

(ORDER LIST: 525 U. S.)

MONDAY, MARCH 1, 1999

ORDERS IN PENDING CASES

M-44 JOSEPH H. WALTON V. CITY OF MANASSAS

M-45 RALPH E. TAYLOR V. DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

97-1927) HANLON, RODNEY, ET AL. V. BERGER, PAUL, ET UX.

)
98-83) WILSON, CHARLES V. LAYNE, DEPUTY U. S. MARSHAL, ET AL.

A total of ten additional minutes for oral argument
are allotted to petitioners Hanlon, et al.; federal
respondents Layne, et al.; and state respondents. A total
of ten additional minutes for oral argument are allotted
to respondents Berger, et ux. and petitioners Wilson, et al.

98-223 FLORIDA V. WHITE, TYVESSEL TYVORUS

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

98-369 NASA, ET AL. V. FED. LABOR REL. AUTH., ET AL

The motion of respondent American Federation of
Government Employees for divided argument is granted
and the time is divided as follows: 20 minutes for the
Federal Labor Relations Authority and 10 minutes for the
American Federation of Government Employees, AFL-CIO.

98-1041 WHITBURN, SEC., WI, ET AL. V. ADDIS, PATRICK, ET AL.

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

98-7306 LOWE, RONALD D. V. CANTRELL, WELDON

The motion of petitioner to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until March 22, 1999, 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

98-822 FRIENDS OF THE EARTH, ET AL. V. LAIDLAW ENVTL. SERVICES

The motion of Public Citizen for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

98-697 HARBERT/LUMMUS, ET AL. V. UNITED STATES

98-765 SONNEBERG, MILTON V. UNITED STATES

98-837 SHOTTS, JESSE WOODROW V. UNITED STATES

98-863 LaFAYETTE PLACE ASSOCIATES V. BOSTON, MA

98-867 CLAGG, HAROLD R., ET AL. V. BAYCLIFFS CORP., ET AL.

98-871 UNITED STATES V. HUGHES AIRCRAFT CO.

98-875 DAVISTER CORP. V. UNITED REPUBLIC LIFE INS.

98-897) GABLE, ROBERT V. PATTON, PAUL, ET AL.

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98-1072) PATTON, PAUL E. V. GABLE, ROBERT, ET AL.

98-912 ROSS, MARVIN O. vs. IN ST. TEACHERS ASSN., ET AL

98- 919 LUMSDEN, FRANK, ET AL. V. LIBERTY MUTUAL INS. CO.
 98- 985 HERBERT, LINCOLN V. REINSTEIN, ROBERT, ET AL.
 98- 986 Dai ml erCHRYSLER CORP. V. KOLOSSO AUTO SALES
 98- 987 HELLER, KENNETH V. YANNITELLI, JEANNETTE, ET AL
 98- 1020 RILEY, SHARON V. ST. LOUIS COUNTY, MD, ET AL.
 98- 1022 SMITH, ALLEN H. V. SMITH, MARY JANE
 98- 1024) KING, MARTIN V. UNITED STATES
)
 98- 6523) SMITH, ALFRED V. UNITED STATES
 98- 1033 BAIR, SHARI, ET AL. V. HAGANS, WILLIAM, ET AL.
 98- 1034 LOVENESS, GARY, ET UX. V. ARIZONA DEPT. REV.
 98- 1042 SMITH, DAVID L. V. COLORADO SUPREME COURT
 98- 1047 KOERNER, LOUIS, ET AL. V. CRESCENT CITY EMERG. , ET AL.
 98- 1049 ALLINDER, LINDA V. INTER-CITY PROD. CORP.
 98- 1051 BOJEKIAN, EDWARD, ET UX. vs. FT. LEE PLANNING BD. , ET AL.
 98- 1068 MAGNOLIA VENTURE CAPITAL vs. MS DEPT. ECONOMIC DEV.
 98- 1069 HERNANDEZ, JAVIER V. CALIFORNIA
 98- 1070 HARRIS, MORGAN V. TEXAS
 98- 1086 HORVATH, THEODORE vs. OH ST. TEACHERS RETIREMENT
 98- 1114 ONSTINE, BURTON W. V. RAMALEY, JUDITH, ET AL.
 98- 1157 SHABAZZ, ABDULLAH V. CONNECTICUT
 98- 1179 COMPAGNIE EURALAIR vs. GE CO.
 98- 1180 SCHAP, STEPHEN J. V. UNITED STATES
 98- 1185 IDARECIS, MICHAEL V. UNITED STATES
 98- 1205 ANDONIAN, NAZARETH V. UNITED STATES
 98- 1212 KIRK, RONALD V. UNITED STATES
 98- 1232 DAYTON, MARTIN V. UNITED STATES
 98- 6524 WALDEN, MILTON A. V. UNITED STATES

