

ORDER LIST

MONDAY, NOVEMBER 14, 1994

CERTIORARI -- SUMMARY DISPOSITION

94-112 HARLESTON, BERNARD, ET AL. V. JEFFRIES, LEONARD

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 Second Circuit for further consideration in light of *Waters v. Churchill*, 511 U. S. ____ (1994).

94-5798 STERLING, GARY V. TEXAS

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 United States Court of Appeals for the Fifth Circuit for further consideration in light of *McFarland v. Scott*, 512 U. S. ____ (1994).

ORDERS IN PENDING CASES

No. ____ . FRANCISCA M. vda de MENDOZA, ET AL. V. UNITED STATES

The motion for reconsideration of the order denying leave to file a petition for a writ of certiorari out-of-time is denied.

No. ____ . KEVIN JAMES McNAMARA V. UNITED STATES

The motion to direct the Clerk to file an application and present it to Justice Scalia is denied.

D-1450 IN THE MATTER OF DISBARMENT OF RICHARD L. KARCH

It having been reported to the Court that Richard L. Karch, of Los Angeles, California, has resigned from

the practice of law before the Supreme Court of California and this Court by order of September 14, 1994, having suspended the said Richard L. Karch 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 L. Karch 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-1451 IN THE MATTER OF DISBARMENT OF ROBERT ALAN LINDER

It having been reported to the Court that Robert Alan Linder, of Batavia, Ohio, has resigned from the practice of law before the Supreme Court of Ohio and this Court by order of September 14, 1994, having suspended the said Robert Alan Linder 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 Robert Alan Linder 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-1452 IN THE MATTER OF DISBARMENT OF MICHAEL ROGER MITWOL

It having been reported to the Court that Michael Roger Mitwol, of Palm Harbor, Florida, has been disbarred from the practice of law by the Supreme Court of North Carolina and this Court by order of September 14, 1994, having suspended the said Michael Roger Mitwol 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 Michael Roger Mitwol 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-1453 IN THE MATTER OF DISBARMENT OF ALLAN G. ZELMAN

It having been reported to the Court that Allan G. Zelman, of Arlington, Massachusetts, has been suspended from the practice of law by the Supreme Judicial Court of Massachusetts and this Court by order of September 14, 1994, having suspended the said Allan G. Zelman 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 Allan G. Zelman 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-1456 IN THE MATTER OF DISBARMENT OF KENNETH B. FREEDMAN

It having been reported to the Court that Kenneth B. Freedman, of Stow, Massachusetts, has been suspended from the practice of law by the Supreme Judicial Court of Massachusetts and this Court by order of September 14, 1994, having suspended the said Kenneth B. Freedman 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 Kenneth B. Freedman 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-1467 IN THE MATTER OF DISBARMENT OF GRAFTON B. WILSON, II

It is ordered that Grafton B. Wilson, II, of Gainesville, 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.

D-1468 IN THE MATTER OF DISBARMENT OF A. DAVID LAUDANI

It is ordered that A. David Laudani, of Eastpointe, Michigan, 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.

65 ORIG. TEXAS V. NEW MEXICO

The motion of the River Master for fees and expenses is granted and the River Master is awarded a total of \$972.00 for the period July 1 - September 30, 1994, to be paid equally by the parties.

108 ORIG. NEBRASKA V. WYOMING, ET AL.

The motion of the Special Master for award of compensation and reimbursement of expenses is granted and the Special Master is awarded a total of \$180,833.83 for the period of April 1 through September 30, 1994, to be paid as follows: 30% to be paid by each Nebraska and Wyoming, 15% to be paid by Colorado, and 25% to be paid by the United States.

121 ORIG. LOUISIANA, V. MISSISSIPPI, ET AL.

The Report of the Special Master is received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed by the parties within 45 days. Reply briefs, if any, may be filed by the parties within 30 days.

93-1318 ICC V. TRANSCON LINES, ET AL.

