUT, ET AL. V. NEW HAMPSHIRE

The motion of Massachusetts Municipal Wholesale Electric Company for leave to participate as *amicus curiae* in this case is granted. Justice Souter took no part in the consideration or decision of this motion.

91-535 BURDICK, ALAN V. TAKUSHI, MORRIS, ET AL.

The motion of respondents for taxation of respondents' costs in printing joint appendix is granted.

91-7358 BRECHT, TODD A. V. ABRAHAMSON, SUPT.

The motion for appointment of counsel is granted

and it is ordered that Allen E. Shoenberger, Esquire, of Chicago, Illinois, is appointed to serve as counsel for the petitioner in this case.

91-7873 FEX, WILLIAM V. MICHIGAN

The motion for appointment of counsel is granted and it is ordered that John B. Payne, Jr., Esquire, of Dearborn, Michigan, is appointed to serve as counsel for the petitioner in this case.

91-8092 DOERR, DONALD W. V. DOERR, EVA A.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 13, 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*.

91-8173 MARTIN, JAMES L. V. DELAWARE

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until July 13, 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 would deny the petition for a writ of certiorari.

**CERTIORARI GRANTED**

91-1353 CONROY, THOMAS F. V. ANISKOFF, WALTER, ET AL.

91-1657 LEATHERMAN, CHARLENE, ET AL. V. TARRANT CTY NARC., ET AL.

91-1826 BARR, ATTORNEY GENERAL V. CATHOLIC SOCIAL SERVICES

The petitions for writs of certiorari are granted.

91-610 LOCAL 144 NURSING HOME FUND V. DEMISAY, NICHOLAS, ET AL.

The motion of National Coordinating Committee for Multiemployer Plans for leave to file a brief as *amicus curiae* is granted. The motion of Central States, et al.

for leave to file a brief as *amici curiae* is granted.

The petition for a writ of certiorari is granted.

91-1600 HAZEN PAPER CO., ET AL. V. BIGGINS, WALTER

The motion of National Association of Manufacturers, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is granted.

91-7804 BUFFERD, SHELDON B. V. CIR

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

#### **CERTIORARI DENIED**

91-689 CITIBANK, N.A. V. WELLS FARGO ASIA LTD.

91-884 FARM CREDIT SERVICES V. MORTER, RAYMOND L.

91-1122 MOSTOLLER, TRUSTEE V. MESSING, PATRICK

91-1133 SILETS, HAYDEN L. V. DEPARTMENT OF JUSTICE

91-1412 GLADWELL, DAVID V. HARLINE, WESLEY

91-1416 MacDONALD, FRANK V. ASSOCIATED BUILDERS, ET AL.

91-1418 ABROMS, WILLIAM V. UNITED STATES

91-1549 NEW YORK DEPT. OF HEALTH V. ANDRULONIS, JOANNA, ET AL.

91-1569 HILL, DAMON, ET AL. V. TEXAS ED. AGENCY, ET AL.

91-1577 TONY ALAMO FOUNDATION ET AL. V. MARTIN, SECRETARY OF LABOR

91-1589 SWAMP, GEORGE, ET AL. V. KENNEDY, KEVIN, ETC., ET AL.

91-1592 H.G.A. CINEMA TRUST V. CIR

91-1674 STAR MKT. CO. V. UNITED STATES, ET AL.

91-1690 BRENNAN, JOHN V. ABBOTT LABORATORIES, ET AL.

91-1692 K & S PARTNERSHIP, ET AL. V. CONTINENTAL BANK

91-1703 HALL, DENNIS C. V. GEORGIA

91-1704 OVERSEAS MOTORS V. MITKOVSKI, MIROLJUB, ET AL.

91-1706 SMITH, JOSEPH, ET AL. V. HAMMON, MARVIN K., ET AL.

91-1719 CHARBONNET, CLAYTON, ET AL. V. LEE, HARRY, ETC., ET AL.

91-1723 CLINES, THOMAS G. V. UNITED STATES

91-1727 BEZANSON, DENNIS V. METROPOLITAN INS.

