

(ORDER LIST: 529 U. S.)

MONDAY, MAY 22, 2000

CERTIORARI -- SUMMARY DISPOSITION

99-1227 ROSQUIST, BRYON, ET AL. V. McCANN, MELANIE, ET AL.

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 *United States v.*

Morrison, 529 U. S. ____ (2000).

99-1583 PENNSYLVANIA V. D. M

The petition for a writ of certiorari is granted.

The judgment is vacated and the case is remanded to the Supreme Court of Pennsylvania, Eastern District, for further consideration in light of *Illinois v. Wardlow*,

528 U. S. ____ (2000).

ORDERS IN PENDING CASES

99M87 ZIMBOVSKY, ASYA D. V. MASSACHUSETTS

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time under Rule 14.5 is denied.

99M88 TILLIS TRUCKING CO., INC. V. MOSES, MALACHI, ET AL.

99M89 BARBOSA, CECILIO, ET AL. V. HOSPITAL ALEJANDRO BUITRAGO

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

99- 1295 GITLITZ, D. , ET UX. , ET AL. V. CIR

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

99- 8264 DELESPINE, CLINTON W. V. JOHNSON, DIR. , TX DCJ

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

99- 9052 SAMUEL, ALEXANDER V. NATHAN' S FAMOUS OPERATING

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until June 12, 2000, 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.

CERTIORARI GRANTED

99- 1257 BROWNER, EPA ADMINR. V. AM TRUCKING ASSNS. , ET AL.

The petition for a writ of certiorari is granted.

99- 1178 SOLID WASTE AGENCY, ETC. V. U. S. ARMY CORP. ENGINEERS

The motion of Pacific Legal Foundation and Randy Peterson for leave to file a brief as *amici curiae* is granted. The motion of National Association of Home Builders for leave to file a brief as *amicus curiae* is granted. The motion of American Farm Bureau Federation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted.

99- 1379 CIRCUIT CITY STORES, INC. V. ADAMS, SAINT CLAIR

The petition for a writ of certiorari is granted

limited to Question 1 presented by the petition.

99-6218 ROGERS, WILBERT K. V. TENNESSEE

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

CERTIORARI DENIED

98-1996 PELCHAT, JOSEPH CHARLES V. UNITED STATES

98-9402 DAVIS, DARWIN K. V. UNITED STATES

98-9601 BEARDEN, THELONIOUS V. UNITED STATES

99-1203 THERIOT, DENNIS, ET AL. V. JEFFERSON PARISH, LA, ET AL.

99-1209 NOVATO FIRE PROTECT. DIST. V. UNITED STATES, ET AL.

99-1283 KUMAR, SURESH V. UNITED STATES

99-1367 ABBOTT, AMILIA, ET AL. V. MEDGAR EVERS HOUSES, ET AL.

99-1370 NEW YORK, ET AL. vs. YONKERS BD. OF ED. , ET AL.

99-1439 ANDEREGG, JAMES V. WASHINGTON

99-1526 UNIV. OF CO FOUNDATION, INC. vs. AM CYANAMID CO.

99-1537 BORDEN, INC. , ET AL. V. MORTON'S MARKET, INC. , ET AL.

99-1538 TARANTO, SHEILA V. NORTH SLOPE BOROUGH

99-1545 GONZALES, PAUL, ET UX. V. KERRVILLE, TX, ET AL.

99-1546 LAKE CHARLES STEVEDORES, INC V. PROFESSOR VLADIMIR POPOV MW

99-1561 OLIVER, RUBY, ET VIR vs. SAHA, SIBU P. , ET AL.

99-1569 DAVID, FRED V. HANOVER INS. CO.

99-1588 STANTON, JOHN vs. DCCA

99-1599 HOPPER, ROBERT, ET AL. V. ROBINSON, ADMR. ATTY. REG.

99-1610 YSLETA DEL SUR PUEBLO V. LANEY, DAVID, ET AL.

99-1617 McMASTER, WILLIAM D. vs. MI NATL. CORP. , ET AL.

