

(ORDER LIST: 522 U.S.)

MONDAY, OCTOBER 20, 1997

ORDERS IN PENDING CASES

M-19 C. MICHAEL ANDERSON V. FRANK X. HOPKINS, WARDEN

M-20 PETER GONZALEZ, ET AL. V. BRIAN J. WING, COMMISSIONER, NEW YORK
STATE DEPARTMENT OF SOCIAL SERVICES, ET AL.

M-21 FREDERICO PEREZ V. BUREAU OF PRISONS, ET AL.

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

96-1037 KIOWA TRIBE OF OK V. MFG. TECH., INC.

96-8653 GRAY, KEVIN D. V. MARYLAND

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

96-1769 OH ADULT PAROLE AUTH., ET AL V. WOODARD, EUGENE

The motion of respondent to substitute David H.
Bodiker, Esquire, as appointed counsel is granted.

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

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

November 10, 1997 within which to pay the docketing fee
required by Rule 38(a) and to submit a petition in
compliance with Rule 33.1 of the Rules of this Court.

97-5850 JOHNSON, THOMAS A. V. OPPEL, CURT A., ET AL.

The motion of petitioner for leave to proceed *in
forma pauperis* is denied. Petitioner is allowed until
November 10, 1997, within which to pay the docketing fee
required by Rule 38(a) and to submit a petition in
compliance with Rule 33.1 of the Rules of this Court.

97-5951 SANDERS, LINDA V. BEHR, PAUL, ET UX.
(A-213)

The application for stay addressed to Justice O'Connor
and referred to the Court is denied.

CERTIORARI GRANTED

97-16 OH FORESTRY ASSN., INC. V. SIERRA CLUB, ET AL.

97-42 EASTERN ENTERPRISES V. APPEL, COMM'R OF SOC. SEC.

97-147 ATLANTIC MUTUAL INS. V. CIR

The petitions for writs of certiorari are granted.

96-8732 EDWARDS, VINCENT, ET AL. V. UNITED STATES

The motion of petitioner for leave to proceed *in*

forma pauperis is granted. The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

CERTIORARI DENIED

- 96-1982 AGUIRRE, ELENO V. UNITED STATES
- 96-9441 MARTIN, HUMBERTO V. UNITED STATES
- 96-9470 AQUINO-CHACON, MIGUEL V. UNITED STATES
- 97-75 N.E. OH COALITION HOMELESS V. CLEVELAND, OHIO
- 97-104 DE MARTINEZ, KATIA, ET AL. V. LAMAGNO, DIRK, ET AL.
- 97-109 GENS, HELEN V. FDIC
- 97-112 TAX ANALYSTS V. DEPT. OF JUSTICE, ET AL.
- 97-126 MATTERN, JEAN G. V. EASTMAN KODAK CO., ET AL.
- 97-172 PHILLIPS, GEORGE, ET AL. V. KEYPORT, NJ., ET AL.
- 97-280 WILLIAMSON, MARTHA, ET VIR V. LIBERTY NATL. LIFE INS. CO.
- 97-295 SMITH, NANCY, ET VIR V. HARTFORD INS. GROUP, ET AL.
- 97-310 WEINBERGER, AARON, ET AL. V. WISCONSIN, ET AL.
- 97-311 GILBARCO, INC. V. OCTEL COMMUNICATIONS CORP.
- 97-312 CUNNINGHAM, DAVID V. SCHLUMBERGER WELL SERVICES

97-313 GUTHMANN, STEPHEN, ETC. V. CROUSE IRVING MEM. HOSP.

97-318 WEST, MARY AMANDA, ETC. V. WAYMIRE, JAMES, ETC., ET AL.

97-319 CHEZ SEZ VIII, INC., ET AL. V. VERNIERO, NJ ATTY. GEN.

97-323 LAPIDUS, TED V. VANN, AVRON, ET AL.

97-324 GUIDO, JOHN, ET UX., ETC. V. FAIRMONT, WV

97-327 CONSUMERS ED. & PROTECTIVE V. PA MILK MARKETING BD., ET AL

97-331 BAKER HUGHES INC., ET AL. V. JIM ARNOLD CORP., ET AL.

