(ORDER LIST: 540 U.S.)

TUESDAY, JANUARY 20, 2004

CERTIORARI -- SUMMARY DISPOSITIONS

02-1423 BELLSOUTH CORP., ET AL. V. COVAD COMMUNICATIONS CO.

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 Eleventh Circuit for further consideration in light of *Verizon Communications Inc.* v. *Law Offices of Curtis V. Trinko, LLP*, 540 U.S. ___ (2004).

03-241 QWEST CORP. V. METRONET SERVICES CORP.

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 *Verizon Communications Inc.* v. *Law Offices of Curtis V. Trinko, LLP*, 540 U.S. ____ (2004).

ORDERS IN PENDING CASES

03M37	VILLARREAL, RAUL O. V. DRETKE, DIR., TX DCJ
03M39	PINTO, GILBERTO V. CIR
03M40	PERRY, DONALD R. V. FLORIDA
03M41	JOHNSON, GREGORY D. V. DRETKE, DIR., TX DCJ

The motions to direct the Clerk to file petitions for writs of certiorari out-of-time are denied.

CERTIORARI GRANTED

O3-407 KOWALSKI, JUDGE, ETC., ET AL. V. TESMER, JOHN C., ET AL.

The petition for a writ of certiorari is granted.

03-377 KOONS BUICK PONTIAC GMC V. NIGH, BRADLEY

The motion of American Bankers Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of Virginia Automobile Dealers Association, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

03-271	CAVALIER TELEPHONE, LLC V. VERIZON VIRGINIA, INC.
03-412	POLLUX HOLDING, LTD. V. CHASE MANHATTAN BANK
03-552	APPLEGATE, DON, ET AL. V. UNITED STATES
03-562	MACHARIA, MERANIA M., ET AL. V. UNITED STATES
03-575	PATTI, FRANK M. V. UNITED STATES
03-659	YAMAMOTO, MELVIN T., ET AL. V. BANK OF NY, ET AL.
03-677	HAWKINS, GLENN A., ET AL. V. AID ASSOC. FOR LUTHERANS
03-693	SCOTTSDALE UNIFIED SCH. DIST. V. HILLS, JOSEPH J.
03-695	GOODYEAR TIRE & RUBBER CO. V. MALEK, FREDERIC V.
03-704	KAWASAKI MOTORS CORP., U.S.A. V. BOB SCHULTZ MOTORS, INC.
03-712	LLOYD, CLAUDE H., ET UX. V. CONNOR, TX SEC. OF STATE, ET AL.
03-715	GAIN, SHARON L., ET AL. V. WASHINGTON, ET AL.
03-716	WHITSON, JONATHAN S. V. GULF SHORES, AL
03-718	TUCKER, CHARLES D. V. FRANK E. FEARN, ET AL.
03-735	ENGLISH, THOMAS L. V. VAZQUEZ, JUDGE, USDC NM
03-747	FINDLAY, KENNETH A. V. ASHCROFT, ATT'Y GEN., ET AL.
03-753	SKYWALKER COMMUNICATIONS OF IN V. SKYWALKER COMMUNICATIONS, INC.

- 03-791 KLEIN, GILDA A. V. POTTER, POSTMASTER GEN.
- 03-815 SPRINGWELL NAVIGATION CORP. V. CHASE MANHATTAN BANK
- 03-822 PAQUETTE, DONALD V. MASSACHUSETTS
- 03-823 PREOBRAZHENSKAYA, IRENE V. MERCY HALL INFIRMARY
- 03-830 BUSH, GERALD D. V. ZEELAND BD. OF ED., ET AL.
- 03-5383 FORD, KENNETH V. PENNSYLVANIA
- 03-6179 DIEMER, SVEN O. V. MASSACHUSETTS
- 03-6357 PRICE, CHARLES M. V. UNITED STATES
- 03-6784 JONES, LESTER V. UNITED STATES
- 03-6876 OVERSTREET, MICHAEL D. V. INDIANA
- 03-7370 OATNEY, BILLY L. V. OREGON
- 03-7371 OBERSON, JAMES V. BUR. OF FERRY AVIATION, ET AL.
- 03-7373 BAUGHN, MARK F. V. FL DOC, ET AL.
- 03-7374 MARTEL, DENNIS V. ALAMEIDA, DIR., CA DOC
- 03-7375 ARDOIN, RODNEY L. V. DRETKE, DIR., TX DCJ
- 03-7376 NAVARETTE. MARTIN A. V. CALIFORNIA
- 03-7388 SOLIS, JUAN M. V. DRETKE, DIR., TX DCJ
- 03-7391 ROBINSON, RICHARD E. V. KEMNA, SUPT., CROSSROADS
- 03-7401 WALLS, VICTOR V. PIERSON, WARDEN
- 03-7404 A. L. vs. E. H.
- 03-7407 PARKER, LAWRENCE V. MI DOC, ET AL.
- 03-7409 ROBERTS, CLARENCE D. V. CARTER, WARDEN
- 03-7411 ADUSUMILLI, INDIRA V. DISCOVER FINANCIAL SERVICES
- 03-7416 PITTMAN, JAMES E. V. JONES, WARDEN, ET AL.
- 03-7418 SIMMONS, QUINCYE A. V. BRAXTON, WARDEN
- 03-7422 WOJNICZ, KENNETH M. V. DAVIS, CLERK, ETC., ET AL.
- 03-7423 WILLIAMS, LARRY D. V. GEORGIA, ET AL.
- 03-7424 SANDERS, JETT B. V. TEXAS

