

ORDER LIST

MONDAY, NOVEMBER 2, 1992

APPEAL -- SUMMARY DISPOSITION

92-522 GARDNER, JOSEPH, ET AL. V. ILLINOIS LEGIS. REDIST.

The judgment is affirmed.

CERTIORARI -- SUMMARY DISPOSITION

91-1993 CONTINENTAL CASUALTY CO. V. FIBREBOARD CORPORATION

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 to consider the question of mootness.

92-5152 HAPP, WILLIAM F. V. FLORIDA

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the Supreme Court of Florida for further consideration in light of *Espinosa v. Florida*, 505 U. S. ___ (1992).

ORDERS IN PENDING CASES

D-1090 IN THE MATTER OF DISBARMENT OF GERALD J. GARNER

The motion to reconsider the disbarment order is denied.

D-1160 IN THE MATTER OF DISBARMENT OF JOSEPH HILLIARD WEIL

It having been reported to the Court that Joseph Hilliard Weil, of North Miami, Florida, has been suspended from the practice of law by the Supreme Court of Florida and this Court by order of September 4, 1992, having suspended the said Joseph Hilliard Weil 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 a response has been filed;

It is ordered that the said Joseph Hilliard Weil 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-1161 IN THE MATTER OF CURTIS LARENZO JONES, JR.

Curtis Lorenzo Jones, Jr., of Miami, Florida, 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 September 4, 1992, is hereby discharged.

D-1191 IN THE MATTER OF DISBARMENT OF THOMAS J. SKRYD

It is ordered that Thomas J. Skryd, of Cicero, 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-1192 IN THE MATTER OF DISBARMENT OF BENNETT ALBAN

It is ordered that Bennett Alban, 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-1193 IN THE MATTER OF DISBARMENT OF TERRANCE LEON MCGOWAN

It is ordered that Terrance Leon McGowan, of Santa Barbara, California, 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-1194 IN THE MATTER OF DISBARMENT OF WALTER HARRY CAPLAN

It is ordered that Walter Harry Caplan, of San Francisco, California, 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-1195 IN THE MATTER OF DISBARMENT OF HOWARD J. CASPER

It is ordered that Howard J. Casper, of Philadelphia, Pennsylvania, 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-1196 IN THE MATTER OF DISBARMENT OF JAMES IRVING HARLAN

It is ordered that James Irving Harlan, of Dallas, Texas, 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-1197 IN THE MATTER OF DISBARMENT OF J. DARE HAWKINS

It is ordered that J. Dare Hawkins, of Houston, Texas, 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-1198 IN THE MATTER OF DISBARMENT OF IRA WATROUS

It is ordered that Ira Watrous, of Houston, Texas, 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-1199 IN THE MATTER OF DISBARMENT OF MITCHELL WAYNE KIRK

It is ordered that Mitchell Wayne Kirk, of Baltimore, Maryland, 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-1200 IN THE MATTER OF DISBARMENT OF DENNIS J. SIMON

It is ordered that Dennis J. Simon, of Coral Springs, 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.

91-1111) HARTFORD FIRE INS., ET AL. V. CALIFORNIA, ET AL.

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91-1128) MERRETT UNDERWRITING, ET AL. V. CALIFORNIA, ET AL.

The time allotted for oral argument in these cases
is expanded to a total of ninety minutes.

91-1793 COONES, JAMES A. V. FDIC

The motion of petitioner for clarification is
denied.

92-155) STATEWIDE REAP. ETC., ET AL. V. THEODORE, NICK, ET AL.

)
92-219) CAMPBELL, GOV. OF SC V. THEODORE, NICK, ET AL.

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

92-5796 BANKS, ALFRED V. PRIVONKA, TINA M.

The motion of petitioner for leave to proceed *in
forma pauperis* is denied. See Rule 39.8. Petitioner is
allowed until November 23, 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.

92-5814 STASSEN, JOHN V. TSCHIDA, JAMES, ET AL.

The motion of petitioner for leave to proceed *in
forma pauperis* is denied. See Rule 39.8. Petitioner is
allowed until November 23, 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.

92-5828 MARTIN, JAMES L. V. WIDENER UNIV. SCHOOL OF LAW

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until November 23, 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 Stevens would deny the petition for a writ of certiorari.

