

ORDER LIST

MONDAY, JUNE 20, 1994

CERTIORARI -- SUMMARY DISPOSITION

93-81 HART, JOHN V. STOCKMAR ENERGIE, INC.

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeal of California, Third Appellate District, for further consideration in light of *Livadas v. Bradshaw*, 512 U. S. ____ (1994).

93-1068 ARMADORES DE CABOTAJE, S.A. V. YOUNG, JERRY

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeal of Louisiana, Fourth Circuit, for further consideration in light of *Howlett v. Birkdale Shipping Co., S. A.*, 512 U. S. ____ (1994).

93-1293 SCINDIA STEAM, ETC., ET AL. V. RIGGS, MICHAEL

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 *Howlett v. Birkdale Shipping Co., S. A.*, 512 U. S. ____ (1994).

93-5044 WRIGHT, DWAYNE ALLEN V. VIRGINIA

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 Virginia for further consideration in light of *Simmons v. South Carolina*, 512 U. S. ____ (1994).

93-8309 RAMDASS, BOBBY L. V. VIRGINIA

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 Virginia for further consideration in light of *Simmons v. South Carolina*, 512 U. S. ____ (1994).

ORDERS IN PENDING CASES

No. ____ JESUS CABAL V. I.T., INC.

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

No. ____ DAVID PATRICK DURDEN V. UNITED STATES

The motion of Jon M. Hunter for leave to intervene in order to file a petition for a writ of certiorari is denied.

No. ____ J.W. THREATT, JR., AND ACE SAND COMPANY V. FULTON COUNTY

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

No. ____ GEANA J. DUNKIN AND DAVID L. SMITH V. LOUISIANA-PACIFIC CORPORATION, ET AL.

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

A-955 ARTHUR MORRISON V. UNITED STATES

The application for bail addressed to Justice Blackmun and referred to the Court is denied.

D-1379 IN THE MATTER OF DISBARMENT OF MARK G. FRESCO

It having been reported to the Court that Mark G.

Fresco, of Spring Valley, New York, has resigned from the practice of law before the Appellate Division, Supreme Court of New York, First Judicial Department, and this Court by order of April 4, 1994, having suspended the said Mark G. Fresco 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 G. Fresco 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-1410 IN THE MATTER OF DISBARMENT OF WAYNE A. VANDER VORT

It is ordered that Wayne A. Vander Vort, of Minneapolis, Minnesota, 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-1411 IN THE MATTER OF DISBARMENT OF STEPHEN ELIAS KARSCH

It is ordered that Stephen Elias Karsch, 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.

93-180 BOCA GRANDE CLUB, INC. V. FLORIDA POWER & LIGHT, ETC.

The motion of respondent to retax costs is denied.

93-9098 DOSS, PETER C. V. CHEVY CHASE SAVINGS BANK

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 11, 1994, 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.

CERTIORARI GRANTED

93-1151 FEC V. NRA POLITICAL VICTORY FUND

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

93-1456) U.S. TERM LIMITS, ET AL. V. THORNTON, RAY, ET AL.

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93-1828) BRYANT, ATTY. GEN. OF AR V. HILL, BOBBIE, ET AL.

The motion of Citizens for Term Limits, et al. for leave to file a brief as *amici curiae* in No. 93-1828 is granted. The motion of Washington Legal Foundation, et al. for leave to file a brief as *amici curiae* in No. 93-1828 is granted. The petitions for writs of certiorari are granted. The cases are consolidated and a total of one hour is allotted for oral argument.

CERTIORARI DENIED

92-1831 NORTHERN KY WELFARE, ET AL. V. JONES, GOV. OF KENTUCKY

93-569 FERMAN, BERTHA, ETC. V. UNITED STATES

93-651 FDIC V. SHRADER & YORK, ETC., ET AL.

93-1313 WHITE, PATRICIA V. RUNYON, POSTMASTER GENERAL

93-1327 BRANCH, JERRY, ET AL. V. TUNNELL, DALE, ETC.

93-1358 JACKSON, ERNEST V. HOYLMAN, RAYMOND, ET AL.

93-1422 WEISSICH, ROSEMARY, ET AL. V. UNITED STATES

93-1446 CRETAN, RENATE, ETC., ET AL. V. DIRECTOR, OWCP, ET AL.

93-1471 SOMENSKI, FRANCIS, ET AL. V. COMPANHIA DE NAVEGACIO

93-1475 WONG, PETER V. UNITED STATES

93-1522 MARAVILLA, DANIEL, ET AL. V. UNITED STATES

93-1540 McNICHOLS, THOMAS V. CIR

93-1560 HUFF, MAURICE, ET UX. V. UNITED STATES

93-1564) ALASKA, ET AL. V. UNITED STATES
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93-1639) UNITED STATES V. ALASKA, ET AL.