97-342 CARRERAS, ANGELINA V. TEXAS

97-353 SHIEH, LIANG-HOUH V. SUP. CT. OF CA, ET AL.

97-384 RESHARD, CONNIE, ET AL. V. BRITT, EARL, ET AL.

97-386 POLARIS INS. CO. V. AQUA-MARINE CONSTRUCTORS

97-393 CAMOSCIO, FRANK V. MULLIGAN, CHIEF JUSTICE

97-394 BROWN, BETTY, ET VIR V. UNIROYAL, INC., ET AL.

97-401 PRACTICE MGMT. INFO. CORP. V. AM. MED. ASSN.

97-407 TEMPO, INC., ETC. V. WEST, SEC. OF ARMY

97-413 DIAMANT BOART, INC. V. MARTIN, JOYCE

97-425 BELL, WESLEY V. NJ DEPT. OF ENVTL. PROTECT.

97-431 SELF, ERIC V. AUBURN STEEL CO., ET AL.

97-469 PLATEK, STANLEY, ET AL. V. DUQUESNE CLUB

97-473 GILL, DONALD, ET AL. V. RHODE ISLAND, ET AL.

97-481 SHILDMYER, KYLE V. UNITED STATES

97-487 GERACI, STEVEN, ET AL. V. UNITED STATES

97-493 WILKERSON, RONALD V. UNITED STATES

97-494 KIEPFER, RICHARD V. UNITED STATES

97-495 BLACK, BRUCE V. UNITED STATES

97-497 CRAWFORD, LYNN V. UNITED STATES

97-507 BRACKET, GEORGE V. UNITED STATES

97-525 CASTLEBERRY, EDDIE V. UNITED STATES

97-5033 BARTON, ANTHONY W. V. NORROD, MARK, ET AL.

97-5253 BORNKESSEL, LARS N. V. UNITED STATES

97-5393 RADVON, WALTER V. UNITED STATES

97-5546 WILLIAMS, CHRISTOPHER T. V. OKLAHOMA

97-5621 SLAGEL, SAMUEL E. V. SHELL PETROLEUM, INC.

97-5641 SUMMERS, CHARLES L. V. CHAMPION, WARDEN

97-5642 SEYMORE, LOU ELLA V. SHAWVER & SONS, INC., ET AL.

97-5645 GEASE, DELL M. V. PENNSYLVANIA

97-5647 GARBER, ROBERT V. LOS ANGELES MUNICIPAL COURT

97-5649 WISE, RICHARD V. McANINCH, WARDEN

97-5650 BREWER, TERRY D. V. COMPTON, WARDEN

97-5656 GARCIA, MODESTO V. OHIO

97-5657 NORRIS, JAMES A. V. JOHNSON, DON H., ET AL.

97-5660 CRAIG, DALE D. V. LOUISIANA

97-5668 COPPLE, JOHN R. V. MECHEM FINANCIAL, INC.

97-5672 KIT, KO K. V. ARIZONA

97-5673 HIZBULLAHANKHAMON, QABAIL V. GOORD, COMM'R, NY DOC

97-5676 TATUM, LEAMON L. V. LANHAM, COMM'R, MD DOC

97-5677 ARTEAGA, LORENZO V. USCA 9

97-5678 SINGLETON, DAVID L. V. BAKER, ATT'Y GEN. OF GA

97-5679 PATRICK, MARY V. IOWA

97-5684 GUDINAS, THOMAS L. V. FLORIDA

97-5685 DWIGHT B. V. JERRI LYNN C.

97-5689 ARCHER, DONNA V. VALLEY HEALTH CARE CORP.

97-5693 MULBERRY, JEFFREY R. V. HENDERSON, SUPT., CENTENNIAL

97-5694 MAHAPATRA, SARADINDU V. ONONDAGA COUNTY, ETC.

97-5695 LEWIS, HARLEM H. V. TEXAS

97-5696 IKELIONWU, MICHAEL V. BURR, RAY, ET AL.

97-5697 SMITH, JEAN H. V. OPM

97-5698 BLACKWELL, LARRY V. CONDON, ATT'Y GEN. OF SC

97-5707 BRONSHTEIN, ANTUAN V. PENNSYLVANIA

97-5709 LAMB, THOMAS V. LAMB, PATRICIA

97-5715 SACCO, FRANK V. NEW YORK, ET AL.

