

ORDER LIST

MONDAY, FEBRUARY 28, 1994

APPEAL -- SUMMARY DISPOSITION

93-1090 MILLSAPS, BRYANT, ET AL. V. LANGSDON, PHILLIP, ET AL.

The judgment is affirmed.

ORDERS IN PENDING CASES

No. ____ LAURIE L. ROMAN NOSE V. NEW MEXICO DEPARTMENT OF HUMAN
RESOURCES

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

D-1319 IN THE MATTER OF DISBARMENT OF STEVEN LAWRENCE COHN

It having been reported to the Court that Steven
Lawrence Cohn, of Beverly Hills, California, has
resigned from the practice of law before the Supreme
Court of California and this Court by order of November
1, 1993, having suspended the said Steven Lawrence Cohn
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 Steven Lawrence Cohn 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-1322 IN THE MATTER OF DISBARMENT OF YALE H. IVERSON

It having been reported to the Court that Yale H.

Iverson, of West Des Moines, Iowa, has been suspended from the practice of law by the Supreme Court of Iowa and this Court by order of November 8, 1993, having suspended the said Yale H. Iverson 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 Yale H. Iverson 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-1325 IN THE MATTER OF DISBARMENT OF VICTOR V. SAVOCA

It having been reported to the Court that Victor V. Savoca, of Commack, 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 November 15, 1993, having suspended the said Victor V. Savoca 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 Victor V. Savoca 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-1326 IN THE MATTER OF DISBARMENT OF MARK ALAN LOBAR

It having been reported to the Court that Mark Alan Lobar, of Washington, D. C., has been disbarred from the practice of law by the District of Columbia Court of Appeals and this Court by order of November 15, 1993, having suspended the said Mark Alan Lobar 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 Mark Alan Lobar 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-1327 IN THE MATTER OF DISBARMENT OF MARK GREGORY WOLFE

It having been reported to the Court that Mark Gregory Wolfe, of Reston, Virginia, has been disbarred from the practice of law by the Supreme Court of Virginia and this Court by order of November 15, 1993, having suspended the said Mark Gregory Wolfe 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 Mark Gregory Wolfe 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-1329 IN THE MATTER OF DISBARMENT OF DANIEL JASON KRINDLE

It having been reported to the Court that Daniel Jason Krindle, of Beverly Hills, California, has been suspended from the practice of law by the Supreme Court of California and this Court by order of November 15, 1993, having suspended the said Daniel Jason Krindle 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 Daniel Jason Krindle 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-1332 IN THE MATTER OF DISBARMENT OF JOHN WESLEY DAYS

It having been reported to the Court that John Wesley Days, of Silver Spring, Maryland, has been disbarred from the practice of law by the Court of Appeals of Maryland and this Court by order of November 29, 1993, having suspended the said John Wesley Days 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 John Wesley Days 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-1334 IN THE MATTER OF DISBARMENT OF GILBERT WENTWORTH BOYNE

It having been reported to the Court that Gilbert Wentworth Boyne, of Modesto, California, has been suspended from the practice of law by the Supreme Court of California and this Court by order of December 6, 1993, having suspended the said Gilbert Wentworth Boyne 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 Gilbert Wentworth Boyne 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-1335 IN THE MATTER OF DISBARMENT OF LAWRENCE E. KRISTOFF

It having been reported to the Court that Lawrence E. Kristoff, of White Plains, 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 December 13, 1993, having suspended the said Lawrence E. Kristoff 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 Lawrence E. Kristoff 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-1337 IN THE MATTER OF DISBARMENT OF LEO J. AGRILLO

It having been reported to the Court that Leo J. Agrillo, of Brooklyn, 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 December 13, 1993, having suspended the said Leo J. Agrillo 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 Leo J. Agrillo 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-1340 IN THE MATTER OF BEVERLY B. KENNEDY

Beverly B. Kennedy, of Manchester, New Hampshire, having requested to resign as a member of the Bar of this Court, it is ordered that her 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 10, 1994, is hereby discharged.

92-1662 UNITED STATES V. GRANDERSON, RALPH STUART

The motion of respondent for leave to file a supplemental brief after argument is granted.

92-1956 CONRAIL V. GOTTSBALL, JAMES

The motion of Southeastern Pennsylvania Transportation Authority for leave to file a brief as *amicus curiae* is granted.

93-377 NY DEPT. OF TAXATION, ET AL. V. MILHELM ATTEA & BROS., ET AL.

The motion of Oneida Indian Nation of New York for leave to file a supplemental brief as *amicus curiae* is denied. Justice Blackmun and Justice Stevens would grant this motion.

