

**(ORDER LIST: 522 U. S. )**

**MONDAY, DECEMBER 15, 1997**

**CERTIORARI -- SUMMARY DISPOSITION**

96-1299 HERMAN, SEC. OF LABOR V. S. A. HEALY 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 Seventh Circuit for further consideration in light of *Hudson v. United States*, 522 U. S. \_\_\_\_\_ (1997).

96-1602 ROBERTS, SUSAN LYNN V. KLING, CHARLES TIMOTHY

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 Tenth Circuit for further consideration in light of *Kalina v. Fletcher*, 522 U. S. \_\_\_\_\_ (1997).

**ORDERS IN PENDING CASES**

105, ORIG. KANSAS V. COLORADO

The motion of the Special Master for fees and reimbursement of expenses is granted, and the Special Master is awarded a total of \$114,817.19 for the period October 19, 1996, through September 9, 1997, to be paid equally by Kansas and Colorado.

108, ORIG. NEBRASKA V. WYOMING, ET AL.

The motion of the Special Master for compensation and reimbursements of expenses is granted, and the

Special Master is awarded a total of \$45,333.99 for the period June 16, 1997, through December 5, 1997, to be paid as follows: 30% by Nebraska, 30% by Wyoming, 15% by Colorado, and 25% by the United States.

96-1584 CAMPBELL, TERRY V. LOUISIANA

The motion of the parties to allow into the record a joint stipulation of counsel is granted.

**CERTIORARI DENIED**

96-8140 GIBA, DAVID M V. OREGON

96-8341 COOKSEY, PERCY E. V. BOWERSOX, SUPT., POTOSI

97-166 McCLENDON, DOY, ET AL. V. WASHINGTON

97-279 KATSOULIS, DIMITRIOS V. INS

97-348 MORGAN, MICHAEL V. UNITED STATES

97-395 TANABE SEIYAKU CO., ET AL. V. ITC, ET AL.

97-406 TABCHOURI, GEORGES V. INS

97-419 CLARK, DARRELL, ET UX., ETC. V. UNITED STATES

97-449 CONFEDERATED TRIBES V. UNITED STATES, ET AL.

97-453 ELKO CTY. GRAND JURY V. SIMINOE, BEN

97-458 LAKELAND LOUNGE. ETC. V. JACKSON, MS

97-465 ALTA BATES CORP., ET AL. V. NLRB, ET AL.

97-486 BRUMLEY, MICHAEL V. UNITED STATES

97-548 BROWN, SHERI V. PIZZA HUT OF AM, INC.

97-573 KIDD, RONALD, ET AL. V. EQUITABLE LIFE ASSURANCE

97-787 HENNEPIN CTY., MN V. BEN OEHRLEINS & SONS, ET AL.

97-626 BELOIT CORP. V. VALMET PAPER MACHINERY

97-636 CRILEY, DAVID, ET AL. V. DELTA AIR LINES, ET AL.

97-639 BARNES, SANDRA S. V. MONTGOMERY COUNTY BD. OF ED.

97-646 DENNY' S INC. V. THOMAS, RONALD

97-647 QUINLEY, REGENIA F. V. STATE FARM INS. CORP.

97-653 ORESKOVICH, NANCY M V. OUR LADY OF LOURDES, ET AL.

97-658 CHECKRITE LTD. V. CHARLES, SHAROLYN

97-659 NCAA, ET AL. V. TARKANIAN, JERRY, ET UX.

97-660 WALKER, GERALD V. CONSOLIDATED BISCUIT CO.

97-668 FIRST MERCURY SYNDICATE, INC V. BUFFALO TOWNSHIP, ET AL.

97-671 CARABELLO, FRANK V. CARABELLO, SHARON, ET AL.

97-673 BARCLAY, ERVIN V. ALABAMA GAS CORP. , ET AL.

97-677 SAYLOR, RANDY, ET AL. V. SAYLOR, SAM, ET AL.

97-680 KOLODZIEJ, RUTH V. SMITH, WARREN, ET AL.

97-683 ARRON, BRETT V. UNITED STATES, ET AL.

97-688 WASHINGTON V. PANG, MARTIN SHAW

97-692 WORLEY, BETTY, ETC. , ET AL. V. RICHMOND COUNTY, GA, ET AL.

97-714 TERRA INTERNATIONAL, INC. V. MS CHEMICAL CORP.