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

93-1783 DIR., OWCP, DEPT. OF LABOR V. NEWPORT NEWS SHIPBUILDING

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

93-9082 GAYDOS, MARIA L. C. V. NATL. UNION FIRE INS. CO.
93-9122 RODENBAUGH, DAPHNE V. OTT, J. STANLEY
93-9444 IN RE MARIA L. C. GAYDOS
93-9577 GAYDOS, MARIA L. C. V. CHERTOFF, FORMER U.S. ATTY.
93-9618 IN RE MARIA L. C. GAYDOS
94-5018 IN RE MARIA L. C. GAYDOS
94-5070 IN RE MARIA L. C. GAYDOS
94-5291 BAASCH, THOMAS L. V. REYER, EDWARD M., ET AL.
94-5860 GAYDOS, MARIA L. C. V. NATL. UNION FIRE INS., ET AL.

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

94-203 MORSE, FORTIS, ET AL. V. NORTH, OLIVER, ET AL.

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

CERTIORARI GRANTED

94-167 GUTIERREZ de MARTINEZ, KATIA V. LAMAGNO, DIRK, ET AL.
94-500 CIR V. SCHLEIER, ERICH, ET UX.

The petitions for writs of certiorari are granted.

CERTIORARI DENIED

93-8521 FLEENOR, D. H. V. INDIANA
93-9155 KIMBALL, LAWRENCE V. UNITED STATES
93-9358 HALL, ANTHONY V. ILLINOIS
93-9674 HEIDEMANN, PAUL V. YOUNG, BAXTER H.
93-9699 IN RE JOSEPH M. HEAD
93-9748 HALL, ANTHONY V. UNITED STATES

93-9790 BOROWY, SLAWOMIR V. BASS, PLC, ET AL.

94-249 ROWE, JOHN V. DeBRUYN, COMMR., IN DOC

94-315 BILLING, ANDERS, ET UX. V. RAVIN, GREENBERG, ET AL.

94-327 BEUS, STANLEY V. UNITED STATES

94-366 UNARCO BLOOMINGTON, ETC. V. UNR INDUSTRIES, ET AL.

94-374 WEBER, CALVIN V. MSPB

94-396 WIZBOWSKI, RAYMOND, ET UX. V. CIR

94-475 EARTH ISLAND INST., ET AL. V. BROWN, SEC. OF COMMERCE

94-504) YEOMAN, STUART, ET AL. V. KY REVENUE CABINET, ET AL.
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94-525) SMITH, CHARLES, ET AL. V. KY REVENUE CABINET, ET AL.

94-508 OPTIMAL DATA CORP. V. UNITED STATES

94-509 MDK, INC. V. MIKE'S TRAIN HOUSE, ET AL.

94-510 ZEKARIA REALTY, INC. V. OCEAN COUNTY, NJ

94-515 MITCHELL, JANET, ET AL. V. AMARILLO HOSP. DIST., ET AL.

94-521 VERNON, ROBERT V. LOS ANGELES, CA, ET AL.

94-523 DAVIS, ROBERT ETC., ET AL. V. BENDER SHIPBUILDING, ETC.

94-528 HAYDOO, DONALD, ET AL. V. GE CO., ET AL.

94-530 SHAFFER, GAIL, ETC. V. NY ASSOC. REALTORS, ET AL.

94-531 AUGUSTUS, STEVEN, ET AL. V. LOUISIANA, ETC., ET AL.

94-532 ANDREW WEIR SHIPPING LTD. V. BOWERS, JOHN, ET AL.

94-536 LOUISIANA-PACIFIC CORP. V. ORJIAS, MARGARET, ET AL.

94-543 DoPADRE, JOSEPH V. DoPADRE, ANNA

94-545 WORRELL, FRED V. CALIFORNIA

94-546 SUBAFILMS, LTD., ET AL. V. UNITED ARTISTS, ET AL.

94-547 CHAMBERS, BECKY V. AM. TRANS AIR, INC.

94-548 KNIGHT, PHILLIP V. MINGLEDORFF, GEORGE, ETC.

94-550 DeWEERTH, GERDA DOROTHEA V. BALDINGER, EDITH, ET AL.

94-551 HARRIS, JOHN V. AKRON, OH, ET AL.