99- 1661 RENNERT, PHILIP ANDRE V. UNITED STATES
 99- 1670 WEBB, GALE, ET UX. V. MENDENHALL, ANTHONY, ET AL.
 99- 1703 CHOE, JIM V. UNITED STATES
 99- 1712 BENAVIDES, AURELIO V. GERVER, KENT A. , ET UX.
 99- 6879 MARLOW, ROBERT T. V. UNITED STATES
 99- 7908 RODIA, JOSEPH V. UNITED STATES
 99- 7918 WILLIAMS, GARY A. V. UNITED STATES
 99- 7958 DEWBERRY, JOHN C. V. TEXAS
 99- 8016 ABRAM, STACY V. LAXTON, EDWARD, ET AL.
 99- 8244) RICHARDSON, WILLIAM L. V. RICHARDSON, ROSEMARIE
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 99- 8245) RICHARDSON, WILLIAM L. V. AMERICA ONLINE
)
 99- 8246) RICHARDSON, WILLIAM L. V. SPRINT PCS
)
 99- 8247) RICHARDSON, WILLIAM L. V. FIRST NATIONAL BANK OF MD
)
 99- 8287) RICHARDSON, WILLIAM L. V. BELL ATLANTIC CORP.
 99- 8271 BURTON, MARK A. V. UNITED STATES
 99- 8639 DUNCAN, TIMOTHY W. V. BARRERAS, WARDEN, ET AL.
 99- 8641 JACKSON, IVORY J. V. JOHNSON, DIR. , TX DCJ
 99- 8643 McDOWELL, TOMMIE L. V. NEVADA
 99- 8646 MAHON, JOHNNIE R. V. LOS ANGELES COUNTY, ET AL.
 99- 8648 JONES, JEFFREY W. V. COMM R OF LABOR OF NY
 99- 8664 COFFEE, KING W. V. DOTH, DAVID, ETC.
 99- 8669 TAYLOR, CARSBIA V. vs. DEES, WARDEN, ET AL.
 99- 8670 WELCH, VAN P. V. ANGELONE, DIR. , VA DOC
 99- 8671 WALKER, ERIC V. AKERS, JAMES, ET AL.
 99- 8673 STEMLEY, LOUIS V. FOTI, SHERIFF OF ORLEANS
 99- 8679 JEFFERS, SAMUEL T. V. CAIN, WARDEN
 99- 8680 MANTHEI, RAMONA V. BOGAN, WARDEN, ET AL.

99- 8686 ALDRIDGE, STEPHEN M V. ZULPO-DANE, MONET, ET AL.
99- 8687 ANGLETON, BRAD C. V. INDIANA
99- 8689 CLAY, LOUIS J. V. SANDERS, JUDGE, ETC.
99- 8690 AYERS, JAMES A. V. MEMPHIS, TN, ET AL.
99- 8693 DOMINGUEZ, RAUL V. KUHLMANN, SUPT. , SULLIVAN
99- 8698 PRUITT, FRANK V. IRVIN, SUPT. , WENDE
99- 8709 STEWART, DELORES V. ILLINOIS
99- 8719 WILLIAMS, DARREN R. V. JOHNSON, DIR. , TX DCJ
99- 8722 MUHAMMAD, AKEEM V. FL DOC, ET AL.
99- 8723 MORSE, ROBERT A. V. MOORE, SEC. , FL DOC, ET AL.
99- 8726 RICHARDSON, WILLIAM L. V. BROAD LANE, INC. , ET AL.
99- 8728 BAPTIST, VICTOR V. ILLINOIS
99- 8729 KINCHLOE, PAUL A. V. MICHIGAN, ET AL.
99- 8730 LASSAN, ALICE R. V. GULF SHORES, AL
99- 8731 LEE, FRANK V. ALABAMA
99- 8735 CITTADINO, CALVIN V. CAIN, WARDEN
99- 8736 BUTLER, JOHNNY L. V. PITZER, WARDEN, ET AL.
99- 8738 ALFORD, RICKEY L. vs. USDC ED PA
99- 8739 DUKE, LYNNETTE M V. ABSENTEE SHAWNEE TRIBE
99- 8744 HAIRSTON, JAMES H. V. IDAHO
99- 8756 PENNS, ESTHER V. LOUISIANA
99- 8760 McLEAN, QUENTIN V. MEMBERS OF VA BD. OF CORREC.
99- 8761 MARSH, FIONA E. V. VIRGINIA
99- 8762 MURDOCK, ROBERT V. WASHINGTON, ODIE, ET AL.
99- 8763 ATKINS, AARON C. V. TESSMER, WARDEN
99- 8764 CORONADO, ROLANDO V. WALKER, SUPT. , AUBURN
99- 8773 HILL, EDWARD A. V. BRIGANO, WARDEN

