

ORDER LIST

MONDAY, DECEMBER 7, 1992

APPEAL -- SUMMARY DISPOSITION

92-586 FAIR, ET AL. V. WEPRIN, SAUL, ET AL.

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

ORDERS IN PENDING CASES

No. __. ROMANUS NGENE-IGWE V. IOWA STATE UNIVERSITY, ET AL.

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

A-313. DONNA LUANN LOVETT V. UNITED STATES

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

D-1170 IN THE MATTER OF DISBARMENT OF GEORGE SANDBERG

It having been reported to the Court that George Sandberg, of Patchogue, New York, has resigned from the practice of law before the Appellate Division, Supreme Court of New York, Second Judicial Department, and this Court by order of October 13, 1992, having suspended the said George Sandberg 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 George Sandberg 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-1171 IN THE MATTER OF DISBARMENT OF RICHARD DENNIS SIMON

It having been reported to the Court that Richard Dennis Simon, of Hauppauge, New York, 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 October 13, 1992, having suspended the said Richard Dennis Simon 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 Richard Dennis Simon 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-1216 IN THE MATTER OF DISBARMENT OF FREDRIC G. HAYES

It is ordered that Fredric G. Hayes, of Lafayette, Louisiana, 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.

108 ORIG. NEBRASKA V. WYOMING AND COLORADO

The motions of the parties respecting oral argument are granted in part and denied in part and the time and the order allotted are: 20 minutes to Wyoming, 10 minutes to Colorado, 15 minutes to Nebraska, and 15 minutes to the United States.

91-261) BLDG. & CONST. TRADES V. ASSOC., BUILDERS & CONTRACTORS

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91-274) MASSACHUSETTS WATER RESOURCE V. ASSOC. BUILDERS & CONTRACTOR

The motion of the Solicitor General for leave to file a supplemental brief as *amicus curiae* is granted.

91-1671 MERTENS, WILLIAM J., ET AL. V. HEWITT ASSOCIATES

The motion of the Solicitor General for divided argument is granted.

91-1738 GILMORE, JERRY D. V. TAYLOR, KEVIN

The motion for appointment of counsel is granted and it is ordered that Lawrence C. Marshall, Esquire, of Chicago, Illinois, is appointed to serve as counsel for the respondent in this case.

91-7604 ANTOINE, JEFFERY V. BYERS & ANDERSON, INC.

The motion of Jonathan and Karen Scott for leave to file a brief as *amici curiae* is granted.

92-94 ZOBREST, LARRY, ET UX. ET AL V. CATALINA FOOTHILLS SCH. DIST

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

92-5618 MARTIN, JAMES L. V. McDERMOTT, CHRISTINE, ET AL.

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

The motions of petitioner for reconsideration of orders denying leave to proceed *in forma pauperis* are denied.

92-6265 DOCK, PAMELA V. AT&T, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until December 28, 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*. Justice O'Connor took no part in the consideration or decision of this motion.

92-6281 HAGEN, ROBERT V. UTAH

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

92-6378 MAHDAVI, KAMAL B. V. REGENTS OF THE UNIV. OF CA

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until December 28, 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.

APPEAL -- JURISDICTION NOTED

92-357 SHAW, RUTH O., ET AL. V. BARR, ATTY GENERAL, ET AL.

In this case probable jurisdiction is noted. Argument shall be limited to the following question, which all parties are directed to brief: "Whether a state legislature's intent to comply with the Voting

Rights Act and the Attorney General's interpretation thereof precludes a finding that the legislature's congressional redistricting plan was adopted with invidious discriminatory intent where the legislature did not accede to the plan suggested by the Attorney General but instead developed its own."

CERTIORARI GRANTED

92-641 NOBELMAN, LEONARD, ET UX. V. AM. SAVINGS BANK

The petition for a writ of certiorari is granted.

CERTIORARI DENIED

91-8718) WHITE, GRADY L. V. UNITED STATES

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92-5092) KELLEY, CASSIUS V. UNITED STATES

92-184 ROBINSON, PAUL E. V. UNITED STATES

92-271 ADAMS, CEDRIC V. UNITED STATES

92-337 PERKINS, MELODY, ET AL. V. GENERAL MOTORS CORP., ET AL.