94-553 MECHE, NORWOOD V. MECHE, DAISY

94-556 MOORE, LAWRENCE V. IBEW, ETC., ET AL.

94-561 LOWRY, BRUCE V. LEWIS, DIR., AZ DOC, ET AL.

94-565 ATHMANN, LYNN, ET AL. V. NORTH SLOPE BOROUGH

94-567 DUFFY, EDWARD V. DIST. BD. OF TRUSTEES, ETC.

94-577 ISLAMIC REPUBLIC OF IRAN V. PAHLAVI, SHAMS, ET AL.

94-585 JARVIS, OWEN V. UNITED STATES

94-586 JOHNSON, NORMAN V. UNITED STATES

94-589 LeBLANC, MURLEY, ET VIR V. MEZA, LUIS, ET AL.

94-602 HENDERSON, ROGER V. KESSLER, RAY, ET AL.

94-620 BUCHBINDER, BRUCE, ET UX. V. CIR

94-629 DASS, MULK V. UNITED STATES

94-639 McKENNA, DWIGHT V. UNITED STATES

94-641 SHIELDS, DAVID V. UNITED STATES

94-656 TRAXLER, CHRIS V. UNITED STATES

94-663 CASAS, GUILLERMO V. UNITED STATES

94-678 DADDONA, JOHN V. UNITED STATES

94-679 SCOTT, JOHN V. IOWA

94-696 MENZER, MICHAEL V. UNITED STATES

94-700 THOMAS, DANIEL, ET UX. V. UNITED STATES

94-702 KASSOUF, JAMES, ET AL. V. UNITED STATES

94-5196 STEPHENS, DONALD V. THOMAS, WARDEN

94-5202 CASHIN, BARRY D. V. UNITED STATES

94-5252 LUIS, ANGEL V. INDIANA

94-5258 SMITH, JOHN ROGER V. UNITED STATES

94-5530 ZEIGLER, CHESTER VERNON V. UNITED STATES

94-5551 SINGLETON, JAMES V. UNITED STATES

94-5734 CARTER, KENNETH V. PETERS, DIR., IL DOC

94-5769 BAILEY, JACKSON RUDOLPH V. BAILEY, GWENDOLYN E.

94-5815 BROWN, ROBERT V. UNITED STATES
94-5871 BROWN, DAVID JAY V. OKLAHOMA
94-5907 JONES, WILLIAM QUENTIN V. NORTH CAROLINA
94-5913 POLLARD, ROOSEVELT V. DELO, SUPT., POTOSI CC
94-5969 PENDER, JUVONDI V. EEOC, ET AL.
94-6021 RIDDLE, ERNEST M. V. SOUTH CAROLINA
94-6088 TAYLOR, PERRY V. FLORIDA
94-6116 TAL-MASON, DAVID V. KERN, THOMAS, ET AL.
94-6122 CALIFORNIA, EURICA V. CALIFORNIA
94-6123 ANDERSON, ROBERT V. MAKEL, WARDEN
94-6131 SEATON-EL, PARNELL V. ATTORNEY GRIEVANCE COMM.
94-6137 C.B. V. VT DEPT. SOC. & REHAB. SERV.
94-6140 RAY, GIFFORD V. NORRIS, DIR., AR DOC
94-6148 STERLING, MICHAEL LEON V. HAWLEY, JOHN
94-6150 CALL, GORDON BERDELL V. CARLSON, KENNETH, ET AL.
94-6158 DEMPSEY, BOYCE L. V. TURNER BROADCASTING SYSTEM
94-6160 CRANNELL, CHARLES V. CRANNELL, SANDRA
94-6168 HENDRIX, ROBERT E. V. FLORIDA
94-6176 RUSHER, DAVID L. V. UNITED STATES
94-6178 PHILLIPS, CHERIE V. MARYLAND, ET AL.
94-6213) IRELAN, PETER B. V. UNITED STATES
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94-6282) PEDRAZA, ENRIQUE V. UNITED STATES
94-6217 DORRI, HARRY ARMONDO V. UNITED STATES
94-6222 GREEN, STANLEY R. V. BROWN, SEC. OF VA
94-6229 TODD, MICHAEL V. WALL, WARDEN
94-6232 PRATT, JOSEPH E. V. IDAHO
94-6241 GREEN, CLIFFORD H. V. NORRIS, DIR., AR DOC
94-6271 BRACEWELL, WILLIAM V. UNITED STATES