93-1582 LeBLANC, CARROLL, ET AL. V. LA DEPT. OF TRANS., ETC.

93-1625 NORTH STAR ALASKA, ETC. V. UNITED STATES, ET AL.

93-1652 CALDERON, WARDEN, ET AL. V. HAMILTON, BERNARD LEE

93-1692 SAN DIEGO COUNTY, ET AL. V. MURPHY, JOHN

93-1697 REILLY, PATRICIA V. TUCSON ELECTRIC POWER CO.

93-1702 HIDALGO, ANTONIO V. FEATHERLITE BLDG. PRODUCTS

93-1705 HALL, LOYD, ET AL. V. SAN BERNARD ELEC., ET AL.

93-1708 WARDELL, JAMES V. TRACY, MARK

93-1709 NEW ORLEANS 2000 PARTNERSHIP V. BD. OF COMMRS. NEW ORLEANS

93-1714 KEPLINGER, ROSELYN V. WILSON, RICHARD, ET AL.

93-1716 PROFILE MFG., INC., ET AL. V. KRESS, RONALD, ET AL.

93-1717 SNYDER, GERALD V. CONSOL. FREIGHTWAYS, ET AL.

93-1719 LINDMARK, ROGER V. PA BD. OF LAW EXAMINERS

93-1720 EVANS, JOHN V. WEIR, ALEXANDER, ET AL.

93-1722 MORGAN, JACQUELINE V. FORD, JOHN, ET AL.

93-1724 CABAZON BAND, ETC., ET AL. V. NATL. INDIAN GAMING COMMN.

93-1726 TARRANT SERVICE AGENCY, INC. V. AMERICAN STANDARD, INC.

93-1732 GILDER, DEBRA V. AETNA LIFE & CASUALTY

93-1738 MARINE RECREATIONAL OPPORT. V. BERMAN, GERALD, ET UX.

93-1739 THOMPSON, JOSEPH V. VIRGINIA

93-1740 KUHN, MARIE V. PHILIP MORRIS U.S.A.

93-1741 SEARS, ROEBUCK & CO. V. NEWPORT LTD.

93-1744 CHOATE, PAT V. TRW, INC.

93-1754 DANESHMAND, ARDESHIRE V. R. B. HAZARD, INC., ET AL.

93-1762 LARSON, DUANE, ET UX. V. SANFT, CHRISTOPHER, ET AL.

93-1766 U. S. ANCHOR MFG., INC. V. RULE INDUSTRIES, ET AL.

93-1771 CASILLAN, JOHN, ET AL. V. REGIONAL. TRANSP., ET AL.

93-1774 BEHRENS, GARY V. SHARP, KATHY, ETC., ET AL.

93-1777 LaCHANCE, DOUGLAS V. RENO, ATTY. GEN., ET AL.

93-1778 SHAW, CHARLES V. UNITED STATES

93-1799 ROSENBAUM, JEAN V. ROSENBAUM, RICHARD, ET AL.

93-1814 BRENES, TANIA, ET AL. V. TRANSPORTES AEREOS, ET AL.

93-1822 O'CONNOR, JAMES V. COMMONWEALTH EDISON, ET AL.

93-1838 KING, TERRY V. DUTTON, WARDEN

93-1856 CLAY, SYLVESTER V. UNITED STATES

93-1858 BREWER, KEN V. ROGERS, WERNER, ET AL.

93-1859 MEISLER, HERBERT V. GANNETT COMPANY, INC.

93-1861 PSI ENERGY, INC. V. EXXON COAL USA, INC., ET AL.