99- 8784 COUTEE, JOHN J. V. DORMIRE, SUPT. , ET AL.

99- 8834 KIKUYAMA, DEREK M V. MADDOCK, WARDEN, ET AL.

99- 8845 CHAPPELL, RAYMOND F. V. DEEDS, WARDEN

99- 8857 FARMER, PAUL V. TRENT, WARDEN, ET AL.

99- 8885 SLEDGE, JOSEPH, JR. V. NORTH CAROLINA

99- 8960 ATAMIAN, GABRIEL G. V. GORKIN, ROBERT A.

99- 9010 GARCIA, ARMANDO J. V. HENRY, IVALEE

99- 9012 FLETCHER, JAMES M vs. NC DEPT. OF REVENUE, ET AL.

99- 9046 PAUL, MADHABENDRA P. V. DEPT. OF NAVY

99- 9059 SHAYESTEH, AHMAD R. vs. USCA 10TH CIRCUIT

99- 9066 MARTIN, DONALD M V. UNITED STATES

99- 9082 McNEIL, RUDOLPH V. CORCORAN, WARDEN, ET AL.

99- 9093 PEREZ-DE ANGEL, LORENZO V. UNITED STATES

99- 9094 ROMERO- CRUZ, LUIS V. UNITED STATES

99- 9106 ANCISO, MARIO V. UNITED STATES

99- 9109 BOLLMAN, WAYNE E. V. UNITED STATES

99- 9125 NORFLEET, ARMOND DE' AMPIET V. UNITED STATES

99- 9129 WALKER, RANDY A. V. UNITED STATES

99- 9132 BROCAMONTE, EFREN V. UNITED STATES

99- 9137 GRIFFIN, CLAUDE A. V. UNITED STATES

99- 9138 HARRIS, RETESHIA V. UNITED STATES

99- 9142 FORREST, RICHARD A. V. UNITED STATES

99- 9145 GREEN, ALBERT J. V. CONNECTICUT

99- 9147 HAKOPIAN, AKOP V. UNITED STATES

99- 9148 GEORGE, DON V. UNITED STATES

99- 9149 GIOVANNANGELI, GARY J. V. UNITED STATES

99- 9150 GEDMAN, MICHAEL A. V. UNITED STATES

99-9152 GRAHAM, JOHNNY R. V. UNITED STATES
99-9153 DAMERVILLE, MICHAEL R. V. UNITED STATES
99-9155 HOLMES, DANIEL G. V. UNITED STATES
99-9156 ENIGWE, IFEDOO N. V. UNITED STATES
99-9157 FAIRLY, RASHEEN D. V. UNITED STATES
99-9159 DYSON, LARRY V. UNITED STATES
99-9161 RASHID, AMIN A. V. RENO, ATTORNEY GENERAL
99-9163 RODRIGUEZ, GOME0 V. UNITED STATES
99-9167 COX, JAMES R. V. UNITED STATES
99-9169 BETEMIT, ALBERT V. UNITED STATES
99-9173 SANCHEZ, RAUL V. UNITED STATES
99-9184 PATTERSON, WILLIAM K. V. UNITED STATES
99-9189 BUCKLEY, MARK V. vs. UNITED STATES
99-9192 UPSHAW, TERRENCE V. UNITED STATES
99-9197 PENA, ALEXANDER V. UNITED STATES
99-9200 TURNER, EDDIE E. V. UNITED STATES
99-9203 MAJORS, GARETH E. V. UNITED STATES
99-9204 MARINO, VINCENT M. V. UNITED STATES
99-9211 STONE, CHESTER F. V. UNITED STATES
99-9215 CALDERON-ESPINOZA, GREGORIO V. UNITED STATES
99-9219 MANSILLA-HERNANDEZ, F. V. UNITED STATES
99-9226 RODRIGUEZ, RAUL A. V. UNITED STATES
99-9239 JONES, KENNETH V. UNITED STATES
99-9240 LESLIE, RICHARD D. V. UNITED STATES
99-9241 STEVENSON, JOHN V. UNITED STATES
99-9242 GODWIN, ERIC V. UNITED STATES
99-9243 DEHANEY, GRANVILLE I. V. UNITED STATES

- 99- 9246 GEERS, THOMAS R. V. UNITED STATES