94-6278 ORTIZ, JOSE L. V. UNITED STATES
94-6279 WALLIS, RICKY V. UNITED STATES
94-6284 RANGE, LITHO V. UNITED STATES
94-6304 GOMEZ, LINO V. IDAHO
94-6325 BARNES, RAYMOND LOUIS V. UNITED STATES
94-6329 STEPHENS, JAMES MILTON V. UNITED STATES
94-6330 WILEY, NEWMAN LEE V. UNITED STATES
94-6332 PEREZ, AUGUSTINE V. UNITED STATES
94-6334 BRANDT, ALAN V. IDAHO
94-6338 PASTO, JOSEPH V. UNITED STATES
94-6344 BERMUDEZ, ARTHUR R. V. OPM
94-6352 NICHOLS, RICKY V. V. UNITED STATES
94-6353 MCKINNON, GERALD V. UNITED STATES
94-6355 ROSEBAR, JASON A. V. UNITED STATES
94-6360 LAZOR, JOHN P. V. SPERRY RAND CORP.
94-6362 CHUKUNDAH, JOHNSON OKACHUKU V. UNITED STATES
94-6366 BILLS, CLESTER V. UNITED STATES
94-6367 DUFFY, GERALD V. UNITED STATES
94-6371 KOSS, LEWIS V. UNITED STATES
94-6374 CALDERON, CARLOS V. UNITED STATES
94-6379 WERHAN, GLEN V. UNITED STATES
94-6380 CARTER, EUGENE V. AMTRAK
94-6384 SEXTON, MICHAEL EARL V. NORTH CAROLINA
94-6394 PETERS, CALVIN D. V. UNITED STATES
94-6399 BUCHANAN, CHARLES V. UNITED STATES
94-6407 COY, MARY SUE V. UNITED STATES
94-6411 ORR, RICHARD A. V. UNITED STATES
94-6412 POWELL, EDWARD L. V. UNITED STATES
94-6419 SATHER, DENNIS V. UNITED STATES

94-6420 INGRAM, SHIRLEY V. UNITED STATES
94-6421 FORDE, DAVID A. V. UNITED STATES
94-6422 HILTON, BRUCE A. V. UNITED STATES
94-6423 SANCHEZ, JOHN JACOB V. UNITED STATES
94-6428 CASTANO, JAIRO H. V. UNITED STATES
94-6430 CHEEKS, JAMES V. UNITED STATES
94-6431 PATTERSON, MARK A. V. UNITED STATES
94-6432 TILLMAN, VERONICA V. UNITED STATES
94-6436 LUCAS, JOSEPH S. V. UNITED STATES
94-6437 MADRID, THOMAS E. V. UNITED STATES
94-6444 MORALES, JUAN A. V. UNITED STATES
94-6445 COLEMAN, JOHNNIE V. UNITED STATES
94-6446 COYNE, CHRIS V. UNITED STATES
94-6447 BRANCH, SALVADOR V. UNITED STATES
94-6448 CONTRERAS, DANIEL MALDONADO V. UNITED STATES
94-6453 DUNCAN, JOE CECIL V. ALABAMA
94-6454 HILL, STEVEN A. V. UNITED STATES
94-6457 BURGER, CHARLES HENRY V. UNITED STATES
94-6458 DAVIS, DONIAL V. UNITED STATES
94-6459 BRASLAVSKY, MICHAEL V. BD. OF TRUST., UNIV. OF IL
94-6461 SHINABERRY, MARK V. UNITED STATES
94-6462 SMITH, DEVON WAYNE V. UNITED STATES
94-6464 CHAVEZ, FIDENCIO V. UNITED STATES
94-6466 DURAN, ARTHUR LEE V. UNITED STATES
94-6467) DUNKINS, DOUGLAS RAY V. UNITED STATES
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94-6487) FISHER, RONALD J. V. UNITED STATES
94-6468 BROWN, JUAN RAMON V. UNITED STATES
94-6469 ANDERSON, KAREN G. V. UNITED STATES

