

(ORDER LIST: 546 U.S.)

MONDAY, NOVEMBER 14, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

05-7023 MUGAN, ALLAN C. V. UNITED STATES

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 Eighth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

05-7025 DIAS-RAMOS, FILABERTO V. UNITED STATES

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 Tenth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

ORDERS IN PENDING CASES

04-944 ARBAUGH, JENIFER V. Y & H CORP.

The motion of Alabama for leave to participate in oral argument as *amicus curiae* and for divided argument is denied.

04-1581 WI RIGHT TO LIFE, INC. V. FED. ELECTION COMM'N

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

05-331 AIR CONDITIONING, ETC., ET AL. V. ENERGY RESOURCES, ETC., ET AL.

The Solicitor General is invited to file a brief in this

case expressing the views of the United States.

CERTIORARI GRANTED

04-1739 BEARD, SEC., PA DOC V. BANKS, RONALD

05-416 WOODFORD, JEANNE S., ET AL. V. NGO, VIET M.

The petitions for writs of certiorari are granted.

CERTIORARI DENIED

04-9814 CAMPBELL, ROBERT J. V. DRETKE, DIR., TX DCJ

05-74 HINOJOSA, RICARDO V. JOSTENS, INC.

05-187 KOCAK, SUZANNE D. V. COM. HEALTH PARTNERS OF OH, INC.

05-203 LAMBETH, CHARLES F., ET AL. V. BD. OF COMM'RS OF DAVIDSON CTY.

05-212 JOHNSON, THOMAS, ET AL. V. BUSH, GOV. OF FLORIDA, ET AL.

05-216 DANTZ, DEBRA V. AM. APPLE GROUP

05-313 BURR, JOANNE V. HASBROUCK HEIGHTS POLICE DEPT.

05-323 GOODRICH CORP. V. INT'L ASSOC. OF MACHINISTS

05-324 HARRAH'S LAS VEGAS, INC., ET AL. V. SNOWNEY, FRANK

05-327 SEYMOUR, GABRIEL, ET AL. V. REGION ONE BOARD OF EDUCATION

05-328 LEON C. BAKER P.C., ET AL. V. MERRILL LYNCH, PIERCE, ETC.

05-332 SIX WEST RETAIL ACQUISITION, INC. V. SONY PICTURES, ET AL.

05-338 BLAU, ALAN V. YMI JEANSWEAR, INC., ET AL.

05-408 SMART, BILLY D. V. TEXAS

05-447 ABRISHAMIAN, AZIZOLLAH V. GUTIERREZ, SEC. OF COMMERCE

05-448 HORNBACK, ALTON V. UNITED STATES

05-459 SIBLEY, MONTGOMERY B. V. SUPREME COURT OF U.S., ET AL.

05-474 BONTKOWSKI, EDWARD V. CASTILLO, RUBEN, ET AL.

05-481 SHERLOCK, RICHARD A. V. UNITED STATES

05-486 TELLO, JOHN V. CIR

05-5512 OVERCAST, JOHN W. V. UNITED STATES

05-5681 NIXON, JOHN B. V. EPPS, COMM'R, MS DOC

05-5794 COLLINS, LARRY J. V. UNITED STATES
05-5841 SHI_sINDAY, SHO_zDIJIIJI V. TEXAS
05-5859 HAMM, DOYLE L. V. ALABAMA
05-5978 HOHMANN, MIROSLAVA V. TEGAN, PATRICIA, ET AL.
05-6202 SAUNDERS, KENNETH V. HALL, WARDEN
05-6219 BOWLING, THOMAS C. V. KENTUCKY
05-6220 PEARSON, FRANK J. V. FLORIDA
05-6226 BELCHER, SAMUEL A. V. JOHNSON, DIR., VA DOC
05-6230 BURROUGHS, GEOFFREY V. MAKOWSKI, WARDEN
05-6231 AARON, ROSS V. MITCHEM, WARDEN, ET AL.
05-6236 PORTEE, ANDRE J. V. MORTON, BELINDA S.
05-6247 BRANCH, ANGELO D. V. DRETKE, DIR., TX DCJ
05-6248 BREWER, MICHAEL L. V. FRAWLEY, ALFRED C., ET AL.
05-6250 ANDERSON, MICHAEL V. SOLOMON, WARDEN
05-6252 LOPEZ, ROBERT A. V. COLORADO
05-6255 LUNDY, MOBILE V. BOOKER, WARDEN
05-6264 HYPOLITE, AVERY V. CALIFORNIA
05-6266 HUDSON, TONI V. M.S. CARRIERS, INC.
05-6271 TORRES, JOSE M. V. RUNNELS, WARDEN, ET AL.
05-6272 SMITH, MARY ANN N. V. BRANCH BANKING & TRUST
05-6273 CIAPPINA, JOSEPH C. V. CALIFORNIA
05-6274 CAMPBELL, JAMES B. V. CROSBY, SEC., FL DOC
05-6277 CONSIGLIO, SAM V. CALIFORNIA
05-6285 BAGBY, JEFFREY V. OKLAHOMA
05-6287 WILLIAMS, STEPHEN S. V. TEXAS
05-6288 WILLIAMS, DAVID H. V. AR DOC
05-6297 WOMACK, NATH C. V. TEXAS
05-6298 NURNBERG, MICHELLE R. V. DRETKE, DIR., TX DCJ