99- 9254 FULLER, THOMAS S. V. UNITED STATES
99- 9261 COLEMAN, BRIAN P. V. UNITED STATES
99- 9262 ALEXANDER, HAYWOOD V. FLOWERS, WARDEN
99- 9270 McSWAIN, EMMETT F. V. UNITED STATES

The petitions for writs of certiorari are denied.

- 99- 1277 PHILIP MORRIS INC., ET AL. V. ENGLE, HOWARD, ET AL.

The motion of Chamber of Commerce of the United States for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

- 99- 1533 M C. PRODUCTS, ET AL. V. AT&T CORP.

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

- 99- 1534 RAY, HOWARD, ET AL. V. IWANSKI, JUDY GAIL, ETC.

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

- 99- 1565 AM AIRLINES, INC. V. CRUZ, MARIA V., ET AL.

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

- 99- 8696 BUCHANAN, JASPER V. DOE, JOHN, ETC.

- 99- 8752 GIBSON, JEFFREY V. SUSQUEHANNA TOWNSHIP COMM RS

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of

certiorari are dismissed. See Rule 39.8.

HABEAS CORPUS DENIED

99-9267 IN RE PAUL JAMES CAVANAUGH, JR.

The petition for a writ of habeas corpus is denied.

99-9294 IN RE EDDIE LEE GALLOWAY

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of habeas corpus is dismissed. See Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in non-criminal 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.

MANDAMUS DENIED

99-8724 IN RE DAVIS KING

99-8751 IN RE JIMMY HARRIS

99-8829 IN RE LARRY ZANE SHORT

The petitions for writs of mandamus are denied.

REHEARINGS DENIED

99-1275 SCHEIDLY, JOSEPH M. V. TRAVELERS INSURANCE CO.

99-1276 GREENE, ROBERT V. DAVID, DOUGLAS, ET AL.

99- 1309 CHANDLER, RICHARD L. V. CHANDLER, RACHEL, ET AL.
99- 6512 JAMES, VINCENT T. V. HANKS, SUPT. , WABASH VALLEY
99- 6808 GENCO, JOSEPH V. UNITED STATES, ET AL.
99- 6913 GENCO, JOSEPH vs. USDC OR
99- 6978 MITCHELL, AMBROSE V. UNITED STATES
99- 7177 WARD, PHILLIP A. V. TRENT, WARDEN
99- 7178 TSU, JOSEPH N. Y. , ET UX. vs. TRACY FEDERAL BANK, ET AL.
99- 7322 WATTS, MICHAEL G. V. JOHNSON, DIR. , TX DCJ
99- 7676 LINDSEY, ROY G. V. CATOE, DIR. , SC DOC, ET AL.
99- 7825 SOSA, PEDRO S. V. JOHNSON, DIR. , TX DCJ
99- 7860 KLUMPP, JESSE G. V. LUEBBERS, SUPT. , POTOSI
99- 7872 LINGAR, STANLEY D. V. LUEBBERS, SUPT. , POTOSI
99- 7982 TAYLOR, RALPH A. V. CALIFORNIA
99- 8013 IFABIYI, SUNDAY K. V. UNITED STATES
99- 8029 KIPKIRWA, LAZARUS V. SANTA CLARA COUNTY, CA
99- 8048 ARRINGTON, MICHAEL D. V. BROWARD COMMUNITY COLLEGE
99- 8072 MENDOZA, J. GREGORY, ET UX. V. PENNINGTON, JOHN, ET AL.
99- 8644 MADDEN, TOY B. V. UNITED STATES

