

ORDER LIST

MONDAY, JUNE 6, 1994

CERTIORARI -- SUMMARY DISPOSITION

93-8707 MASON, MATHEW E. V. OHIO

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 Ohio for further consideration in light of *Stansbury v. California*, 511 U. S. ____ (1994).

ORDERS IN PENDING CASES

No. ____ . ROBERT FREDERICK GARCEAU V. CALIFORNIA

The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is granted.

D-696 IN THE MATTER OF DISBARMENT OF WILLIAM J. HUST, III

It having been reported to the Court that William J. Hust, III, of New York, New York, has been suspended from the practice of law by the Appellate Division, Supreme Court of New York, First Judicial Department, and this Court by order of April 4, 1988, having suspended the said William J. Hust, III, 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 William J. Hust, III, 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-1353 IN THE MATTER OF DISBARMENT OF J. PATRICK CONROY

It having been reported to the Court that J. Patrick Conroy, of Downey, California, has resigned from the practice of law before the Supreme Court of California and this Court by order of January 18, 1994, having suspended the said J. Patrick Conroy 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 J. Patrick Conroy 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-1373 IN THE MATTER OF DISBARMENT OF PAUL SWERDLOW

Paul Swerdlow, of Media, Pennsylvania, 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 March 21, 1994, is hereby discharged.

D-1398 IN THE MATTER OF DISBARMENT OF LELAND TRICKETT SLOAN

It is ordered that Leland Trickett Sloan, of St. Albans, West Virginia, 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-1399 IN THE MATTER OF DISBARMENT OF ROGER JAMES AGAJANIAN

It is ordered that Roger James Agajanian, of Mission Viejo, 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-1400 IN THE MATTER OF DISBARMENT OF JOEL T. PEGG

It is ordered that Joel T. Pegg, of Sacramento, 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-1401 IN THE MATTER OF DISBARMENT OF A. THOMAS HUNT

It is ordered that A. Thomas Hunt, of Culver City, 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-1402 IN THE MATTER OF DISBARMENT OF JAMES H. GRIFFIN

It is ordered that James H. Griffin, of Los Angeles, 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-1403 IN THE MATTER OF DISBARMENT OF PAUL IAN MOSTMAN

It is ordered that Paul Ian Mostman, of Granada Hills, 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-1404 IN THE MATTER OF DISBARMENT OF SUNAO T. A. YAMADA

It is ordered that Sunao T. A. Yamada, of New York, New York, 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.

93-714 U.S. BANCORP MORTGAGE CO. V. BONNER MALL PARTNERSHIP

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

93-762) JEROME B. GRUBART, INC. V. GREAT LAKES DREDGE, ET AL.

)
93-1094) CHICAGO, ILLINOIS V. GREAT LAKES DREDGE, ET AL.

The motion of petitioner City of Chicago for divided argument is granted to be divided as follows:
petitioner Jerome B. Grubart, Inc. - 15 minutes;
petitioner City of Chicago - 15 minutes.

93-1001 ALLIED-BRUCE TERMINIX V. DOBSON, G. MICHAEL, ET AL.

The motion of American Arbitration Association for leave to file a brief as *amicus curiae* is granted.

93-1904 COLORADO V. JEFFREY LEFTWICH, ET AL.
(A-984)

The application to recall and stay mandate addressed
to The Chief Justice and referred to the Court is denied.

CERTIORARI GRANTED

93-1612) NationsBANK OF NC, ET AL. V. VARIABLE ANNUITY LIFE, ET AL.
)
93-1613) LUDWIG, COMPTROLLER, ET AL. V. VARIABLE ANNUITY INS., ET AL.

The petitions for writs of certiorari are granted.

The cases are consolidated and a total of one hour is
allotted for oral argument.

93-1121 PLAUT, ED, ET UX., ET AL. V. SPENDTHRIFT FARM, ET AL.

The petition for a writ of certiorari is granted
limited to the following question: "Whether Section
27A(b) of the Securities Exchange Act of 1934, 15 U.S.C.
Section 78aa-1, to the extent that it purports to
require reinstatement of Section 10(b) actions dismissed
with prejudice pursuant to judgments that became final
prior to the enactment of Section 27A(b), contravenes
the separation-of-powers doctrine or the Fifth Amendment
Due Process Clause of the United States Constitution."