92-5899 WADE, EDITH C., ET AL. V. UNITED STATES, ET AL.

The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until November 23, 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*.

CERTIORARI GRANTED

91-2045 DARBY, R. GORDON, ET AL. V. KEMP, SEC. OF HUD, ET AL.

The petition for a writ of certiorari is granted.

92-207 UNITED STATES V. PADILLA, XAVIER, ET AL.

The motion of respondent Donald J. Simpson for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

91-1797 TAYLOR, EDDIE L. V. UNITED STATES

91-2030 PACHULSKI, RICHARD M. V. TOPA THRIFT AND LOAN ASSOC.

91-2072) AVIRGAN, TONY, ET AL. V. HULL, JOHN, ET AL.

)
92-119) SHEEHAN, DANIEL, ET AL. V. HULL, JOHN, ET AL.

91-8075 RIECHMANN, DIETER V. FLORIDA

91-8650 SMITH, PHILLIP D. V. OKLAHOMA

91-8724 DOLENC, JOHN E. V. FULCOMER, WARDEN

91-8770 HILL, JEFFREY D. V. MAZURKIEWICZ, SUPT., ET AL.

92-124 DCP FARMS, ET AL. V. SEC. OF AGRICULTURE, ET AL.

92-144 LOCAL 1814, ETC. V. NEW YORK SHIPPING, ET AL.

92-150 CALHOON, DEAN, ET AL. V. NATL. ELEVATOR INDUS.

92-165 RUSSELL, BOBBY V. UNITED STATES

92-194 TUCKER, ROBERT L., ET AL. V. DEPT. OF COMMERCE

92-210 DUPNIK, CLARENCE, ET AL. V. COOPER, MICHAEL, ET AL.

92-214 CURATORS, UNIV. OF MISSOURI V. SULLIVAN, SEC. OF H&HS

92-220 BANKS, MILDRED V. USPS, ET AL.

92-231 COMMUNITIES, INC., ET AL. V. BUSEY, JAMES B., ET AL.

92-232 T.F. & D.L. vs. H.F. & F.F.

92-263 ESSEX ELECTRO ENGRS. V. UNITED STATES

92-313 HOFFER, ARTHUR, ET AL. V. CITY OF SEATTLE, ET AL.

92-386 FISHER, STEPHEN V. NY ST. DEPT. TAX., ET AL.

92-390 BROWN, EUGENE, ET UX. V. BALDWIN CITY, KANSAS

92-391 AMPRO FISHERIES, INC. V. YASKIN, JUDITH, ETC., ET AL.

92-392 NBA V. CHICAGO PROF. SPORTS, ET AL.

92-395 SCHERL, MORTON V. FISHER, LAWRENCE, ET AL.

92-397 OCCIDENTAL CHEMICAL CORP. V. CEMCOM CORPORATION

92-398 AM. GEN. LIFE INS. CO. V. DeSHURLEY, JOHN R., ET AL.

92-401 MASSACHUSETTS V. OSES, THOMAS

92-408 MENARD, PAULINE V. BREAUX BRIDGE, ET AL.

92-413 BRAILEY, HUGHES V. ILLINOIS

92-419 ADMINR. N.Y. HUMAN RES. V. ABBOTT HOUSE, ET AL.

92-422 FRENCH, CHARLES, ET AL. V. METRO. GOVT., NASHVILLE, TN

92-423 OWENS-ILLINOIS, INC. V. ROBY, FREDERIC, ET AL.

92-425 GOLDSTAR, ET AL. V. UNITED STATES

92-430 EL PASO GAS V. HARTFORD CORP.

92-434 HUDSON INSURANCE CO. V. AMER. ELECTRIC CORP., ET AL.

92-435 ARCHVIEW INVESTMENTS, INC. V. COLLINSVILLE, IL, ET AL.

92-436 LANDANO, VINCENT J. V. RAFFERTY, JOHN, ET AL.

92-440 SCRUGGS, JOHNNY E. V. VIRGINIA

92-445 CENTRAL BANK OF TAMPA, ETC. V. TRANSAMERICA INSURANCE GROUP

92-446 SEARS, ROEBUCK AND CO. V. FORBUS, VERNAL, ET AL.