91-1730 PERFETTI, PETER V. FIRST NATL. BANK OF CHICAGO

91-1735 SCHEERER, W. M. V. ROSE ST. COLLEGE, ET AL.

91-1737 SHISEIDO COSMETICS V. FRANCHISE TAX BD., CALIFORNIA

91-1739 GROUND, GEORGE, ET AL. V. BARLOW, BRIAN

91-1745 ELKS NATL. FOUND. ET AL. V. WEBER, FRED, ET AL.

91-1749 TARABISHI, M. HISHAM V. McALESTER REGIONAL HOSPITAL

91-1750 ALABAMA V. MATTHEWS, COREY D.

91-1751 KARST, O. R. V. WOODS, JOHN

91-1752 WOOD, RUSSELL J. V. FREEDMAN, MELVIN J., ET AL.

91-1755 MURDOCK, DENNIS, ET UX. V. UNITED STATES, ET AL.

91-1758 PEREZ, EDMUNDO V. BMG MUSIC, ET AL.

91-1762 REGIONAL CONSTR. CO., ET AL. V. DISTRICT OF COLUMBIA, ET AL.



91-1763 OTTAWAY NEWSPAPERS, ET AL. V. OSBORNE, DAVID, ET AL.  
91-1765 AUSTIN, BARBARA V. BERRYMAN, SANDRA, ET AL.  
91-1767 DeANDINO, JEAN V. UNITED STATES  
91-1775 GORDON, GEORGE V. MISSOURI  
91-1788 BRUNO, MICOLETTE V. CROWN POINT, INDIANA, ET AL.  
91-1789 PECORA, FRANK V. PA LEGIS. REAPPOR. COMMN.  
91-1790 PARKHILL, WELDON, ET AL. V. ADUDELLE, EDWIN  
91-1796 COOK, RICHARD R. V. DEPARTMENT OF THE NAVY  
91-1834 BUNGE EDIBLE OIL CORP. V. CANADIAN PACIFIC LTD.  
91-1886 FREAS, JOHN F. V. NEW JERSEY  
91-7529 CURTIS, ANTONE S. V. UNITED STATES  
91-7537 CHRISTOPHER, ROBERT L. V. UNITED STATES  
91-7693 PELTIER, CLAYTON P. V. KANSAS  
91-7708 CEASAR, RICKY V. HAMILTON, EVA  
91-7777 SLEZAK, GARY V. CANNON, J. AL, ET AL.  
91-7818 McGEE, MAURICE S. V. SCREW CONVEYOR CORPORATION  
91-7887 TILLMAN, JAMES V. CONNECTICUT  
91-8037 YOUNG, LARRY V. UNITED STATES, ET AL.  
91-8083 HURD, MRS. WALTER V. USDC CD CALIFORNIA  
91-8086 TROXELL, DESTIL E. V. SEABOLD, WARDEN  
91-8091 WILLIAMS, MARY V. FAUVER, WILLIAM, ET AL.  
91-8095 McCREADIE, BEN V. ILLINOIS  
91-8097 SAUNDERS, ROBERT V. NEAL, WARDEN, ET AL.

91-8099 PALMER, ROBERT V. V. THE FLORIDA BAR  
91-8102 WILLIAMS, HERNANDO V. CHRANS, WARDEN, ET AL.  
91-8103 WILLIAMS, MICHAEL V. BURTON, LARRY, ET AL.  
91-8110 CROWHORN, JOE V. SMITH, STEPHEN, ET AL.  
91-8115 MITCHELL, ERIC V. ILLINOIS  
91-8116 MARTIN, FREDDIE V. MISSOURI  
91-8117 WHITAKER, FRED V. PASCARELLA, DONALD, ET AL.  
91-8124 WOODSON, DWAYNE V. ILLINOIS  
91-8126 WICKHAM, MICHAEL V. FLORIDA  
  