97-764 INTERACTIVE AM CORP. V. FCC

97-780 MARTIN, RONALD, ETC. V. BLUE CROSS BLUE SHIELD OF VA

97-789 WALKER, LLOYD LENWOOD V. UNITED STATES

97-810 LAVENDER, KENNETH L. V. UNITED STATES

97-811 LORENZEN, MICHAEL R. V. UNITED STATES

97-818 PANKHURST, JOSEPH V. UNITED STATES

97-5386 JEUDY, YVES V. UNITED STATES

97-5666 TSCHANZ, RUTH V. SWEETWATER COUNTY SCH. DIST.

97-6344 GORDON, MERVIN V. E. L. HAMM AND ASSOC. , INC.

97-6349 MARTINEZ, HUMBERTO V. KANSAS

97-6350 MURPHY, JOHN P. V. WORKERS' COMP. APPEALS BD.

97-6355 McREYNOLDS, WILBUR V. COMM R OF SOC. SERV. OF NYC

97-6361 SALTER, BILLY T. V. GLENN, E. VERNON F.  
97-6369 NEUMAN, DAVID V. RIVERS, JESSIE  
97-6371 LLOYD, IRENE G. V. AMERICAN TRANSIT INS. CO.  
97-6373 WILLIAMS, NANON M V. TEXAS  
97-6379 RILEY, CHARLES R. V. DORTON, JAMES M  
97-6385 RAMSEY, SAVANNAH V. LAUREL, MS, ET AL.  
97-6389 GERWIG, KATHRYN L. V. NEWMAN, JAN B., ET AL.  
97-6396 JOHNSON, BONITA V. KANSAS DEPT. OF CORR., ET AL.  
97-6400 THOMAS, ALBERT V. GEORGIA BD. OF ELECTIONS  
97-6401 YORK, ANTHONY V. TURNER, WARDEN, ET AL.  
97-6404 BAGLEY, JOHN T. V. TOLLE, JUDGE, ET AL.  
97-6412 LORAH, JOURDEAN S. V. BAUGHMAN, MARK, ET AL.  
97-6418 TYLER, MELVIN L. V. PURKETT, SUPT., FARMINGTON  
97-6422 BROWN, SAUL V. UTAH  
97-6431 TERRALL, STEVEN V. RENO, NV, ET AL.  
97-6432 TURNER, JOHN P. V. ANGELONE, DIR., VA DOC  
97-6435 TURNER, JOHN P. V. UNITED STATES  
97-6445 COLLINS, JEFFREY V. SMITH, WARDEN, ET AL.  
97-6452 HARVEY, WILLIAM E. V. DEPT. OF JUSTICE, ET AL.  
97-6481 GEYER, PHILLIP A. V. DEPT. OF JUSTICE  
97-6486 RODRIGUEZ, THOMAS E. V. WATTS, WILLIAM, ET AL.  
97-6488 ESSELL, SAMGODSON V. DEA, ET AL.  
97-6490 GORDY, JOHN M V. BELTRAM, CHARLES  
97-6499 THOMPSON, DOUGLAS W. V. FBI  
97-6519 GADDY, RICHARD E. V. ALABAMA  
97-6538 PARCHUE, ARTHUR A. V. ROE, WARDEN  
97-6543 CAGLE, RICHARD E. V. NORTH CAROLINA  
97-6548 LEBRON, ELVIN V. NEW YORK

97-6586 ROBINSON, MAURICE V. ARVONIO, SUPT. , EAST JERSEY  
97-6625 SCOTT, BARRETT K. V. RAINEY, PATRICIA, ET AL.  
97-6649 MOOMCHI, BUICK V. WILSON AND PRYOR, ET AL.  
97-6657 BROWN, LAWAN D. V. RUBIN, SEC. OF TREASURY  
97-6660 THOMAS, GREGORY M , ET AL. V. UNITED STATES  
97-6663 FRYAR, CHARLES V. MASSACHUSETTS  
97-6664 OSBORN, LAMONT D. V. UNITED STATES  
97-6674 HOWELL, GEORGE T. V. UNITED STATES  
97-6675 HARRIS, PATRICK L. V. UNITED STATES  
97-6679 FRANTZ, MARK V. UNITED STATES  
97-6680 WILLIAMS, STEVE E. V. UNITED STATES  
97-6688 BEST, RONALD C. V. UNITED STATES  
97-6692 MILLS, ALTON V. UNITED STATES  
97-6702 PAYNE, ERNEST V. UNITED STATES  
97-6704 O' REILLY, JANA R. V. UNITED STATES  
97-6705 JACKSON, JULIUS V. UNITED STATES  
97-6707 LINDO, HOWEIN P. V. UNITED STATES  
97-6709 MCGINLEY, JONATHAN M V. UNITED STATES  
97-6712 LANDERMAN, ALLEN V. UNITED STATES  
97-6715 COBBLAH, XAVIER V. UNITED STATES  
97-6716 ANZALDO-CASILLAS, ADRIAN V. UNITED STATES  
97-6719 MAYS, GREGORY O. V. UNITED STATES  
97-6720 MASSEY, RICHARD L. V. SMITH, WARDEN, ET AL.  
97-6722 LADEJOBI, GANIU V. UNITED STATES  
97-6725 LEATHERWOOD, CHARLES L. V. UNITED STATES  
97-6727 DAVIDSON, CHARLES E. V. UNITED STATES  
97-6730 EKE, VALENTINE V. UNITED STATES