97-5735 LANE, BERNARD V. VAUGHN, SUPT., GRATERFORD

97-5773 MURPHY, BARTON L. V. UNITED STATES, ET AL.

97-5774 MENDOZA, JUAN M. V. BROWN, SEC. OF VA

97-5777 BRAUN, CONRAD J. V. BARTLETT, D. BROOK, ET AL.

97-5799 RUSSELL, CHRISTOPHER A. V. BRIGMAN, SUPT., ET AL.

97-5816 WOLFGAM, JOHN E. V. WELLS FARGO BANK, ET AL.

97-5847 BARFIELD, EMMA B. V. BELLSOUTH TELECOMMUNICATIONS

97-5871 DECATOR, KITTRELL B. V. UNITED STATES

97-5873 GOTTSCHALK, GEORGE F. V. UNITED STATES

97-5879 HYDE, MICHAEL V. UNITED STATES

97-5889 ADKINS, JEFFREY S. V. DIXON, THOMAS W., ET AL.

97-5905 HICKS, REGINALD V. WORKERS' COMPENSATION

97-5913 SLOAN, ISMAIL V. ROBERTS, CHARLES E., ET AL.

97-5922 SPEEDE, WINFIELD D. V. THOMPSON, WARDEN

97-5924 PERELMAN, FRANK M. V. DAVILA, GEORGE M., ET AL.

97-5938 MENY, CARL V. NORRIS, DIR., AR DOC

97-5976 GIBSON, JEFFREY V. WEST, SEC. OF ARMY

97-5986 PADGETT, DARRELL L. V. UNITED STATES

97-5987 QUARLES, SAMIR V. DELAWARE

97-5998) BOTTONNE, ALFRED V. UNITED STATES
)
97-6016) RIVERA, RALPH V. UNITED STATES

97-6001 PEAKE, CARLOS E. V. ANGELONE, DIR., VA DOC

97-6002 VINCENT, EVANS V. UNITED STATES

97-6017 DUARTE, NELSON O. V. UNITED STATES

97-6021 GEORGES, RICHARD P. V. UNITED STATES

97-6022 GOODEN, DONALD B. V. UNITED STATES

97-6023 FLORES-MIRELES, JUAN F. V. UNITED STATES

97-6028 BLUMEYER, ARTHUR A. V. UNITED STATES

97-6038 BOGLE, CLIFFORD T. V. UNITED STATES

97-6039 MENDOZA, GLORIA, ET AL. V. UNITED STATES

97-6040 MARTIN, JOHN W. V. UNITED STATES

97-6041) MALANITINI, ANTONIO B. V. UNITED STATES
)
97-6052) WHEATON, RYAN O. V. UNITED STATES
)
97-6084) GAINEY, DOROTHY J. V. UNITED STATES

97-6042 McKEOWN, JOHN F. V. UNITED STATES

97-6045 ROBERTSON, JUAN P. V. UNITED STATES

97-6046 OWENS, JESSE V. UNITED STATES

97-6047 PORTILLO-RODRIGUEZ, BAUDELIO V. UNITED STATES

97-6057 BENDOLPH, HERBERT L. V. UNITED STATES

97-6060 SELLMAN, ROSS A. V. UNITED STATES

97-6066 WESTERFIELD, TED H. V. UNITED STATES

97-6083 ELLINGTON, KENNETH L. V. UNITED STATES

97-6085 HUDSON, DON M. V. UNITED STATES

97-6086 FOY, MARK A. V. UNITED STATES

97-6090 BROADEN, LARRY V. UNITED STATES

97-6091 ALVAREZ, JESSE J. V. UNITED STATES

97-6095 RAMIREZ-CRUZ, BERNARDO V. UNITED STATES

97-6096 RIVERA, JESUS G. V. UNITED STATES

97-6100 KIM, DUK K. V. UNITED STATES

97-6102 McCOUNLY, BILLY R. V. UNITED STATES

97-6106 VERNA, CHARLES P. V. UNITED STATES

97-6110 WHITE, DANNY V. UNITED STATES

97-6119 MAINVILLE, EUGENE J. V. UNITED STATES

97-6120 BRUCE, GARY L. V. UNITED STATES

97-6135 BYRD, TERESA V. UNITED STATES

97-6138 CARROLL, DAVID V. UNITED STATES

97-6143 MORFA, MARTA V. UNITED STATES

97-6150 CASEY, JAMES R. V. UNITED STATES

97-6177 LATNEY, GREGORY L. V. UNITED STATES

The petitions for writs of certiorari are denied.