The petitions for rehearing are denied.

ATTORNEY DISCIPLINE

D- 2137 IN THE MATTER OF DISBARMENT OF THOMAS M GEREIGHTY

Thomas M Gereighty, of New Orleans, Louisiana,
having been suspended from the practice of law in this
Court by order of January 18, 2000; and a rule having
been issued requiring him to show cause why he should
not be disbarred;

It is ordered that Thomas M Gereighty is disbarred from the practice of law in this Court.

D-2140 IN THE MATTER OF DISBARMENT OF FRANKLIN KEITH PAYNE MOORE

Franklin Keith Payne Moore, of Puerto Vallarta, Mexico, having been suspended from the practice of law in this Court by order of February 22, 2000; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Franklin Keith Payne Moore is disbarred from the practice of law in this Court.

D-2143 IN THE MATTER OF DISBARMENT OF NICHOLAS M SPINA

Nicholas M Spina, of Melrose Park, Illinois, having been suspended from the practice of law in this Court by order of February 22, 2000; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Nicholas M Spina is disbarred from the practice of law in this Court.

D-2146 IN THE MATTER OF DISBARMENT OF ROGER TEHAN SCULLY

Roger Tehan Scully, of Rockville, Maryland, having been suspended from the practice of law in this Court by order of February 22, 2000; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Roger Tehan Scully is disbarred from the practice of law in this Court.

D-2147 IN THE MATTER OF DISBARMENT OF GLENN HERBERT CARLSON

Glenn Herbert Carlson, of Washington, D. C. , having been suspended from the practice of law in this Court by order of February 22, 2000; 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 Glenn Herbert Carlson is disbarred from the practice of law in this Court.

D-2151 IN THE MATTER OF DISBARMENT OF ROBERT L. TRAVIS, JR.

Robert L. Travis, Jr. , of Tallahassee, Florida, having been suspended from the practice of law in this Court by order of March 27, 2000; 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 Robert L. Travis, Jr. , is disbarred from the practice of law in this Court.

D-2155 IN THE MATTER OF DISBARMENT OF TEDDY I. MOORE

Teddy I. Moore, of Flushing, New York, having been suspended from the practice of law in this Court by order of April 17, 2000; 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 Teddy I. Moore is disbarred from the practice of law in this Court. Justice Stevens,

Justice Kennedy, Justice Souter, and Justice Breyer dissent.

D-2160 IN THE MATTER OF DISBARMENT OF JAMES PATRICK TIERNEY

James Patrick Tierney, of Malibu, California, 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-2161 IN THE MATTER OF DISBARMENT OF LLOYD B. SOKOLOW

Lloyd B. Sokolow, of Schenectady, 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-2162 IN THE MATTER OF DISBARMENT OF ALTON G. MURCHISON, III

Alton G. Murchison, III, of Charlotte, North Carolina, 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-2163 IN THE MATTER OF DISBARMENT OF SYDNEY FRIEDLER

Sydney Friedler, of Hempstead, 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-2164 IN THE MATTER OF DISBARMENT OF ROBERT BENT CARLSON

Robert Bent Carlson, of North Port, Florida, 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-2165 IN THE MATTER OF DISBARMENT OF DAVID FERRIS TAMER

David Ferris Tamer, of Winston-Salem, North Carolina, 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.

RECESS ORDER

The Court will take a recess from Monday, May 22, 2000, until Tuesday, May 30, 2000.