- 03-7426 HENDROCK, CAROLYN V. GILBERT, RICKY
- 03-7428 PHILLIPS, DONALD E. V. MITCHEM, WARDEN, ET AL.
- 03-7439 SUTTLE, IVORY L. V. BERTRAND, WARDEN
- 03-7440 SCHMIDT, GREGORY J. V. DRETKE, DIR., TX DCJ
- 03-7445 FORTENBERRY, JOYCE V. TEXAS, ET AL.
- 03-7449 HALL, NATHAN V. CALIFORNIA
- 03-7450 HENRY, FREDERICK D. V. USDC CD CA
- 03-7460 JOHNSON, RAYMOND L. V. CALDERON, WARDEN
- 03-7461 WILCOX, CHRISTOPHER V. TEXAS
- 03-7465 HUNTER, BURN'ARD V. JOHNSON, DIR., VA DOC, ET AL.
- 03-7466 HERRERA, GEORGE L. V. SUBLETT, SAM, ET AL.
- 03-7468 HAWKINS, DWARNE V. CORNELL, WARDEN, ET AL.
- 03-7470 GAINES, J. B. STELL V. TEXAS
- O3-7474 GRAY, JOHN V. DRETKE, DIR., TX DCJ
- 03-7478 FENLON, ROBERT M. V. MOSKOWITZ, ADAM, ET AL.
- 03-7480 HOAGLIN, JEFFREY A. V. MICHIGAN
- 03-7481 FALONI, GERARD J. V. BLUM, YUMKAS, MAILMAN, ET AL.
- 03-7482 HINOJOSA, JOSE C. V. GIURBINO, WARDEN
- 03-7488 THOMPSON, ROBERT V. TEXAS
- 03-7489 VILLAMAR, ALTON C. V. HICKMAN, WARDEN
- 03-7497 PACE, BRUCE D. V. FLORIDA
- 03-7501 BELL, WILLIAM H. V. OZMINT, DIR., SC DOC
- 03-7505 BROWN, DEMETRIUS V. BURT, WARDEN
- 03-7508 SULLIVAN, CHARLES V. SOUTH CAROLINA DOC
- O3-7511 SCHAETZLE, DAVID V. DRETKE, DIR., TX DCJ
- 03-7512 AHMED, NAWAZ V. SARGUS, JUDGE, ETC., ET AL.
- 03-7513 MISKIN, GLENDA V. WAGNER, JOHN L.
- 03-7524 BLACKBURN, RODDRICK J. V. LAMARQUE, WARDEN

- 03-7525 NEAL, LAMONT V. CASTRO, WARDEN
- 03-7526 MORELAND, CHRISTOPHER V. LAZAROFF, WARDEN
- 03-7533 LUCZAK, THEODORE V. MOTE, WARDEN.
- 03-7537 ARANDA, ROQUE T. V. PRASIFKA, WARDEN
- 03-7538 BONHAM, JAMES W. V. PA DEPT. OF PUB. WELFARE, ET AL.
- 03-7559 ABUEL, DAL B. V. LOCAL 921, UNEMPLOY. OFFICE
- 03-7568 PARKER, JOHNNY S. V. NORTH CAROLINA
- 03-7574 REED, BILLY J. V. NEBRASKA
- 03-7619 ALLEN, ADELL P. V. ST. CABRINI NURSING HOME INC.
- 03-7637 ROGERS, LEONARD V. BOWERSOX, SUPT., SOUTH CENTRAL
- 03-7658 BROOKS, ALLAN P. V. HOLLAND, WARDEN
- 03-7712 COLLINS, TIMOTHY L. V. MEYERS, SUPT., ROCKVIEW
- 03-7759 DIXON, JOSEPH V. ILLINOIS
- 03-7800 PAJOOH, MASSOOD D. V. BOBCOCK, JEFFERY J., ET AL.
- 03-7841 PEREZ-LOPEZ, SERGIO V. UNITED STATES
- 03-7844 CLARK, HAROLD B. V. CROSBY, SEC., FL DOC, ET AL.
- 03-7845 WINTER, KELLY V. UNITED STATES
- 03-7851 VILLANUEVA, ORLANDO V. UNITED STATES
- 03-7852 EVANS, FREDERICK A. V. UNITED STATES
- 03-7857 GILLIAM, ANTHONY V. UNITED STATES
- 03-7861 FIELDS, LESTER B. V. UNITED STATES
- 03-7864 HENSON, GEORGE V. BARNHART, COMM'R, SOCIAL SEC.
- 03-7872 HOFF, JUDY V. NLRB, ET AL.
- 03-7876 NASIRUDDIN, MUJAHID V. UNITED STATES
- 03-7877 JACKSON, NATHANIEL V. UNITED STATES
- 03-7885 WALSH, JOSEPH N. V. UNITED STATES
- 03-7887 MORENO-MORILLO, CARLOS V. UNITED STATES
- 03-7888 MENDOZA-MEDINA, JUAN A. V. UNITED STATES