CERTIORARI DENIED

92-1012 SIMPSON PAPER (VT) CO. V. DEPT OF ENVTL CONSERV.
93-1193 OWENS, LEX V. TEXAS
93-1285 NY ST. DEPT. ENVIRON., ET AL V. NIAGARA MOHAWK POWER CORP.
93-1363 PROTECT KEY WEST, ETC. V. PERRY, SEC. OF DEF., ET AL.
93-1397 TUCKER, ALAN V. GA DEPT. OF HUMAN RESOURCES
93-1411 WHITE, PUPI V. INS
93-1449 METHODIST HOSPITAL, ET AL. V. SHALALA, SEC. OF H&HS

93-1458 CBC, INC., ET AL. V. BD. OF GOVERNORS, ETC.

93-1513 VAN ENGEL, KURT HENRY V. UNITED STATES

93-1588 PARKRIDGE INVESTORS, ETC. V. FHA

93-1606 WHITE, RICHARD, ET UX. V. BROWNING-FERRIS, INC.

93-1617 VOLLRATH CO. V. SAMMI CORP., ET AL.

93-1620 RUBENS, RICHARD, ET UX. V. SHINE, JULIANELLE, KARP, ETC.

93-1622 GUTIERREZ, MAURICIO, ET AL. V. UNITED FOODS, INC.

93-1623 SUGGS, ELBERT V. UNITED STATES

93-1624 PSARIANOS, JANE, ET AL. V. UNITED KINGDOM MUTUAL, ETC.

93-1628 FORTIN, RONALD, ET AL. V. ROMAN CATHOLIC BISHOP, ETC.

93-1640 BILLINGS, MICHAEL, ET AL. V. TAVAGLIONE, NICHOLAS

93-1642 DAVIS, BRENDA V. DAVIS, STEVEN

93-1649 ALLSTATE INS. CO. V. LA INS. GUARANTY ASSN, ET AL.

93-1655 McMASTER, MARSHA V. IA BD. OF PSYCHOLOGY EXAMRS

93-1661 TRANSAMERICAN NAT. GAS CORP. V. ZAPATA PARTNERSHIP, LTD.

93-1695 TRAVITZ, DOROTHY V. NORTHEAST DEPT. ILGWU, ET AL.

93-1715 JARMUSIK, ALEX V. MSPB

93-1751 BRAY TERMINALS, INC., ET AL. V. NY ST. DEPT. TAXATION, ETC.

93-1752 FAIRFAX CTY. SCH. BD. V. FAIRFAX COVENANT CHURCH

93-1763 HALL, PETER V. MELENDEZ, RAFAEL

93-7580 BOGGS, RICHARD PRYDE V. CALIFORNIA

93-7893 HARTSOCK, DEWEY W. V. KENTUCKY

93-7923 LOOMIS, MICHAEL J. V. VERNON, RICHARD, ET AL.

93-8152 SHELTON, STEVEN DWAYNE V. UNITED STATES

93-8234 LEWIN, CLIFFORD E. V. UNITED STATES

93-8264 DURBIN, MARK F. V. DURBIN, COLLEEN S., ET AL.

93-8324 LUPE, RUSSELL V. UNITED STATES

93-8362 GAREY, MILTON V. OH, STEPHEN, ET AL.