05-6299 EDISON, AARON A. V. WEST VIRGINIA, ET AL.
05-6312 PEDROZA, PEDRO S. V. FLORIDA
05-6315 JOHNSON, CLAUDIUS B. V. HAMLET, WARDEN
05-6330 BROWN, DONYEL V. V. HARRISON, WARDEN
05-6342 CONSIGLIO, SAM V. RIMMER, WARDEN
05-6345 ZEIGLER, DAMON V. GEORGIA
05-6346 VALENZUELA, GEORGE V. FELKER, WARDEN
05-6348 VALDEZ, JAMIE M. V. DRETKE, DIR., TX DCJ
05-6349 VARNEY, RONALD J. V. MICHIGAN
05-6350 ZADEH, HAMID K. V. CALIFORNIA
05-6351 NELSON, EDWARD V. PATRICK, SUPT., HOUTZDALE
05-6356 BENESHUNAS, JOSEPH V. KLEM, SUPT., MAHANOY, ET AL.
05-6363 O'BRYANT, THOMAS C. V. SAPP, WARDEN, ET AL.
05-6365 TERRY, MARLON C. V. DRETKE, DIR., TX DCJ
05-6366 WAGNER, STEVEN W. V. MOORE, WARDEN
05-6367 McELWEE, ROBERT L. V. KIRKLAND, WARDEN
05-6368 OTTINGER, AARON W. V. CALIFORNIA
05-6371 SIMPSON, PERRIE D. V. POLK, WARDEN
05-6374 BEN-YISRAYL, CHIJIIOKE B. V. INDIANA
05-6376 BLAKE, JOHN L. V. WYNDER, SUPT., DALLAS
05-6378 TWILLEY, JIMMY V. GAY, DAVID, ET AL.
05-6380 YOUNG, LAUREN V. MARSHALL, WARDEN
05-6390 DAVIDO, TEDOR V. PENNSYLVANIA
05-6391 McCARTY, CURTIS E. V. OKLAHOMA
05-6399 BRITT, RONALD E. V. CROSBY, SEC., FL DOC
05-6401 FLETCHER, BRIAN V. LOCKYER, ATT'Y GEN. OF CA
05-6414 GIBSON, DAVID W. V. BARNHART, COMM'R, SOCIAL SEC.
05-6427 LUU, QUOC X. V. CAREY, WARDEN

05-6433 LOPEZ-CARRANZA, JOSE R. V. GONZALES, ATT'Y GEN.
05-6468 LEAPHART, ALFONSO V. PALAKOVICH, SUPT., SMITHFIELD
05-6493 SOCHA, MICHAEL P. V. KUCINICH, DENNIS J.
05-6497 CRUZADO, ABRAHAM J. V. WHORTON, DIR., NV DOC, ET AL.
05-6534 VAN ALLEN, HAROLD W. V. NICHOLSON, SEC. OF VA
05-6555 RINICK, WILLIAM V. PENNSYLVANIA
05-6587 WALKER, SEAN V. MASSACHUSETTS
05-6597 STUCKY, BILLY R. V. BLACKETTER, SUPT., EASTERN OR
05-6616 MORRIS, DONALD V. CROSBY, SEC., FL DOC
05-6618 SINGLEY, MICHAEL B. V. PENNSYLVANIA
05-6630 BROWER, RICHARD M. V. CROSBY, SEC., FL DOC
05-6667 MILLER, MICHAEL V. COLORADO
05-6670 VIALPANDO, TIMOTHY V. SOARES, WARDEN, ET AL.
05-6671 VIALPANDO, TIMOTHY V. SOARES, WARDEN, ET AL.
05-6677 SPROUSE, DONALD V. POWELL, WARDEN
05-6686 STAMBOLIA, DENNIS L. V. OHIO
05-6692 JAMES, LATONE V. CONNECTICUT
05-6694 McNEIL, SALLY M. V. HENRY, WARDEN
05-6700 JACKSON, RICCARDO V. HARRISON, WARDEN
05-6707 McDONALD, MAURICE J. V. ILLINOIS
05-6716 NALL, TYRONE T. H. V. FARWELL, CRAIG, ET AL.
05-6763 BAKER, LYNDIA J. V. DEPT. OF INTERIOR, ET AL.
05-6898 TAYLOR, ANTHONY L. V. USDC ED CA
05-6914 BARKER, CHARLES V. INDIANA
05-6918 REEVE, CHARLES E. V. UNITED STATES
05-6925 REDFERN, LAMAR V. UNITED STATES
05-6957 BARBER, EARL J. V. UNITED STATES
05-6958 BURCH, TIMOTHY C. V. UNITED STATES