93-1864 KURZAWA, MICHAEL V. WISCONSIN

93-1871 URREGO, GERALDO V. UNITED STATES

93-1888 BRUN, RICHARD V. KENTUCKY

93-7932 CHAPMAN, EUGENE JESSIE V. UNITED STATES

93-8320 PIRON, PETER C. V. DEPT. OF ENERGY

93-8381 SMITH, DENNIS HOWELL V. UNITED STATES

93-8429 DERSHEM, JEFFREY LYNN V. UNITED STATES

93-8442 DARDEN-BEY, CARLTON, ET AL. V. UNITED STATES

93-8468 CHOATE, TAMMY MARIE V. UNITED STATES
93-8540 CALDWELL, LAWRENCE D., ET AL V. UNITED STATES
93-8581 SEPULVEDA, DAVID, ET AL. V. UNITED STATES
93-8625 GOODLEY, WAYMON V. UNITED STATES
93-8654 SWORD, FOSTER V. SHALALA, SEC. OF H&HS
93-8656 TORRES-TIRADO, JOSE ANTONIO V. UNITED STATES
93-8687 MORRIS, JO AN V. GRAVEN, DONALD, ET AL.
93-8807 SULE, USMAN SHEHU V. UNITED STATES
93-8840 MANUEL L. V. CALIFORNIA
93-8867 ENGRON, MAE A. V. DEPT. OF LABOR
93-8871 SMITH, RUSSELL V. UNITED STATES
93-8877 WILSON, MICHAEL JAMES V. TEXAS
93-8890 ROCHON, RAYMOND V. ROEMER, GOV. OF LA, ET AL.
93-8891 MOSLEY, CALVIN E. V. VIRGINIA
93-8894 MLO, YSUT V. NORTH CAROLINA
93-8899 WILLIAMS, HOWARD V. V. SCOTT, DIR., TX DCJ
93-8922 JONES, LARRY D. V. TOOMBS, WARDEN
93-8924 JACKSON, STANLEY V. MAKEL, WARDEN
93-8929 DeANGELO, DON PHILLIP V. UNITED STATES
93-8937 LaGATTA, PETER V. UNITED STATES
93-8980 CHEVALIER, WILLIAM V. WHITLEY, WARDEN, ET AL.
93-8981 STARNES, GARY C. V. UNITED STATES
93-8991 ANDERSEN, JOHN JAMES V. ARIZONA
93-9018 DRAKE, TERRANCE V. OHIO
93-9036 DEARINGER, DAVID J. V. BARBOUR, SUPT.
93-9040 ARDITI, LINDA S. V. RUNYON, POSTMASTER GEN.
93-9041 DeVITTO, JOSEPH V. SINGLETARY, SEC. FL DOC
93-9042 COOPER, WILLIAM, ET AL. V. MISSOURI BOARD OF PROBATION

93-9043 HAYES, RICHARD A. V. UNITED STATES

93-9062 ANDRISANI, ALBERT V. LUCAS, MALCOLM, ET AL.

93-9065 BRIM, ERNEST EDWARD V. WRIGHT, WARDEN, ET AL.

93-9066 SHIRAR, GEORGIA V. OPM

93-9067 SWASEY, RUDOLPH HUBERT V. CALIFORNIA

93-9084 BELLUCCI, PETER V. UNITED STATES

93-9086 WENDT, HARVEY LEE V. SCOTT, DIR., TX DOC

93-9093 BOYLAND, MAURICE V. UNITED STATES

93-9095 TOLVER, ANTHONY WAYNE V. UNITED STATES

93-9100 BACKSTROM, KIRK M. V. UNITED STATES

93-9105 HOLLON, EUGENE C. V. UNITED STATES

93-9111 WITHERSPOON, GEORGE, ET AL. V. UNITED STATES

93-9124 TAYLOR, CURTIS V. UNITED STATES

93-9127 CAMPBELL, BILLY RANDOLPH V. FLORIDA

93-9138 BOSARGE, CLARENCE V. DEPT. OF EDUCATION, ET AL.

93-9142 GLASGOW, MALCOLM G. V. UNITED STATES

93-9143 JOYNER, NATHANIEL V. UNITED STATES

93-9147 LOGAN, CARLTON R. V. UNITED STATES

93-9154 HAMILTON, MARSHALL V. UNITED STATES

93-9168 OSPINA, JOAQUIN V. UNITED STATES

93-9180 DEXTRAS, SCOTT WILLIAM V. UNITED STATES

93-9187 KLEIN, KERRY M. V. UNITED STATES

93-9190 PARKER, MICHAEL V. UNITED STATES

93-9200 DELBRIDGE, ADOLPH, ET UX. V. NJ DIV. OF YOUTH & FAM. SERV

93-9209 TAVAREZ, FRANCISCO V. UNITED STATES

93-9210 STROPE, ISAAC LEROY V. UNITED STATES

93-9211 DICKINSON, KEVIN BRUCE V. GOPALAN, RAMANATH, ET AL.