97-79 OVERCASH, SANDRA, ETC. V. MR. DOE, ET UX.

The motion of Alliance for Rights of Children, et al. for leave to file a brief as *amici curiae* is granted. The motion of respondents for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

97-92 IEYOUB, ATTY. GEN. OF LA V. CAUSEWAY MED. STE., ET AL.

The petition for a writ of certiorari is denied. Justice Scalia would grant certiorari.

97-135 OLD VAIL PARTNERS V. RIVERSIDE CTY., CA, ET AL.

The motion of National Association of Home Builders, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

97-307 OSRAM SYLVANIA PRODUCTS, INC V. VON DER AHE, CHARLES, ET AL.

The motion of American Petroleum Institute for leave to file a brief as *amicus curiae* is granted. The motion of Grocery Manufacturers of America, Inc. for leave to file a brief as *amicus curiae* is granted. The

motion of Hewlett-Packard Company and Compaq Computer Corporation for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

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

The motion of petitioner to strike respondent's brief in opposition is denied. The petition for a writ of certiorari is denied.

MANDAMUS DENIED

97-6035 IN RE ERNEST F. CLARK

The petition for a writ of mandamus is denied.

REHEARING DENIED

96-1436 DE WIEST, ROGER V. DEHAENE, JEAN-LUC, ET AL.

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.

ATTORNEY DISCIPLINE

D-1814 IN THE MATTER OF DISBARMENT OF LIANG-HOUH SHIEH

Liang-Houh Shieh, of Taipei, Taiwan, having been suspended from the practice of law in this Court by order of June 23, 1997; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and a response having been filed;

It is ordered that Liang-Houh Shieh is disbarred from the practice of law in this Court.

D-1823 IN THE MATTER OF DISBARMENT OF MICHAEL CHAPMAN BALDAUFF

Michael Chapman Baldauff, of York, Pennsylvania, having been suspended from the practice of law in this Court by order of August 4, 1997; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Michael Chapman Baldauff is disbarred from the practice of law in this Court.

D-1831 IN THE MATTER OF DISBARMENT OF RICHARD SCOTT

Richard Scott, of Lincoln, Nebraska, having been suspended from the practice of law in this Court by order of August 4, 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 Richard Scott is disbarred from the practice of law in this Court.

D-1832 IN THE MATTER OF DISBARMENT OF RONALD ALFRED WELCKER

Ronald Alfred Welcker, of New Orleans, Louisiana, having been suspended from the practice of law in this Court by order of August 4, 1997; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Ronald Alfred Welcker is disbarred from the practice of law in this Court.

D-1840 IN THE MATTER OF RONALD BART GILBERT

Ronald Bart Gilbert, of Miami, Florida, 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 the practice of law before this Court. The Rule to Show Cause, issued on September 29, 1997, is discharged.

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

Charles W. Schoeneman, of Arlington, Virginia, 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-1861 IN THE MATTER OF DISBARMENT OF DOUGLAS DOWNES WILSON

Douglas Downes Wilson, of Roanoke, Virginia, 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-1862 IN THE MATTER OF DISBARMENT OF JOSEPH F. MANSON, III

Joseph F. Manson, III, of Fairfax, Virginia, 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-1863 IN THE MATTER OF DISBARMENT OF TIM FUTRELL

Tim Futrell, of Cambridge, Massachusetts, 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-1864 IN THE MATTER OF DISBARMENT OF PETER V. SOLBER

Peter V. Solber, 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-1865 IN THE MATTER OF DISBARMENT OF SAUL R. LEIBOWITZ

Saul R. Leibowitz, 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-1866 IN THE MATTER OF DISBARMENT OF LOREN LENNIS HEINEMANN

Loren Lennis Heinemann, of Orland Park, 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.

MOTIONS FOR ADMISSION

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