92-385) OSCAR, RUTH E., ET AL. V. UNIV. STUDENTS CO-OP. ASSN.

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92-561) SPINOSA, CHARLES V. UNIV. STUDENTS CO-OP ASSN.

92-389 CHENEY, SEC. DEFENSE, ET AL. V. PRUITT, DUSTY

92-426 LOEHR, ROBERT V. UNITED STATES

92-462 GANNON, THOMAS H. V. UNITED STATES

92-475 RESHA, BRENDA V. UNITED STATES

92-556 U.A. LOCAL 38, ET AL. V. BRADEN, CAROLE, ET AL.

92-578 ZAL, CYRUS V. STEPPE, WARDEN, ET AL.

92-588 BARNES, HELEN B., ET AL. V. MOORE, ATTY. GEN. OF MS

92-591 UNITED STATES V. POINDEXTER, JOHN M.

92-592 FARM FRESH, INC. V. SHAFFER, MICHELE, ET AL.

92-629 AUL, GRAYCE, ET AL. V. ALLSTATE LIFE INS., ET AL.

92-643 HENDERSON, ET AL. V. USDC NV (NV ENTERTAINMENT)

92-647 TAFFETT, M. R., ET AL. V. SOUTHERN COMPANY, ET AL.

92-648 KOTROSITS, EDWIN, ET AL. V. GATX CORP, ETC.

92-650 RIFFE, MARY V. BROWN, ROSSLYN, ET AL.

92-653 ARLINGTON, TEXAS V. FIRST GIBRALTAR BANK, F.S.B.

92-654 JOHNSON, MARK, ET AL. V. RAYES, RICHARD

92-664 RILEY, RONALD V. KINGSLEY UNDERWRITING, ET AL

92-666 LAIRD, JERI EMMET V. BLACKER, SIDNEY G., ET AL.

92-669 SMITH, WILLIAM E. V. INDIANA

92-671 OWEN, DWIGHT V. OWEN, HELEN

92-672 NAVARRO, NICHOLAS V. LUKE RECORDS, INC.

92-674 LUM, EDGAR V. HONOLULU

92-679 COLUMBIA GAS V. EXCLUSIVE NAT. GAS, ET AL.

92-684 PAYMASTER CORP. V. AM. BANKERS INS. CO. OF FL

92-688 LOCAL 776, INTL. BHD. V. STROEHMANN BAKERIES

92-691 ROBINSON, HATTIE, ET AL. V. GA DEPT. OF TRANS.

92-692 SHELLDY, E. V. LORE, EDWARD, ET AL.

92-693 HALL, WARD V. STUART, FL, ETC.

92-710 HARVEY, JETTY V. WYOMING

92-732 GULF STATES STEEL, ETC. V. LTV CORPORATION, ET AL.

92-750 WM. COMER FAMILY, ET AL. V. IRS, ET AL.

92-753 MATHES, GLORIA V. RICE, SEC. AIR FORCE

92-766 AUCOIN, WALTON, ET AL. V. UNITED STATES

92-781 BAKER, GEORGE, ET UX. V. CIR

92-5144 COFIELD, KEENAN K. V. UNITED STATES

92-5359 DURHAM, DAVID GEORGE V. UNITED STATES

92-5360 MCKINNEY, WILLIAM K. V. UNITED STATES

92-5387 WARREN, CARLOS LAMAR V. UNITED STATES

92-5573 BARRETT, VIRGENA R. V. UNITED STATES

92-5594 ROBINSON, CLEVELAND V. UNITED STATES

92-5660 PEREZ-BUSTAMANTE, RAFAEL V. UNITED STATES

92-5727 AVERY, ROBERT L. V. UNITED STATES

92-5739 FLORES, RAFAEL V. UNITED STATES

92-5808 GONZALEZ-ALVAREZ, ALBERTO E. V. UNITED STATES

92-5842 MCGILL, THOMAS L. V. UNITED STATES

92-5869 JACKSON, FRANK V. UNITED STATES

92-5872 ANTONELLI, MICHAEL V. US PAROLE COMMISSION

92-6116 MUWWAKKIL, MIKAIL V. HOKE, SUPT., ETC.

92-6155 STOUT, ERNEST V. SULLIVAN, SEC., H&HS

92-6193 BAILEY, CLARK A. V. MINNESOTA

92-6197 WILLIAMS, LEWIS V. DUBOSE, JAMES, ET AL.