97-6731 GONZALES, JACK M. K. V. UNITED STATES  
97-6732 HICKS, GWENDOLYN D. V. UNITED STATES  
97-6740 CASCIANO, MICHAEL A. V. UNITED STATES  
97-6742 MONTEBELLO, SARAH V. UNITED STATES  
97-6744 MUHAMMAD, ABDUL-JABBAR V. UNITED STATES  
97-6745 MARTEL, RONALD P. V. UNITED STATES  
97-6748 BUTLER, MARC L. V. UNITED STATES  
97-6751 VISCONTI, FRANK V. UNITED STATES  
97-6753 WATTS, FRANK V. UNITED STATES  
97-6755 REYNOLDS, JEFFERY H. V. UNITED STATES  
97-6763 BOLTON, ERIC V. UNITED STATES  
97-6765 WRIGHT, RODNEY L. V. UNITED STATES  
97-6766 WRIGHT, JARVIS V. UNITED STATES  
97-6770 BEAMAN, CARL D. V. UNITED STATES  
97-6771 PEARSON, J. W. vs. UNITED STATES  
97-6774 SAYLES, ANTONIO L. V. UNITED STATES  
97-6782 WILLIAMS, TERRY A. V. EEOC, ET AL.  
97-6784 CARRINGTON, ARLEIGH V. UNITED STATES  
97-6785 LARKIN, DONALD V. UNITED STATES  
97-6786 MONROY-VARGAS, LUIS V. UNITED STATES  
97-6788 MOSER, STEVEN P. V. UNITED STATES  
97-6792 MCCOY, MICHAEL V. UNITED STATES  
97-6793 JOHNSON, DERRICK A. V. UNITED STATES  
97-6795 MCPHADEN, JAMES V. UNITED STATES  
97-6803 LEWIS, ROBERT A. V. UNITED STATES  
97-6807 TAYLOR, TRACY V. UNITED STATES  
97-6808 WESTBROOK, CHARLES W. V. UNITED STATES  
97-6809 WALKER, JEFFREY V. UNITED STATES

97-6812 ABDUL, MUHAMMED V. UNITED STATES

97-6817 VARGAS, CARLOS M V. UNITED STATES

The petitions for writs of certiorari are denied.

97-605 BEN OEHRLEINS & SONS, ET AL. V. HENNEPIN COUNTY, MN

The motion of BFI Waste Systems of North America, Inc. for leave to file a brief as *amicus curiae* is granted. The motion of Mayors' Task Force Against Waste Flow for leave to file a brief as *amicus curiae* is granted. The motion of National Restaurant Association for leave to file a brief as *amicus curiae* is granted. The motion of Americans for Tax Reform Foundation, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

97-632 DADDARIO, FRANCIS E. V. CAPE COD COMMISSION

The motion of Defenders of Property Rights for leave to file a brief as *amicus curiae* is granted. The motion of American Association for Small Property Ownership, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

97-656 CENTRAL OFFICE TELEPHONE V. AT&T

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

**MANDAMUS DENIED**

97-6447 IN RE MARQUES DEWAYNE WARD

97-6737 IN RE WILBERT GUICE

The petitions for writs of mandamus are denied.

97-6372 IN RE MELVIN LEROY TYLER AND CORNELIUS DODSON

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

**REHEARINGS DENIED**

96-1961 GORDON, ELIZABETH V. BOARD OF ED. OF NEW YORK

96-8619 ABELLAN, RIZALINA V. FAIRMONT HOTEL

96-9024 MORRISON, PATRICK H. V. HALL, DIR., OR DOC, ET AL.

96-9083 SANDERS, DAVID V. UNITED STATES

96-9089 TAHA, MARTHA V. SMITH, KENNY, ET AL.

96-9229 MCGINNIS, VEOTRICE V. BROWN, SEC. OF VA

96-9301 BANKS, RICKEY LEON V. USDC FOR WD MD

96-9369 GUINN, BILL R. V. ZAVARAS, ARISTEDES, ET AL.