92-448 FRAZIER, ALVAADER V. CALIFORNIA STATE BAR

92-450 CARPENTER, THOMAS G. V. UNIVERSAL STAR, ET AL.

92-459 AQUAFAITH SHIPPING, ET AL. V. JARILLAS, EUFEMIA R.

92-472 HORNSBY, BRUCE E. V. ST. LOUIS SOUTHWESTERN, ETC.

92-476 ARRIBA, LTD. V. PETROLEOS MEXICANOS

92-477 COLORADO INTERSTATE GAS V. NATURAL GAS, ET AL.

92-480 LEVY, ROBERT A., ET AL. V. LOS ANGELES COUNTY, ET AL.

92-509 BENNING, IRVIN F. V. IOWA, ET AL.

92-512 ASLANIAN, KEVIN M., ET AL. V. WILSON, GOV. OF CALIFORNIA

92-525 CALIFORNIA V. OTTO, BRENDA S., ET AL.

92-527 BOERBOOM INTL., ET AL. V. AM. COMPUTER TRUST, ET AL.

92-529 CLARK, RAMSEY, ET AL. V. THATCHER, MARGARET, ET AL.

92-541 MOORE, BEVERLY V. VOLKSWAGEN OF AM., ET AL.

92-542 CALIFORNIA V. NEWMAN, PENNY, ET AL.

92-543) COTTON, CHARLES V. UNITED STATES
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92-5971) HAUSER, MELVIN V. UNITED STATES

92-562 CAMING, STANLEY V. UNITED STATES

92-567 BOUTROSS, JAMES J., ET AL. V. UNITED STATES

92-584 PEREZ, ERNESTO A. V. WISCONSIN
92-604 HARTFORD ACCIDENT, ETC. V. WORKERS' COMP. APPEALS, ETC.
92-5028 BENNETT, JACK V. GEORGIA
92-5067 LINCECUM, KAVIN WAYNE V. COLLINS, DIR. TEXAS DCJ
92-5109 WILLIAMS, LUTHER J. V. ALABAMA
92-5169 KING, DANNY L. V. VIRGINIA
92-5226 FANT, ARNOLD N. V. ROCHESTER FED. MED., ET AL.
92-5247) KUNKEL, WILLIAM J. V. UNITED STATES
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92-5390) BARRERA-MORENO, HECTOR ET AL V. UNITED STATES
92-5296 JORDAN, RONALD L. V. VERCOE, JOHN
92-5326 TING, AI-TI V. UNITED STATES
92-5354 WATERHOUSE, ROBERT BRIAN V. FLORIDA
92-5391 GALLOWAY, GEORGE D. V. UNITED STATES
92-5395 BRUTON, GEORGE A. V. UNITED STATES
92-5420 BESERRA, JESUS A. V. UNITED STATES
92-5433 CHARLEY, RONALD V. UNITED STATES
92-5441 SIMMONS, WILLIAM V. KELLY, SUPT., ATTICA, ET AL.
92-5443 HOLDEN, WILLIAM P. V. UNITED STATES
92-5461 POYNER, SYVASKY L. V. MURRAY, DIR., VA DOC
92-5514 LYND, WILLIAM EARL V. GEORGIA
92-5528 VELEZ, JOSE V. UNITED STATES
92-5549 ALLISON, KENNETH WARREN V. UNITED STATES
92-5557 ROJEM, RICHARD V. OKLAHOMA

92-5562 MILLER, ALECIA V. McRAE, CALVIN, ET AL.
92-5597 SANTOS, GUADALUPE V. OPM
92-5676 MILLER, MARION V. BORG, WARDEN
92-5695 THOMAS, DOUGLAS C. V. VIRGINIA
92-5728 BENNETT, DANIEL M. V. VIRGINIA
92-5740 HERROLD, GENE A. V. UNITED STATES
92-5745 RICE, DAVID L. V. WASHINGTON
92-5748 OLDERBAK, WAYNE V. UNITED STATES
92-5749 CHRISTIE, TIMOTHY J. V. JABE, WARDEN
92-5750 THOMAS, JAMES W. V. LIGHTNER, HERB, ET AL.
92-5751 SANDERS, MICHAEL V. CHERRY, ROBIN, ET AL.
92-5752 TRAYLOR, JOHNNY V. ADMIN. OF VETERANS AFFAIRS
92-5754 STRICKLAND, STEWART V. GOLDEN, ROBERTA
92-5758 WILES, DAVID V. JONES, WARDEN
92-5761 DAVIDSON, MICKEY W. V. VIRGINIA
92-5765 SPEARMAN, JOSE L. V. COLLINS, DIR., TEXAS DCJ
92-5766 SMITH, JIMMY D. V. CAMPBELL, WARDEN
92-5771 HACKNEY, ANTHONY V. ARMONTROUT, WARDEN, ET AL.
92-5772 JOYCE, EDWIN W. V. BUMGARNER, SUPT., ET AL.
92-5777 LE, BINH VAN V. CALIFORNIA
92-5784 RAMIREZ-VILLA, ALBERTO V. UNITED STATES
92-5785 ROGERS, LEONARD V. ANDERSON, TYRONE
92-5788 POWELL, MICHAEL D. V. UNITED STATES