05-6969 TRACY, PATRICK A. V. UNITED STATES
05-6972 CRUZ, RAYMUNDO D. V. UNITED STATES
05-6976 JOHNSON, GREG A. V. UNITED STATES
05-6977 BERRY, DONALD V. UNITED STATES
05-6981 WHITE, ANTHONY G. V. UNITED STATES
05-6982 CLARK, TIBAL V. UNITED STATES
05-6985 LANE, ALLEN V. UNITED STATES
05-6986 SMITH, ANDREW W. V. UNITED STATES
05-6993 EDWARDS, JERRY J. V. ENGLAND, SEC. OF NAVY
05-6994 MILLAN-TORRES, SERGIO V. UNITED STATES
05-7000 FALODUN, BRIGHT I. V. UNITED STATES
05-7001 GLEASON, MICHAEL V. ISBELL, MAYOR, ET AL.
05-7006 FIELDS, JOSEPH H. V. UNITED STATES
05-7007 CESAL, CRAIG V. UNITED STATES
05-7010 ROCHA-AGUILAR, JUAN C. V. UNITED STATES
05-7012 RIVERA, DENIS, ET AL. V. UNITED STATES
05-7015 WATKINS, ROBERT E. V. UNITED STATES
05-7016 BASSETT, BRIAN E. V. UNITED STATES
05-7020 MOHR, CHRISTOPHER M. V. UNITED STATES
05-7021 ORR, ELI T. V. UNITED STATES
05-7027 JOHNSON, MATTHEW P. V. UNITED STATES
05-7028 MARTINEZ-HERNENDEZ, JOSE R. V. UNITED STATES
05-7029 LESTER, STONEY V. UNITED STATES
05-7031 ROCHE, DEVON V. UNITED STATES
05-7033 RAWLS, LeNORMANDY V. UNITED STATES
05-7036 BADILLO-RANGEL, RAUL V. UNITED STATES
05-7037 MAY, GERALD P. V. UNITED STATES
05-7038 WINT, WAYNE V. UNITED STATES

05-7039 VILLALONA, EDWIN V. UNITED STATES
05-7040 VERASTEGUI-GARCIA, RUBEN V. UNITED STATES
05-7045 ABDULLAH, KARRIEM V. UNITED STATES
05-7046 ANDRADE, LUIS A. V. UNITED STATES
05-7047 DEERING, JEROME F. V. UNITED STATES
05-7049 DENTON, JON R. V. O'BRIEN, WARDEN
05-7051 PRICE, BENJAMIN C. V. UNITED STATES
05-7054 HENRY, GORDON G., ET AL. V. UNITED STATES
05-7055 PORTEE, OMAR V. UNITED STATES
05-7057 JUAREZ-CORONA, JUAN A. V. UNITED STATES
05-7061 RAMIREZ, OLGA L. V. UNITED STATES
05-7062 RIVAS-GARCIA, HECTOR V. UNITED STATES
05-7063 SMITH, MARK E. V. UNITED STATES
05-7073 WHITE, BRIAN V. UNITED STATES

The petitions for writs of certiorari are denied.

05-219 NAT'L ALTERNATIVE FUELS ASS'N V. EPA, ET AL.

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

05-405 NORFOLK SO. RAILWAY CO. V. SCHUMPERT, JAMES H.

The motion of Association of American Railroads for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

05-6229 BROWN, THEODIS V. METRO-NORTH FIRE PROTECTION

05-6377 BROWN, THEODIS V. CASTLEPOINT LAW ENFORCEMENT

The motions of petitioner for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8. As the petitioner has

repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

HABEAS CORPUS DENIED

05-6676 IN RE DONALD SPROUSE, JR.
05-7067 IN RE RONALD L. EGGER
05-7148 IN RE RUSSELL E. KAEMMERLING

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

05-6337 IN RE NATHANIEL H. JONES
05-6359 IN RE JOSE ALCAREZ

The petitions for writs of mandamus are denied.

REHEARINGS DENIED

04-1571 OKAMOTO, AKIKO V. BANK WEST CORP.
04-1621 MORTERS, RONALD W. V. BARR, CHARLES H., ET AL.
04-9928 SMITH, BENNY R. V. RUDICEL, C., ET AL.
04-10116 CONIC, LARRY X. V. MICHIGAN
04-10389 WESTBURY, MICHAEL V. DORCHESTER COUNTY, SC, ET AL.
04-10504 RUTAN, ROGER V. HOUK, WARDEN
05-4 SMITH, STEVEN V. CONSOLIDATED FREIGHTWAYS
05-28 STEVENS, RICHARD V. STATE BAR OF CA
05-35 TAYLOR, MELISSA C. V. POTTER, POSTMASTER GEN.
05-132 ROUSH, FRANKLIN D. V. CHALKEY, MARY

05-154

IN RE JOSEPH A. RODRIGUEZ

The petitions for rehearing are denied.