94-6470 JOYCE, JIMMY W. V. UNITED STATES
94-6472 PARKINS, PETER J. V. UNITED STATES
94-6474 OSORIO-DE HOLGUIN, BLANCO V. UNITED STATES
94-6476 MASTROGIOVANNI, JOHN V. UNITED STATES
94-6483 EINSPAHR, STEVEN R. V. UNITED STATES
94-6489 GOETSCH, CHAD E. V. WISCONSIN
94-6496 JACKSON, RONALD V. UNITED STATES
94-6497 KENNEDY, BOBBY V. UNITED STATES
94-6499 SONAGERE, TONY V. UNITED STATES
94-6504 CALVILLO, JESUS D. V. SCOTT, DIR. TX DCJ
94-6505 CHAVEZ, ABRAHAM V. UNITED STATES
94-6508 TANGEMAN, MICHELLE V. UNITED STATES

The petitions for writs of certiorari are denied.

94-5610 PORTER, RALEIGH V. SINGLETARY, SEC., FL DOC

The motion of petitioner for leave to file an amendment to the petition for writ of certiorari is granted. The petition for a writ of certiorari is denied.

94-6331 WADLINGTON, STEVEN V. UNITED STATES

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

MANDAMUS DENIED

94-5198 IN RE LAFEYETTE L. DANCY
94-6103 IN RE LOIS M. DiGIANNI
94-6228 IN RE JAMES A. MOOREHEAD

The petitions for writs of mandamus are denied.

94-5865 IN RE ETTA COLLIER

94-5867 IN RE RUCHELL C. MAGEE
94-5894 IN RE JOSEPH W. HIGGINS

The petitions for writs of mandamus and/or
prohibition are denied.

REHEARINGS DENIED

D-1423 IN THE MATTER OF THE DISBARMENT OF NWABUEZE VINCENT OKOCHA
93-2056 REICHSTEIN, STUART V. NALICO INTL., ET AL.
93-9035 QUIBAN, FELONINA V. DEPT. OF VETERANS AFFAIRS
93-9416 MARCUM, RUSSELL V. UNITED STATES
93-9436 VOTH, FRANK V. MAASS, SUPT.
93-9516 KARIM-PANAHI, PARVIZ V. LOS ANGELES POLICE DEPT.
93-9523 GOCKEN, VICTOR G. V. WASHINGTON
93-9573 JIMENEZ, PABLO R. V. GENERAL MOTORS CORP., ET AL.
93-9581 LLOYD, KENNETH J. V. SHALALA, SEC. OF HHS
93-9762 RUSSELL, JOICE E. V. UNITED STATES
93-9764 BESINGA, CORNELIO V. UNITED STATES, ET AL.
93-9784 IN RE JOHNNY CRAWFORD
94-114 DAVIS, JOAN V. NEW JERSEY BELL
94-143 NELSON, ALFRED, ET AL. V. MASSACHUSETTS, ET AL.
94-5143 GUINN, BILL R. V. COOPER, WARDEN, ET AL.
94-5177 BLEICKEN, ERIC V. V. PERKINS, HAROLD, ET AL.
94-5242 WILSON, CLARENCE V. CITY OF BERKELEY, ET AL.
94-5336 IN RE MELFORD LEE CRUMB
94-5491 GUICHARD, CARL T. V. WISNIESKI, DELLA B., ET AL.

The petitions for rehearing are denied.

93-115 NYS-ILA WELFARE FUND, ET AL V. DUNSTON, FRANCIS, ET AL.

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

93-738 OBERLE, JEFFERSON V. UNITED STATES

The motion of petitioner for leave to proceed further herein *in forma pauperis* is granted. The motion for leave to file a petition for rehearing is denied.

MOTIONS FOR ADMISSION

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