92-5789 MARTIN, RACHEL C. V. KYNARD, MARGARET, ET AL.

92-5790 NUNLEY, PAUL V. CODY, WARDEN, ET AL.

92-5791 OROSCO, CARLOS V. TEXAS

92-5792 COLLINS, SQUAKEE-MARTHA LEE V. NORDSTROM, ET AL.

92-5793 LaFOUNTAIN, WAYNE V. BLANCHARD, GOV. OF MICHIGAN

92-5794 COTTAM, LARRY V. LUZERNE CHILD & YOUTH SERV.

92-5795 ANTONELLI, MICHAEL C. V. TRUE, WARDEN

92-5797 COUSINO, PAUL W. V. ELLIOTT, S. LEE, ET AL.

92-5798 AZIZ, WASIM V. ST. LOUIS CTY., ET AL.

92-5801 FIELDS, ROSCOE W. V. COX, JAMES L., ET AL.

92-5802 KOLOCOTRONIS, CYRIL A. V. HOLCOMB, SUPT.

92-5803 ESPARZA, GEORGE V. FLOWOOD, MISSISSIPPI

92-5810 VAN DER JAGT, PETER V. SIB INTL. BANCORP, ET AL.

92-5812 NAUCKE, ROBERT L. V. MISSOURI

92-5815 RAGSDALE, ERIC L. V. RICHLAND CTY. DETENTION CTR.

92-5816 MILLER, MICHAEL A. V. MARSHALL, WARDEN

92-5817 MASON, MICHAEL W. V. MUNICIPAL CORP. OF CA

92-5826 STANSBURY, EDWARD V. REDMAN, WARDEN, ET AL.

92-5827 OLIVEROS, LORENZO P. V. OPM

92-5830 HUFFSMITH, DON V. DEPT. OF JUSTICE

92-5832 BEASLEY, CARL B. V. UNITED STATES

92-5833 CARLISLE, JAMES V. GRADICK, STEVE, ET AL.

92-5836 SANDERS, RENE V. BORG, WARDEN, ET AL.

92-5840 ENNIS, EDWARD G. V. POWERS, WARDEN
92-5851 WOMBLE, DUANE A. V. UNITED STATES
92-5856 HAWKINS, RICHARD M. V. MURRAY, DIR., VA DOC
92-5864 LUCE, GARY L. V. MORRIS, WARDEN
92-5874 GALLOWAY, EDDIE L. V. BORG, WARDEN
92-5880 BOUT, HARRY V. DOC
92-5881 CREEL, JAMES D. V. ABILENE, TEXAS, ET AL.
92-5882 BARSELLA, CHRISTINE V. WATERS, GEORGE, ET AL.
92-5883 CONERLY, JAMES E. V. USPS, ET AL.
92-5905 PHILLIPS, VICTORIA V. PHILLIPS, ROMANUS H.
92-5915 TIMBANCAYA, FELICIANO V. OPM
92-5916) BROWN, RONALYN V. UNITED STATES
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92-5917) BROWN, RODNEY V. UNITED STATES
92-5918 TELLEZ, ORLANDO V. UNITED STATES
92-5919 STREIT, ALLEN V. UNITED STATES
92-5926 GONZALEZ, EDUARDO V. UNITED STATES
92-5929 HAYE, ELBERT L. V. THORN CREEK CATTLE ASSOC.
92-5930 JONES, CEDRIC D. V. COLLINS, DIR., TEXAS DCJ
92-5931 HOPKINS, JERRY W. V. ARMSTRONG & ARMSTRONG, ET AL
92-5932 FIELDS, N K V. FLORIDA
92-5942 McDONALD, MICHAEL W., ET AL. V. UNITED STATES
92-5944 ROACH, JOHNNY R. V. RONE, WARDEN, ET AL.
92-5945 MALIK, ABDEL-JABBOR V. KUHLMAN, SUPT, SULLIVAN CORR