93-518 DOLAN, FLORENCE V. TIGARD, OREGON

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

93-644 HONDA MOTOR CO., ET AL. V. OBERG, KARL

The motion of petitioners to dispense with printing the joint appendix is granted.

93-6781 IN RE EDWARD N. NEWTOP

93-6782 IN RE EDWARD N. NEWTOP

93-6919 IN RE GRANT ANDERSON

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

CERTIORARI GRANTED

93-892 NTA GRAPHICS V. NLRB

The petition for a writ of certiorari is granted.

93-723 UNITED STATES V. X-CITEMENT VIDEO, ET AL.

The motion of National Law Center for Children & Families, et al. for leave to file a brief as *amici curiae* is granted. The motion of National Family Legal Foundation, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

93-700 CRANCER, BARBARA ANN V. DEPARTMENT OF JUSTICE

93-713 GRAHAM, GARY V. FL JUDICIAL QUAL. COMMN.

93-737 FOLLETTE, KENT, ET AL. V. CLAIROL, INC., ET AL.

93-750 FOWLIN, RICHARD V. PENNSYLVANIA

93-797 NEW YORK, ET AL. V. REICH, SEC. OF LABOR, ET AL.

93-808 FELDMAN, JERALD, ET AL. V. RESOLUTION TRUST CORP.

93-867 FOXX, GEORGE V. DALTON, SEC. OF THE NAVY

93-878 PROVIZER, HAROLD, ET UX. V. CIR

93-890 McDONNELL, WILLIAM, ET AL. V. OMAHA, NE

93-938 DANDY, ALEX V. UNITED STATES

93-947 DAILEY, JAMES V. UNITED STATES

93-973) MANILDRA MILLING CORP. V. OMI HOLDINGS, INC.

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93-1186) OMI HOLDINGS, INC. V. MANILDRA MILLING, ET AL.

93-1003 SHARP, CAMERON V. UNITED STATES

93-1036 SELCH, JOHN V. LETTS, DIR., IN HIGHWAYS

93-1066 SAULPAUGH, JEANNETTE, ET VIR V. MONROE COM. HOSP., ET AL.

93-1071 MERTENS, PATRICIA V. WILKINSON, GOV. OF KY, ET AL.
93-1083 DOE, JOHN, ETC. V. BENNETT, PAULA, ET AL.
93-1085 TURNER, R.V., ETC., ET AL. V. LaMARCA, ANTHONY, ET AL.
93-1087 FERRI, FRANCIS V. PENNSYLVANIA
93-1092 SMITH, E. DON, ET UX. V. ZONING BOARD OF APPEALS
93-1099 HEUER, RICHARD V. UNITED STATES
93-1101 BRUNET, ANN, ET AL. V. TUCKER, GUY, ET AL.
93-1102 VALUTRON, N.V., ET AL. V. NCR CORPORATION
93-1111 BRADLEY, CHARLES V. COLORADO
93-1112 WRIGHT, R. DON V. JOHN DEERE INDUSTRIAL EQUIP.
93-1113 CHAPMAN, MANNIE, ET AL. V. KLEMICK, HERMAN, ET AL.
93-1116 BROWN, WILLIE V. PENN CENTRAL TRANS., ET AL.
93-1117 OCEAN MARINE MUTUAL, ET AL. V. WILSON, EDISON
93-1122) FRIEDMAN, HAROLD V. UNITED STATES
)
93-1123) HUGHES, ANTHONY V. UNITED STATES
93-1125 REEDER, O. WILLIAM V. PALMER, SUCCESSION, ETC.
93-1126 LA POWER & LIGHT CO. V. BOURGEOIS, BARRY
93-1138 WATERS, JOHNNY, ET AL. V. UNIV. OF AL B'HAM MED. CTR.
93-1148) LOCE, ALEXANDER V. NEW JERSEY
)
93-1149) KRAIL, TINA, ET AL. V. NEW JERSEY
93-1155 ARDOIN, JODY WAYNE V. SEACOR MARINE, INC.
93-1242 AUSTIN, MICHAEL V. HEALY, CHARLES, ETC.
93-5785 GORHAM, ROBERT V. SINGLETARY, SEC., FL DOC
93-6606 LEE, JOHN V. UNITED STATES
93-6618 FRANCIS, HUMPHREY S. V. UNITED STATES
93-6621 BOYENGA, GREGORY J. V. UNITED STATES
93-6771 MONTGOMERY, GARY H. V. UNITED STATES
93-6791 MEIER, ERNEST V. LEVINSON, DAVID, ET AL.