93-8384 SAMUELS, KEVIN V. UNITED STATES
93-8485 JACKSON, MILTON B. V. DEPT. OF THE TREASURY
93-8510 MARK, GLEN V. UNITED STATES, ET AL.
93-8516 PARRIS, BOB V. UNITED STATES
93-8564 GERALD, JOSEPH L. V. UNITED STATES
93-8618 PRICE, ANNABELLA P. V. DEPT. OF THE NAVY
93-8644 VAN WINKLE, GLORIA V. KANSAS
93-8663 TRONG, MINH V. CALIFORNIA
93-8685 WRIGHT, VICTOR V. WHITLEY, WARDEN, ET AL.
93-8689 VAN HAELE, THOMAS E. V. MONTANA
93-8691 SPENCER, CHARLES V. CALIFORNIA
93-8692 SINGLETON, WILLIE V. CARMICHAEL, WARDEN, ET AL.
93-8704 FLORES-MARTINEZ, LUCY V. UNITED STATES
93-8706 RUIZ, GUSTAVO D. V. UNITED STATES
93-8710 MITCHELL, GRAYLING L. V. CALIFORNIA
93-8716 CORUGEDO, RAMON V. UNITED STATES
93-8719 VON FLOWERS, WILLIAM V. JORDAN, ADMINR., ETC.
93-8720 MCKAY, TODD L. V. UNITED STATES
93-8721 RIVERA, RAUL V. CALIFORNIA
93-8724 SALTER, AARON V. WHITLEY, WARDEN, ET AL.
93-8727 POOLE, ROBERT L. V. HOLLAND, WARDEN
93-8731 JACKSON, LOWELL E. V. UNITED STATES
93-8732 MARTINEZ, CARLOS V. CALIFORNIA
93-8739 STEINBRONN, JOHN V. CITY OF PHILADELPHIA, ET AL.
93-8757 WOLFE, BURTON V. CALIFORNIA, ET AL.
93-8778 CHOI, SEI YOUNG V. PARMET, WENDY J., ET AL.
93-8824 FLOYD, BOBBY C., ET AL. V. UNITED STATES
93-8842 MACKAY, RONALD W. V. UNITED STATES
93-8848 SENICH, STEPHEN V. LAMBDIN, CHESTER

93-8851 BAKER, DEWEY CALVIN V. UNITED STATES
93-8858 HUFFMAN, SHAWN V. UNITED STATES
93-8898 GONZALES, FRANK V. SCOTT, DIR., TX DCJ
93-8900 HOWARD, DEMETRIUS V. UNITED STATES
93-8902 JOHNSON, JAMES H. V. SCOTT, DIR., TX DCJ
93-8911 OKOR, CHRISTIAN E. V. UNITED STATES
93-8916 CHAHINE, FADI V. UNITED STATES
93-8918 STETTER, DANIEL G. V. SOUTH DAKOTA
93-8921 HERRERA-DURAN, JOSE V. UNITED STATES
93-8932 BROWN, RAPHAEL EARL V. UNITED STATES
93-8934 PATTERSON, GARY A. V. UNITED STATES
93-8936 MENDOZA, ENRIQUE V. UNITED STATES
93-8938 LOUDERMILK, REBECCA A. V. UNITED STATES
93-8939 LEEPER, EMMANUEL G. V. UNITED STATES
93-8940 MITCHELL, ROBERT W. V. UNITED STATES
93-8942 VILLANUEVA, JOSE V. UNITED STATES
93-8946 HARRIS, GEORGE V. UNITED STATES
93-8947 FIERRO-GAXIOLA, RAMON V. UNITED STATES
93-8948 HESTER, CLARENCE E. V. UNITED STATES
93-8949 FRUSHON, CHRISTOPHER V. UNITED STATES
93-8952) HARRIS, MARVIN D. V. UNITED STATES
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93-8963) HARRIS, RAQUEL V. UNITED STATES
93-8953 KLIMAS, ELIZABETH V. DEPT. OF THE TREASURY
93-8955 WEST, DEAN A. V. UNITED STATES
93-8960 REYNOLDS, JACKIE S. V. UNITED STATES
93-8961 WARNER, CARL A. V. UNITED STATES
93-8964 VALDES-PUIG, RAMON V. UNITED STATES
93-8965 VALENCIA, MANUEL A. V. UNITED STATES