93-9213 CHAVES, FRANK V. UNITED STATES

93-9215 SILVERS, PAUL V. UNITED STATES

93-9232 WITHERSPOON, WENDELL V. REES, WARDEN
93-9236 ISANG, INCREASE E. V. UNITED STATES
93-9252 FAULKNER, WILLIAM P. V. WISCONSIN
93-9277 JAMES, KENNY V. MANN, SUPT., SHAWANGUNK
93-9306 HAWKINS, STACY A. V. ABRAMAJTYS, WARDEN
93-9312 GATLIN, ED D. V. SINGLETARY, SEC., FL DOC
93-9315 PREWITT, DANNIE R. V. PARKE, WARDEN
93-9316 LAMPHEAR, STEVEN D. V. ABRAHAMSON, WARDEN

The petitions for writs of certiorari are denied.

93-241 JAFFE, RUTH V. SNOW, HARDY, ET AL.

The motion of Government of Canada for leave to file a brief as *amicus curiae* is granted. The motion of International Human Rights Law Group, et al. for leave to file a brief as *amici curiae* is granted. The motion of Canadian Helsinki Watch Group for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

93-1033 CHANDLER, DAVID V. UNITED STATES
93-6191 HICKS, DAVID V. TEXAS
93-6220 JOHNSON, LENARD V. ILLINOIS
93-7042 COLVIN-EL, EUGENE V. MARYLAND
93-8823 VALDES, FRANK V. FLORIDA
93-8839 MILKE, DEBRA J. V. ARIZONA
93-8943 MORDENTI, MICHAEL V. FLORIDA

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.

93-1222 GARCIA, PRISCILLA, ET AL. V. SPUN STEAK COMPANY

The petition for a writ of certiorari is denied. Justice Blackmun and Justice O'Connor would grant certiorari.

93-1592 INTL. HOUSE OF PANCAKES V. PINNOCK, THEODORE, ET AL.

The petition for a writ of certiorari before judgment is denied.

93-1710 PHILIP MORRIS INC., ETC. V. CABARRUS COUNTY, NC

The motion of Committee on State Taxation for leave to file a brief as *amicus curiae* is granted. The motion of North Carolina Citizens for Business and Industry for leave to file a brief as *amicus curiae* is granted. The motion of Institute of Property Taxation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

93-1742 LUMMI INDIAN TRIBE V. WHATCOM COUNTY, WA, ET AL.

The motion of Blackfeet Tribe of Indians for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

93-1833 CITIZENS FOR TERM LIMITS V. FOLEY, THOMAS, ET AL.

The motion of petitioner to expedite consideration of the petition for writ of certiorari is granted. The petition for a writ of certiorari before judgment is denied.

93-1955 GREGOIRE, ATTY. GEN. OF WA V. THORSTED, SUSAN, ET AL.

The motion of petitioner to expedite consideration of the petition for writ of certiorari is granted. The petition for a writ of certiorari before judgment is denied.

93-7724 BUCHANAN, CHRIS V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Blackmun dissents and would grant the petition for a writ of certiorari and remand the case for the reentry of judgment and the appointment of counsel.

93-8423 HOPKINS, RICHARD E. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Blackmun dissents and would grant the petition for a writ of certiorari and remand the case for the reentry of judgment and the appointment of counsel.

93-8599 HAMILTON, BERNARD L. V. CALDERON, WARDEN, ET AL.

The motion of counsel to supplement the petition for writ of certiorari 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.

HABEAS CORPUS DENIED

93-9320 IN RE JOHN R. FRANZ

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

93-8925 IN RE STANLEY JACKSON

93-9080 IN RE CLYDE J. EISMAN

The petitions for writs of mandamus are denied.

PROHIBITION DENIED

93-8977 IN RE MIKHAI'L AL'SHABAZZ

The petition for a writ of prohibition is denied.

REHEARINGS DENIED

93-594 WATTS, BERMAN V. RICE, SEC. OF THE ARMY ET AL.

93-1386 RICHARDSON, WILLIAM V. SHALALA, SEC. OF HHS, ET AL.

93-1410 UNIV. OF COLORADO, ET AL. V. DERDEYN, DAVID, ETC.

93-8066 WITCHER, PHYLLIS V. WITCHER, MURRAY

93-8187 LaFLAMME, DON V. GOMEZ, JAMES H.

93-8190 PRICE, RONALD M. V. SHALALA, SEC. OF H&HS

93-8200 HAZZARD, GENE V. OAKLAND, CA, ET AL.

93-8208 ISRAEL, AMAZIAH D. V. USDC MD FL

93-8333 COCHRAN, DENNIS WAYNE V. MURRAY, DIR., VA DOC, ET AL.

The petitions for rehearing are denied.

93-7809 IN RE CHARLOTTE BENNETT

The motion for leave to file a petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from Monday, June 20, 1994, until Friday, June 24, 1994.

MOTIONS FOR ADMISSION

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