93-6823 PRYOR, PETER J. V. UNITED STATES
93-6837 THOMAS, BRUCE V. UNITED STATES
93-6843 SIWINSKI, MARTIN V. UNITED STATES
93-6918 PALACIO, JOAQUIN V. UNITED STATES
93-6923 BURNLEY, JOHN RODGERS V. UNITED STATES
93-6938 CLARKE, CHRISTOPHER V. UNITED STATES
93-6962 MEDINA-BATISTA, PAULINO V. INS
93-6990 URRUNAGA, GUSTAVO A. V. UNITED STATES
93-7048 EVANS, DWAYNE V. OHIO
93-7182 ORNELAS-MARTINEZ, LUCAS V. UNITED STATES
93-7190 TILLMAN, TORRENCE V. CONROY, RICHARD, ET AL.
93-7243 LIMPACH, RAY V. UNITED STATES
93-7270 WARREN, LACOSTA V. UNITED STATES
93-7319 PINER, ANTOINETTE V. UNITED STATES
93-7320 PRANDY-BINETT, PEDRO J. V. UNITED STATES
93-7343 WHITAKER, LARRY V. UNITED STATES
93-7356 BROWN, VICTOR IVY V. DEPT. OF NAVY
93-7359 MATHEWS, ROBERT S. V. DUGAN, MICHELLE A., ET AL.
93-7364 LEE, TYRONE H. V. MURRAY, DIR., VA DOC
93-7367 LEWIS, BRYANT M. V. KING, DIR., OPM
93-7369 LYNCH, JOHN V. BLODGETT, DEP. DIR.
93-7370 ROBINSON, JOSEPH AVERY V. WHITLEY, WARDEN
93-7389 ROGERS, EDGAR L. V. U. S. DEPT. OF EDUCATION
93-7396 LAAN, NICOLAS V. CALIFORNIA
93-7413 LARSEN, REX LEE V. MAASS, SUPT.
93-7416 CASTLEBERRY, DON PHILLIP V. FREMONT CTY. DISTRICT COURT
93-7417 BATTLE, CLARENCE MELVIN V. BARNETT, SUPT., ET AL.
93-7418 WEHRINGER, CAMERON V. BRANNIGAN, AUDREY MORSE
93-7437 DOE, BABY BOY, ETC. V. DOE, MOTHER

93-7439 WINTERS, CLYDE AHMAD V. ILLINOIS HUMAN RIGHTS COMM.
93-7445 JOHNSTON, THOMAS L. V. CHAMPION, WARDEN
93-7450 KELLEY, KENT E. V. SMITH, JUDGE, ETC.
93-7452 EDGESTON, ONDREA V. ILLINOIS
93-7453 HART, RICARDO V. BORGERT, WARDEN
93-7458 BERNADOU, CHARLES M. V. ROLLINS, WARDEN, ET AL.
93-7462 GROESBECK, ALFRED M. V. GROESBECK, GAYLA B.
93-7464 ABIDEKUN, OLU S. V. COMMR. OF SOCIAL SERVICES
93-7469 HARDY, PHYLLIS V. UNITED STATES
93-7470 MEEKS, BILLY M. V. TENNESSEE
93-7497 McFARLAND, THERESA E. V. UNITED STATES
93-7508 AGUILAR, JOAQUIN V. UNITED STATES
93-7516 GILL, AARON D. V. SINGLETARY, SEC., FL DOC
93-7521 JARVIS, DOUGLAS V. UNITED STATES
93-7528 TISDALE, BENJAMIN T. V. UNITED STATES
93-7534 DIAZ, ALFONSO RAMON V. UNITED STATES
93-7543 WEBB, ROBERT V. UNITED STATES
93-7547 WALKER, TREVIS V. UNITED STATES
93-7595 MOJICA, PEDRO V. UNITED STATES
93-7596 McCONNELL, ULYSSES V. UNITED STATES
93-7597 McCALL, ALTON V. UNITED STATES
93-7603 STEWART, WILLIE JAMES V. MISSISSIPPI ST. PENITENTIARY
93-7613 GRAY, ROB W. V. UNITED STATES
93-7624 DE LA JARA, JOSE V. UNITED STATES
93-7629 RENDON, MARCO A. V. UNITED STATES
93-7632 CHEW, CARLTON V. UNITED STATES
93-7638 ROJAS-GONZALEZ, JUAN V. UNITED STATES
93-7649 SIMMONS, JERMAINE LEE V. UNITED STATES

93-7651 TRAN, NHAN KIEM V. UNITED STATES
93-7662 MORRIS, MICHAEL J. V. UNITED STATES
93-7663 OKOLIE, MICHAEL L. V. UNITED STATES
93-7679 RODRIGUEZ, RICHARD C. V. UNITED STATES
93-7688 BARTSH, THOMAS CHISHOLM V. UNITED STATES
93-7693 GIBBS, LARRY J. V. UNITED STATES
93-7694 GONZALES, DONALD R. V. UNITED STATES
93-7697 EVANS, MACKEL E. V. UNITED STATES
93-7770 WILLIAMS, LEON GUY V. SINGLETARY, SEC., FL DOC

The petitions for writs of certiorari are denied.