91-8128 AUSTIN, GEORGE E. V. RYAN, SUPT.  
91-8130 FANTI, LOUIS J. V. MITCHELL, BRENDA K., ET AL.  
91-8137 DANDRIDGE, MICHAEL V. ILLINOIS  
91-8140 ZABRANI, IQBAL V. FLORIDA  
91-8141 ALWINE, RICHARD V. PENNSYLVANIA  
91-8142 MCGEE, ANDRE V. McMACKIN, WARDEN  
91-8143 COTTON, JARVIOUS V. PUCKETT, STEVE, ET AL.  
91-8144 DEMPSEY, JOHN B. V. MASSACHUSETTS  
91-8146 SMITH, ERNEST E. V. KAISER, WARDEN  
91-8152 PRINCE, TROY L. V. WASHINGTON  
91-8153 McINERNEY, PATRICK V. HARGETT, SUPT., ET AL.  
91-8154 PRAYSO, JOHN V. UNITED STATES  
91-8160 KULKA, JAMES E. V. CALIFORNIA  
91-8171 TRENT, CARRIE V. UNITED STAES

91-8184 STANLEY, ALEC W. V. LOCKHART, DIR., ARKANSAS DOC  
91-8187 GLASS, JOSHUA V. GRIJALVA, ALFRED  
91-8192 WEIMER, JOSETTE, ET AL. V. LIEBNER, ROBERT, ET AL.  
91-8239 SWENSKY, JOSEPH V. MSPB  
91-8270 WATTS, TONY R. V. FLORIDA  
91-8271 SLOAN, W. JUSTIN V. UNITED STATES  
91-8273 SZYMANSKI, EUGENE V. UNITED STATES  
91-8287 ESPINOZA, REYNALDO B. V. UNITED STATES  
91-8291 SALIM, MOHAMED V. UNITED STATES  
91-8300 ) SHARP, MELVIN W. V. UNITED STATES  
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91-8301 ) TAYLOR, ALVIN V. UNITED STATES  
91-8305 VALENCIA, OSCAR V. UNITED STATES  
91-8306 SELLARS, JAMES M. V. UNITED STATES  
91-8313 ROBERTS, KEVIN M. V. UNITED STATES  
91-8314 EWING, THOMAS V. UNITED STATES  
91-8316 KEAGLE, RONALD V. UNITED STATES  
91-8318 ERDMAN, RONALD R. V. UNITED STATES  
91-8342 ACOSTA, RONALD J. V. UNITED STATES  
91-8347 SPARROW, CLEVELAND B. V. IRS  
91-8352 TAJEDDINI, HOJATOLLAH V. UNITED STATES  
91-8354 AKINKOUTU, SYLVESTER V. UNITED STATES  
91-8355 CHUN-YIN, CHAN V. UNITED STATES  
91-8357 CLARK, DELBERT V. UNITED STATES

- 91-8362 RAMIREZ, ROBINSON V. UNITED STATES
- 91-8363 MAYERS, WILLIAM J. V. UNITED STATES
- 91-8364 LEE, WALTER K. V. UNITED STATES
- 91-8370 MITCHELL, KENNETH K. V. UNITED STATES
- 91-8371 MITCHELL, KIRK V. UNITED STATES
- 91-8373 ROA, GUSTAVO V. UNITED STATES
- 91-8377 GERALDO, FRANK V. UNITED STATES
- 91-8383 OLVERA, PABLO V. UNITED STATES
- 91-8392 ANDREWS, RICHARD L. V. UNITED STATES
- 91-8394 SMITH, SYLVESTER V. TAYLOR, WARDEN, ET AL.
- 91-8396 BORROMEO, ABEL P. V. UNITED STATES
- 91-8399 CLINCY, PAUL V. TOOMBS, WARDEN
- 91-8402 JOHNSON, WILLIE A. V. VIRGINIA
- 91-8403 EMANUEL, HILLARY J. V. UNITED STATES

The petitions for writs of certiorari are denied.

- 91-4 INTL. UNION OPER. ENGINEERS V. WILSON, CARROLL, ET AL.
- 91-1641 FBI, ET AL. V. WIENER, JONATHAN M.