- 03-7896 SEMSAK, WILLIAM T. V. UNITED STATES
- 03-7904 GOODSON, NAPOLEON V. SMITH, WARDEN, ET AL.
- 03-7905 HATHEWAY, MICHAEL G. V. UNITED STATES
- 03-7910 HUNT, JAMES P. V. UNITED STATES
- 03-7915 HERNANDEZ-ARREDONDO, CARLOS V. UNITED STATES
- 03-7916 GIBSON, JAMES E. V. UNITED STATES
- 03-7921 HENRY, LEONARD V. UNITED STATES
- 03-7922 HARRIS, RANDY V. UNITED STATES
- 03-7923 GARCIA, NUVIA L. V. UNITED STATES
- 03-7924 FENNELL, TROY D. V. UNITED STATES
- 03-7928 PEALOCK, KENNETH D. V. UNITED STATES
- 03-7929 MULLIS, JOHNNY E. V. UNITED STATES
- 03-7933 MAZYCK, ANTHONY V. UNITED STATES
- 03-7934 JESSEN, DAVID A. V. OPM
- 03-7939 OGUAJU, CHRISTOPHER S. V. UNITED STATES
- 03-7942 CRAWFORD, KENNETH P. V. UNITED STATES
- 03-7943 CURTIS, ANDRE V. UNITED STATES
- 03-7944 DIAZ-BURGOS, LUIS G. V. UNITED STATES
- 03-7948 HENDERSON, THOMAS E. V. UNITED STATES
- 03-7953 GUERRA, ONOFRE V. UNITED STATES
- 03-7955 HALL, ZELMA V. UNITED STATES
- 03-7956 HATCHES, ANTHONY V. UNITED STATES
- 03-7962 WILLIAMS, RUBIN V. UNITED STATES
- 03-7963 TENNILLE, LAWRENCE K. V. DAVIS, WARDEN
- 03-7967 BROWN, KATHRYN A. V. UNITED STATES
- 03-7970 MASKO, RONALD T. V. USDC ND WV
- 03-7977 GONZALEZ-VALENTIN, EDGAR V. UNITED STATES
- 03-7980 KING, GREG B. V. UNITED STATES

03-7983 SEMPRIT-NATER, ABRAHAM V. UNITED STATES

The petitions for writs of certiorari are denied.

03-447 SMITH, WARDEN V. McKENZIE, GERALD

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

03-771 CAGNA, ELLINORA V. V. WEIRTON STEEL CORP. RETIREMENT

The motion of Women's Institute for a Secure Retirement for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

O3-7483 GOLDWATER, EDWARD V. BALLINGER, JUDGE, ETC.

The motion of petitioner for leave to proceed *in forma*pauperis is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

03-7556 ESPARZA, ABEL V. LOCKYER, ATT'Y GEN. OF CA

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

03-7564 WHITE, MICHAEL T. V. MACK, WINTERS, ET AL.

The motion of petitioner for leave to proceed *in forma*pauperis is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

MANDAMUS DENIED

03-7484 IN RE RICHARD HENRY GEFFKEN

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

REHEARINGS DENIED

03-572	KOZIS, MICHAEL A. V. VIRGINIA
03-5759	THOMPSON, GREGORY V. BELL, WARDEN
03-6359	NARY, STEVEN R. V. LEWIS, WARDEN
03-6616	IN RE LARRY CHARBERT HAYES

The petitions for rehearing are denied.

03-285 RANEY, ARLIN E. V. GATEWAY COMPUTER CO.

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

ATTORNEY DISCIPLINE

D-2356 IN THE MATTER OF WILLIAM WALTER FREIHOFER, JR.

William Walter Freihofer, Jr., of Longport, New Jersey, having been suspended from the practice of law in this Court by order of November 3, 2003; and a rule having been issued requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that William Walter Freihofer, Jr. is disbarred from the practice of law in this Court.

RECESS ORDER

The Court will take a recess from Monday, January 26, 2004, until Monday, February 23, 2004.