92-5961 GILL, BURRELL C. V. UNITED STATES
92-5967 SEABROOKS, RICO V. UNITED STATES
92-5972 SPEARMAN, JOSE L. V. GARNER, WARDEN
92-5976 NANCE, FRANK V. UNITED STATES
92-5979 McEACHERN, MICHAEL J. V. JONES, SHIRLEY
92-5981 GARCIA, SERGIO V. UNITED STATES
92-5982 WYLEY, JAMES V. UNITED STATES
92-5983 WOOD, HENRY V. UNITED STATES
92-5984 HERNANDEZ-CRUZ, FERNANDO V. UNITED STATES
92-5986 LANDT, TY P. V. UNITED STATES
92-5994 CRAWFORD, JAMES H. V. UNITED STATES
92-5995 WEAVER, NORMAN B. V. UNITED STATES
92-5998 GREEN, DENNIS E. V. UNITED STATES
92-6000 SINGLETON, CHARLES V. NORRIS, ACTING DIR., AR DOC
92-6008 JOHNSON, PETER V. UNITED STATES
92-6016 MARIN-HERNANDEZ, HECTOR V. UNITED STATES
92-6021 LEE, ROY L. V. UNITED STATES
92-6026 AKINYOSOYE, HAKEEM V. UNITED STATES
92-6028 ROBERTS, LARRY V. CALIFORNIA
92-6034 ROBINSON, JERRY D. V. UNITED STATES
92-6040 McNEAL, RANDOLPH R. V. UNITED STATES
92-6046 FLOOD, GAYE V. UNITED STATES
92-6048 JONES, ERROL R. V. UNITED STATES

92-6049 GEORGE, STANLEY L. V. UNITED STATES
92-6051 HAGER, ROBERT L. V. UNITED STATES
92-6053 HILL, RUSSELL E. V. UNITED STATES
92-6056 PRICE, LAWRENCE W. V. UNITED STATES
92-6066 DAVILA, BENITO V. UNITED STATES
92-6075 GREEN, WILLIAM E. V. MARYLAND
92-6083 CRIPPEN, RICHARD V. UNITED STATES
92-6084 TRAVIS, ERIC W. V. UNITED STATES
92-6097 FRANCIS, HUEY L. V. UNITED STATES

The petitions for writs of certiorari are denied.

91-2075 ST. GELAIS, JEAN V. UNITED STATES
92-205 GROSS, FREDERICK A. V. UNITED STATES
92-209 STEEN, MICHAEL V. THOMPSON, JERI LYNN, ET AL.
92-433 SEARS, ROEBUCK & CO. V. BARATTINI, LOUIS
92-452 CIR V. POWELL, CLAYTON J., ET UX.

The petitions for writs of certiorari are denied.

Justice White would grant certiorari.

92-233 HASAN, S.M.A. V. MARTIN, SEC. OF LABOR

The motion of Nuclear Power Service, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

92-396 ASTRONICS CORP., ET AL. V. PATECELL, THEODORE, ET AL.

The motion of The District of Columbia Chapter of

the Federal Bar Association, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

92-414 LINDSEY, STEVEN V. BAXTER HEALTHCARE CORP.

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

92-416 WESTON, JoANNE M. V. FIRST INTERSTATE BANK OF CA

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

92-421 RICHMOND MEM. HOSP. V. SMITH, TAJA, ET AL.

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

HABEAS CORPUS DENIED

92-5762 IN RE JOSEPH ZIEGLER

92-6085 IN RE LONNIE DAVIS

92-6103 IN RE JOSEPH WASKO

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

92-5271 IN RE CHRIS HANSEN

92-5978 IN RE DOROTHY LITZENBERG

The petitions for writs of mandamus are denied.

MOTIONS FOR ADMISSION

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