The petitions for writs of certiorari are denied.

Justice White would grant certiorari.

- 91-356 MEAD CORP. V. TILLEY, B. E., ET AL.

The motion of American Academy of Actuaries, et al. for leave to file supplemental brief as *amici curiae* is denied. The petition for a writ of certiorari is denied.

91-545 BURLINGTON NORTHERN RR V. BLACKFEET TRIBE, ET AL.

The motion of Reservation Telephone Cooperative for leave to file a brief as *amicus curiae* is granted. The motion of Association of American Railroads for leave to file a brief as *amicus curiae* is granted. The motion of California, et al. for leave to file supplemental brief as *amici curiae* is denied. The petition for a writ of certiorari is denied. Justice White would grant certiorari.

91-680 ) FAIRWAY SPRING CO., ET AL. V. SOVRAN BANK/MARYLAND

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91-681 ) CHEMUNG CANAL TRUST CO. V. SOVRAN BANK/MARYLAND

The petitions for writs of certiorari are denied. Justice White, Justice Blackmun and Justice O'Connor would grant certiorari.

91-707 LENNES, COMMR., ETC., ET AL. V. BOISE CASCADE CORP., ET AL.

The motion of Mechanical Contractors Association of America for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

91-1586 SUPER VALU STORES V. IOWA DEPT OF REVENUE

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

91-1607 KAISER STEEL V. PEARL BREWING, ET AL.

The motion of Credit Managers Association of California for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

91-1732 MICHIGAN V. SAMMONS, MARTIN

The motion of respondent Martin Howard Sammons for leave to proceed *in forma pauperis* is granted. The motion of respondent Alan Michael Stone for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

91-1754 ILLINOIS V. FREEMAN, GEOFFREY

91-1780 COLORADO V. GASKINS, JOHN H.

91-1792 LEWIS, DIR. ARIZONA DOC, ET AL. V. ADAMSON, JOHN H.

The motions of respondents for leave to proceed *in forma pauperis* are granted. The petitions for writs of certiorari are denied.

91-8131 JONES, RONALD L. V. GUNTER, DIR., COLORADO DOC

The motion of petitioner to defer consideration of the petition for certiorari is denied. The petition for a writ of certiorari is denied.

**REHEARINGS DENIED**

- 91-734 NORTHWEST AIRLINES, INC. V. WEST, WILLIAM
- 91-7225 RUGGLES, CHARLES F. V. CITY OF RIVERSIDE
- 91-7232 HOFMANN, ELSA O. V. PRESSMAN TOY CORP., ET AL.
- 91-7472 IN RE DONALD R. BALLARD
- 91-7495 ROMERO, JONATHAN P. V. CALDWELL, JOSEPH, ET AL.
- 91-7496 MABERY, FRED V. RODRIGUEZ, RAMON, ET AL.
- 91-7523 GILL, RONALD G. V. VIRGINIA
- 91-7541 GRAY, CHARLES R. V. SILVA, JERRY, ET AL.
- 91-7561 SCOTT, ALTON V. VETERANS ADMINISTRATION
- 91-7851 COFIELD, PAUL E. V. OPM
- 91-7893 STOIANOFF, CARROLL V. FRANCIS, ARTHUR, ET AL.
- 91-7924 TAYLOR, JOSEPH V. DUCKWORTH, WARDEN, ET AL.
- 91-7926 IN RE ARNETT LEE THOMAS
- 91-7941 HENTHORN, DONALD G. V. UNITED STATES
- 91-7970 KELLEY, JAMES O. V. UNITED STATES

The petitions for rehearing are denied.

- 91-6917 LANE, RONNY JOE V. PARRIS, GLENN ET AL.
- 91-7371 CRAWFORD, CURTIS E. V. D.C. BOARD OF PAROLE

The motions of petitioners for leave to file  
petitions for rehearing are denied.

### **RECESS ORDER**

The Court will take a recess from Monday, June 22,

1992 until Wednesday, June 24, 1992.

**MOTIONS FOR ADMISSION**

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