96-9517 HILL, SCOTT V. FARMERS HOME GROUP

96-9533 JAMES, ALPHONSO V. SINGLETARY, SEC., FL DOC

96-9534 JAMES, ALPHONSO V. BARCLIFT, ROBERT, ET AL.

97-45 STERN, MARK AVERY HILL V. TEXAS

97-263 READ, RALPH L. V. MEDICAL X-RAY CENTER, P. C.

97-292 SAMPSON, JACOB V. BEDOYA, CONSUELO, ET AL.

97-5028 JARRETT, ROBERT L. V. TOXIC ACTION WASH

97-5133 PRESTON, ELROY V. BOWERSOX, SUPT., POTOSI

97-5134 IN RE RICKEY L. BANKS

97-5156 WATKIS, BARRINGTON F. V. KUEHNE & NAGEL, INC., ET AL.

97-5164 QUILLEN, MARTIN B. V. SOUTHWEST VIRGINIA



97-5228 JAMES, ALPHONSO V. SINGLETARY, SEC., FL DOC  
97-5371 IN RE ROBERTO BAEZ  
97-5510 HILL, SCOTT E. V. MAXWELL, MARY LOU, ET AL.  
97-5576 BARROIS, MILDRED V. UNIDENTIFIED PARTY, ET AL.  
97-5632 WINN, NEWTON A. V. UNITED STATES  
97-5685 DWIGHT B. V. JERRI LYNN C.  
97-5814 WASHINGTON, RONALD V. NEVILLE, AMY  
97-5905 HICKS, REGINALD V. WORKERS' COMPENSATION  
97-6024 SMITH, MICHAEL V. CASELLAS, CHAIRMAN, EEOC  
97-6119 MAINVILLE, EUGENE J. V. UNITED STATES

The petitions for rehearing are denied.

96-1557 CALHOON, JOHN V. UNITED STATES  
96-1911 NICHOLSON, DOUGLAS V. NEVADA STATE BAR

The motions of petitioners for leave to proceed further in herein *in forma pauperis* are granted. The petitions for rehearing are denied.

#### ATTORNEY DISCIPLINE

D-1844 IN THE MATTER OF DISBARMENT OF JAMES HERMAN DAVIS

James Herman Davis, of Los Angeles, California, having been suspended from the practice of law in this Court by order of September 29, 1997; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that James Herman Davis is disbarred from the practice of law in this Court.

D-1854 IN THE MATTER OF DISBARMENT OF ROBERT PATRICK FISHER

Robert Patrick Fisher, of Scotts Valley, California, having been suspended from the practice of law in this Court by order of September 29, 1997; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Robert Patrick Fisher is disbarred from the practice of law in this Court.

D-1860 IN THE MATTER OF DISBARMENT OF CHARLES W. SCHOENEMAN

Charles W. Schoeneman, of Arlington Virginia, having been suspended from the practice of law in this Court by order of October 20, 1997; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Charles W. Schoeneman is disbarred from the practice of law in this Court.

D-1862 IN THE MATTER OF DISBARMENT OF JOSEPH F. MANSON, III

Joseph F. Manson, III, of Fairfax, Virginia, having been suspended from the practice of law in this Court by order of October 20, 1997; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Joseph F. Manson, III, is disbarred from the practice of law in this Court.

D-1863 IN THE MATTER OF DISBARMENT OF TIM FUTRELL

Tim Futrell, of Cambridge, Massachusetts, having been suspended from the practice of law in this Court by

order of October 20, 1997; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Tim Futrell is disbarred from the practice of law in this Court.

D-1885 IN THE MATTER OF DISBARMENT OF SCOTT A. GARVER

Scott A. Garver, of Waterbury, Connecticut, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1886 IN THE MATTER OF DISBARMENT OF MICHAEL A. POLLACK

Michael A. Pollack, of New York, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1887 IN THE MATTER OF DISBARMENT OF EARL RAY ANDREWS

Earl Ray Andrews, of Athens, Texas, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1888 IN THE MATTER OF DISBARMENT OF PATRICK SHAWN MOORE

Patrick Shawn Moore, of Prospect Heights, Illinois, is suspended from the practice of law in this Court and

a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1889 IN THE MATTER OF DISBARMENT OF ANTHONY JAMISON

Anthony Jamison, of Chicago, Illinois, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1890 IN THE MATTER OF DISBARMENT OF PAUL A. STERN

Paul A. Stern, of Chicago, Illinois, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.