93-1130 ILLINOIS V. CRANE, ANTHONY

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

93-6817 DAVIS, MARK V. FLORIDA
93-6846 OSBORNE, CURTIS V. GEORGIA
93-6974 ROBINSON, TIMOTHY A. V. FLORIDA
93-6983 MOODY, JOHN G. V. TEXAS
93-7026 PICKENS, EDWARD CHARLES V. NORRIS, DIR., AR DOC
93-7051 SWEET, WILLIAM EARL V. FLORIDA
93-7063 HUNT, GREGORY F. V. MARYLAND
93-7079 COLLINS, KENNETH LLOYD V. MARYLAND
93-7158 CARROLL, ROBERT LEO V. ALABAMA
93-7323 DUNLAP, TIMOTHY ALAN V. IDAHO
93-7336 WORKMAN, PHILIP V. TENNESSEE
93-7373 DREW, ROBERT NELSON V. COLLINS, DIR. TX DCJ
93-7475 SPENCER, TIMOTHY V. MURRAY, DIR., VA DOC
93-7491 HOLLADAY, GLENN W. V. ALABAMA

The petitions for writs of certiorari are denied.

Justice Blackmun dissenting: Adhering to my view that the death penalty cannot be imposed fairly within the constraints of our Constitution, see my dissent in *Callins v. Collins*, 510 U. S. ___, ___ (1994), I would grant the petitions for writs of certiorari and vacate the death sentences in these cases.

HABEAS CORPUS DENIED

93-7808 IN RE MILOS KLVANA

93-7814 IN RE MARGIE L. EDGINGTON

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

93-7368 IN RE CRAIG M. RYAN

The petition for a writ of mandamus is denied.

REHEARINGS DENIED

93-629 ST. HILAIRE, CLEMENT V. ST. HILAIRE, GRACE A.

93-6085 MCGEE, HERMAN V. UNITED STATES

93-6509 JOHNSON, ANDREW J. V. CHEYENNE, WY, ET AL.

93-6587 HARRISON, JOHN V. ROGERS, DIR., OWCP, ET AL.

93-6603 MARX, ROBERT B. V. UNITED STATES

93-6616 COOPER, TIMOTHY T. V. PAROLE AND PROBATION COMM.

93-6637 MOSES, WILLIAM ISOM V. O'DEA, WARDEN

93-6686 HILL, JASPER V. SCHOUBROEK, TINA, ET AL.

93-6733 JOHNSON, ANDREW J. V. SHILLINGER, WARDEN, ET AL.

93-6737 ZUCKERMAN, RICHARD PAUL V. UNITED STATES

93-6744 PIFER, JAMES F. V. BUNNELL, WARDEN
93-6746 CRAWFORD, JAMES HENRY V. UNITED STATES
93-6789 WILSON, FRED V. O'MALLEY, JACK, ET AL.
93-6854 CORETHERS, CLARENCE V. ATLAS BONDING COMPANY, ET AL.
93-6906 DUBYAK, SAMUEL A. V. SMITH, WARDEN, ET AL.
93-6948 IN RE SAM MERIT
93-6992 CORETHERS, CLARENCE V. CAPOTS, RAYMOND E., ET AL.
93-7003 O'NEILL, BERNARD J. V. SHIPLEVY, WARDEN

The petitions for rehearing are denied.

92-7971 LOCKETT, CARL DANIEL V. MISSISSIPPI
92-9070 PAYTON, WILLIAM C. V. CALIFORNIA
93-6431 BUSH, JOHN EARL V. SINGLETARY, SEC., FL DOC

The petitions for rehearing are denied.

Justice Blackmun disssenting: I would call for a response in each of these cases with a view to granting the petitions for certiorari. See my dissent *Callins v. Collins*, 510 U. S. ____, ___ (1994).

RECESS ORDER

The Court will take a recess from Monday, March 7, 1994 until Monday, March 21, 1994.

MOTIONS FOR ADMISSION

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