93-8966 HAYNES, BOBBY L. V. UNITED STATES
93-8969 NETTERS, TYRONE V. UNITED STATES
93-8971 MONTALVO, MICHAEL L. V. UNITED STATES
93-8973 MAYFIELD, HELEN V. MI BOARD OF LAW EXAMINERS
93-8974 HERRERA, RAFAEL A. V. UNITED STATES
93-8983 COLE, YOLANDA DANNETTE V. UNITED STATES
93-8985 BROWN, GAYLE MESHAWN V. UNITED STATES
93-8987 COCKRELL, JAMES DAVID V. UNITED STATES
93-8988 CLEMONS, WALLACE V. ARVONIO, SUPT., ET AL.
93-8989 FRANKLIN, RICHARD E. V. LUMMIS, WILLIAM R., ET AL.
93-8993 TRIPLIN, DANNY R. V. UNITED STATES
93-8994 PAULK, TERRANCE R. V. UNITED STATES
93-8996 THOMAS, ANTHONY V. V. UNITED STATES
93-9003 RYSKAMP, JOHN V. UNITED STATES
93-9005 LARNER, JOHN V. COMM. OF IRS
93-9008 HEARRON, DENNIS E. V. UNITED STATES
93-9010 GUTIERREZ-AMEZQUITA, CARLOS V. UNITED STATES
93-9017 CHANG, JUAN OJEDA V. UNITED STATES
93-9022 AVERY, STEVEN DAVE V. UNITED STATES
93-9024 AKECH, DAVID V. UNITED STATES
93-9029 MATA, PAUL V. UNITED STATES
93-9030 RITCHIE, GORDON M. V. UNITED STATES
93-9032 MYERS, DANNY V. UNITED STATES
93-9034 PACE, JACKY R. V. UNITED STATES
93-9038 BROWER, KRISTEN V. UNITED STATES
93-9047 HESS, JAMES L. V. ARIZONA
93-9050 OGUNDE, OLADELE J. V. UNITED STATES
93-9053 LYLE, ROGER L. V. DEPT. OF CORRECTIONS, ET AL.
93-9057 NEWKIRK, JAMES H. V. SMITH, WARDEN, ET AL.

93-9069 VELA, ALBERT V. UNITED STATES

93-9074 FONT, JUAN V. UNITED STATES

93-9075 HUNT, CALVIN V. UNITED STATES

93-9091 DUNNE, WILLIAM D. V. KEOHANE, WARDEN

93-9094 BURTON, RICHARD ALLEN V. UNITED STATES

The petitions for writs of certiorari are denied.

93-1637 MEDICAL SOCIETY OF NY, ET AL V. SOBOL, COMMNR., ETC., ET AL.

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

93-8109 HUGHES, PRESTON V. TEXAS

The motion of petitioner to strike the brief in opposition is denied. The petition for a writ of certiorari is 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 certiorari and vacate the death sentence in this case.

93-8151 MORAN, WILLARD E. V. PENNSYLVANIA

93-8207 ESPINOSA, HENRY J. V. FLORIDA

93-8636 GEORGE, MICHAEL C. V. MURRAY, DIR., VA DOC

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 certiorari and

vacate the death sentences in these cases.

MANDAMUS DENIED

93-1789 IN RE STANLEY AZEN

93-9072 IN RE DONALD G. HENTHORN

The petitions for writs of mandamus are denied.

93-8341 IN RE ROBERT BENITEZ

The petition for writ of mandamus and/or
prohibition is denied.

REHEARINGS DENIED

93-1235 AUSTIN, H. RICHARD, ET UX. V. UNITED PARCEL SERVICE

93-1391 HORNBACK, ALTON V. UNITED STATES

93-1472 SIEGEL, WILBURT V. JAMES ISLAND PUB SERV, ET AL.

93-6893 HOLLY, WILLIAM V. BRENNAN, WARDEN, ET AL.

93-7421 BAKER, ELDEN V. SHALALA, SEC. H&HS

93-7479 SHOCKEY, LARRY V. BADGER COAL CO., ET AL.

93-7773 BOOTHE, PHILIP V. STANTON, TIMOTHY F.

93-8063 ROSE, ANDREA, ET AL. V. MERRELL DOW PHARMACEUTICALS

93-8099 ERWIN, BONNIE B. V. USDC ND TX

93-8246 BUCHANAN, JASPER V. SOUTH CAROLINA

93-8296 TAYLOR, QUENTIN V. JOHNSON, WARDEN

The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, June
6, 1994, until Monday, June 13, 1994.

MOTIONS FOR ADMISSION

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