92-6202 JACKSON, RAYMOND V. PITCHER, WARDEN, ET AL.

92-6214 WILSON, SHEP V. CONSOLIDATED PUBLISHING CO.

92-6217 SAMUELS, ELSWORTH, ET AL. V. RUNDA, JOHN, ET AL.

92-6219 BELL, ALFRED JAMES V. DUNCAN, WARDEN, ET AL.

92-6230 HERMOSILLO, RICHARD V. HERMOSILLO, MARY K.

92-6232 MILLER, SHERMAN V. DUKAKIS, MICHAEL, ET AL.

92-6234 PHAM, KENH QUANG V. SEC. OF HHS

92-6235 NORD, JOHN LEE V. SMITH, JANIS, ET AL.

92-6242 BETKA, ROLF V. OREGON, ET AL.

92-6247 FUENTES, GILBERT V. UNITED STATES

92-6249 FROOM, ARTHUR S. V. BARON, NORMA

92-6285 GREENE, DREXELL A. V. ENRIGHT, THOMAS J.

92-6306 BATES, DONALD E. V. UNITED STATES

92-6317 MULVILLE, JOHN E. V. NORWEST BANK DES MOINES

92-6328 MOSEANKO, JAMES V. FRIEDT, DELORES, ET AL.

92-6349 WILKES, CONNIE W. V. UNITED STATES

92-6381 HARRISON, ALVIN L. V. McKASKLE, DANIEL V., ET AL.

92-6399 KUNA, MARTIN G. V. UNITED STATES

92-6400 ENGLAND, FLOYD A. V. UNITED STATES

92-6402 HENDERSON, DAVID G., ET AL. V. UNITED STATES

92-6419 MOORE, ERNEST BERNARD V. UNITED STATES

92-6422 O'NEAL, DANIEL L. V. UNITED STATES
92-6426 BUSH, LEROY V. UNITED STATES
92-6428 WHITE, JOHN V. UNITED STATES
92-6430 MILSAP, JAMES ORLANDUS V. UNITED STATES
92-6432 MAHLBERG, RAYMOND V. MENTZER, EDWARD
92-6440 MACK, ARTHUR WILLIAM V. UNITED STATES
92-6446 HART, RICHARD E. V. UNITED STATES
92-6450 McCLINTON, SCYPHIO CALVERT V. UNITED STATES
92-6453 WALLS, GEORGE V. UNITED STATES
92-6454 SWAIN, CORDELL V. UNITED STATES
92-6456 VALENZUELA-JASSO, ANTONIO V. UNITED STATES
92-6457 TATE, HOWARD V. UNITED STATES
92-6463 BUCHANAN, DON ALLEN V. UNITED STATES
92-6466 BURROWES, DELROY V. UNITED STATES
92-6468 NAHODIL, DAVID L. V. UNITED STATES
92-6470 RAMIREZ, MIGUEL A. V. UNITED STATES
92-6471 LEPEZ, FRANCISCO JAVIER V. UNITED STATES
92-6473 ROTH, BRIAN DAVID V. UNITED STATES
92-6479 COLOMA, JOSE V. UNITED STATES
92-6486 VICK, SHIRON V. UNITED STATES
92-6487 WALLACE, WILLIAM V. UNITED STATES
92-6490 PARTIDA, FREDERICO, ET AL. V. UNITED STATES
92-6498 BROOKS, ANGELE V. UNITED STATES

- 92-6499 ASHERS, GEORGE V. V. UNITED STATES
- 92-6501 HURST, DERRICK V. UNITED STATES
- 92-6511 NICHOLSON, HAROLD O'NEAL V. UNITED STATES
- 92-6512 CANONICO, LOUIS ANTHONY V. UNITED STATES
- 92-6515 HAYES, ANTOINE R. V. UNITED STATES
- 92-6517 DAVIS, GEORGE V. UNITED STATES
- 92-6520 PILATO, MICHAEL V. UNITED STATES
- 92-6522 DELANEY, KEITH V. UNITED STATES
- 92-6529 FLEMING, STEVEN L. V. UNITED STATES

The petitions for writs of certiorari are denied.

- 92-255 PHILIPPINE GOODS, ET AL. V. WABOL, CONCEPCION, ET AL.

The motion of InterPacific Resorts (Saipan) Corporation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

- 92-458 MORELAND, ROBERT S. V. UNITED STATES

The petition for a writ of certiorari is denied.
Justice Blackmun would grant certiorari.

- 92-460 HONEY, CHARLES L. V. UNITED STATES

The motion of petitioner to consolidate this case with No. 92-665, *Davis v. United States*, is denied. The petition for a writ of certiorari is denied.

- 92-487) SEATTLE, ET AL. V. ROBINSON, ROY, ET UX.

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92-695) ROBINSON, ROY, ET UX. V. SEATTLE, ET AL.

The motion of National League of Cities, et al. for leave to file a brief as *amici curiae* in No. 92-487 is granted. The petitions for writs of certiorari are denied.

92-668 ERWIN & ERWIN V. BREWER, SUZAN

The motion of petitioner to strike is denied. The petition for a writ of certiorari is denied.

92-685 ROGERS, DARLENE V. TAFT, ROBERT, ETC., ET AL.

The motion of petitioner to substitute Isadore Blakeny as petitioner is denied. The petition for a writ of certiorari is denied.

92-686 INYO, ET AL. V. GUTIERREZ, ROBERT

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

92-760 SHANNON, JAMES, ET UX. V. UNITED SERVICES AUTO, ET AL.

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

92-6382 HARRISON, JOHN V. DEPT. OF LABOR

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.

HABEAS CORPUS DENIED

92-6598 IN RE FREDRICK L. FERGUSON

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

92-6198 IN RE DAVID TODD

The petition for a writ of mandamus is denied.

REHEARINGS DENIED

91-1668 LaRAIA, LOUIS A. V. PENNSYLVANIA

91-1907 RABIDA, PATRICIA R. V. VAN ORDEN, JOSEPH B., ET AL.

91-6962 FLEMING, JACK E. V. GRAND JURY FOREPERSON, ETC.

91-7007 KHAN, ABDUL Q. V. TANNER, J., ET AL.

91-8240 BARNES, GARRY W. V. COLLINS, DIR., TEXAS DCJ

91-8351 CARSON, MULADE S. V. DIR., OWCP, ET AL.

91-8525 IN RE MARIA L. GAYDOS

91-8585 JOHNS, JOSEPH C. V. BOSTWICK, ELLEN

91-8617 STRATTON, DOUGLAS V. GEOFFREY, INC.
91-8652 SPALETTA, JUDITH V. WORKERS COMPENSATION BD.
91-8714 FIERRO, DAVID R. V. CALIFORNIA
91-8758 KNAPP, GAIL V. UNITED STATES
92-20 WINER, BARBARA V. WINER, LAURENCE, ET AL.
92-327 KELLY, JACK D., ETC. V. TREE FARM DEV., ET AL.
92-5142 BAUER, FREDERICK W. V. UNITED STATES
92-5196 SCHROCK, ROY V. TURBOW, LAURENCE
92-5340 FARMER, DEE V. COWAN, JAMES R., ET AL.
92-5490 BAKER, SALLY MARIE V. MICHIGAN, ET AL.
92-5582 MITCHELL, EMMANUEL V. BASS, ASST. COMM.
92-5585 PICKARD, JOHN A. V. COMM. ON CHARACTER & FITNESS
92-5666 VEALE, SCOTT, ET AL. V. NEW HAMPSHIRE
92-5691 JALIL, RICARDO V. AVDEL CORPORATION
92-5705 ROBINSON, ANTHONY V. UNITED STATES
92-5726 HORNICK, THOMAS H. V. UNITED STATES
92-5773 GORDON, CALVIN V. UNITED STATES
92-5775 KNIGHT, CHARLES R. V. KING, TOM, ET AL.
92-5845 PACK, BRIAN J. V. UNITED STATES
92-5873 RAINES, RONALD L. V. MARYLAND
92-5874 GALLOWAY, EDDIE L. V. BORG, WARDEN
92-5905 PHILLIPS, VICTORIA V. PHILLIPS, ROMANUS H.
92-5929 HAYE, ELBERT L. V. THORN CREEK CATTLE ASSOC.

The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, December 14, 1992 until Monday, January 11, 1993.

MOTIONS FOR ADMISSION

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