98-6559 HARTBARGER, STEPHEN, ET AL. V. UNITED STATES
98-6681 HUDSON, DONTAIE V. UNITED STATES
98-6891 SMITH, TYRONE C. V. UNITED STATES
98-7042 BOLIN, GREGORY D. V. NEVADA
98-7050 DAVIS, JIMMY V. ALABAMA
98-7052 FLETCHER, ANDRE L. V. NORTH CAROLINA
98-7053 DE LA TORRE, JASON V. UNITED STATES
98-7076 BURDIX-DANA, ELIZABETH V. UNITED STATES
98-7118 BLANTON, JAMES V. TENNESSEE
98-7351 SHAW, PATRICK V. KANSAS
98-7352 SOLIS, ARTURO V. TEXAS
98-7368 SANDERS-BEY, DANIEL V. STEGALL, WARDEN
98-7376 RAGLIN, WALTER V. OHIO
98-7378 OTT, KEVIN A. V. OKLAHOMA
98-7380 SNOW, STEPHEN F. V. CALIFORNIA
98-7393 CONE, GARY B. V. DUTTON, WARDEN
98-7396 EDENS, GARY L. V. OKLAHOMA
98-7403 HIPPS, ANTHONY J. V. NORTH CAROLINA
98-7415 VANN, TONY L. V. WILSON, JOHN
98-7419 BAKER, RAY V. DONSCO, INC.
98-7420 WEATHERLY, HAROLD G. V. OKLAHOMA, ET AL.
98-7422 WATKIS, BARRINGTON F. V. AMERICAN NATIONAL INS. CO.
98-7427 HUNTER, LAWRENCE V. STRAUB, WARDEN
98-7430 HURD, DAVID G. V. SINGLETARY, SEC. , FL DOC
98-7435 FORD, RUSSELL L. vs. AL BD. OF PARDONS, ETC. ,
98-7442 Di CESARE, JOSEPH A. V. BALDRIDGE, J. D. , ET AL.
98-7443 GREGORY, NORMAN V. LOVE, WILLIAM J. , ET AL.

98-7444 FASSLER, LARRY V. COLLINS, JUDGE, ETC.

98-7449 PEREZ, GABRIEL V. TERHUNE, DIR. , CA DOC

98-7454 TAYLOR, JOHN R. V. McDUFFIE, ERNEST, ET AL.

98-7456 OLDHAM, ROSLYN V. TEXAS

98-7469 TRIPP, STEPHEN P. V. ILLINOIS

98-7472 BULJAT, NICHOLAS R. V. FEDERAL HOME LOAN MORT. CORP

98-7473 CASTILLO, ABEL C. V. TEXAS

98-7474 BLAKE, WILLIAM E. V. MILLS, WARDEN

98-7475 BECTON, TOMMIE E. V. HARTE HANKS DIRECT MARKETING

98-7509 COOK, TONY D. V. OHIO

98-7561 FEUERWERKER, JACOB V. ZENT, WARDEN

98-7567 DAVIS, SAMUEL B. V. MUROV, KENNETH B. , ET AL.

98-7577 KIGHT, CHARLES V. O'NEILL, DENNIS, ET AL.

98-7583 LEE, MARC E. V. STEWART, TERRY L. , ET AL.

98-7606 McINTIRE, TROY V. UNITED STATES

98-7611 BRICKHOUSE, CLAYTON T. M vs. NORTH CAROLINA

98-7612 BAILEY, MICHAEL K. V. ALEXANDER, WARDEN, ET AL.

98-7617 REED, RONALD E. V. ROSSOTTI, COMM R, IRS

98-7622 IGLESIAS, RICHARD A. V. UNITED STATES

98-7636 MACIEL, JAMES D. V. ROWLAND, JAMES K. , ET AL.

98-7637 SMITH, DONALD W. V. BUDGET RENT-A-CAR SYSTEMS

98-7653 PATTERSON, CECIL R. V. JOHNSON, DIR. , TX DCJ

98-7658 ACOLI, SUNDIATA V. NEW JERSEY STATE PAROLE BD.

98-7674 MEANS, DENNIS R. V. SEGAL, CHAIR, FLRA

98-7679 BOYD, DONALD V. HELFER, CHAIRMAN, FDIC

98-7693 SMITH, LARRY V. BOWERSOX, SUPT. , POTOSI

98-7704 JO, YOUNG Y. V. ANDERSON, LINDA M

98- 7710) LAMPTON, BILLY V. UNITED STATES
)
 98- 7734) JACKSON, MICHAEL V. UNITED STATES
)
 98- 7766) WALKER, CORTNEY V. UNITED STATES

 98- 7739 ANTHONY, KAZEL R. vs. NY STATE DIVISION OF PAROLE

 98- 7757) LEVITAN, ALAN E. V. UNITED STATES
)
 98- 7811) LEVITAN, DANIEL V. UNITED STATES

 98- 7763 WILLIAMS, HENRY V. SOUTH CAROLINA, ET AL.

 98- 7764 WILLINGHAM, YUEL V. NEW YORK

 98- 7790 MORRIS, QUINTIN O. V. CALIFORNIA

 98- 7799 RUZZO, BRUCE V. UNITED STATES

 98- 7800 PASSMORE, CYNTHIA A. V. UNITED STATES

 98- 7819) VILLAREAL, YOLANDA V. UNITED STATES
)
 98- 7900) MALISZEWSKI, EDWARD V. UNITED STATES

 98- 7823 MORERA, JORGE V. UNITED STATES

 98- 7831 PENA, RAFAEL V. UNITED STATES

 98- 7835 BROWN, KENNETH C. V. UNITED STATES

 98- 7836 BOLES, WILLIAM O. V. UNITED STATES

 98- 7837 BOGELA, DIEULIFORT V. UNITED STATES

 98- 7839 MARIN, JOSE A. V. UNITED STATES

 98- 7840 MARCUM, CAROL V. UNITED STATES

 98- 7841 STOCKHEIMER, THOMAS, ET AL. V. UNITED STATES

 98- 7842 POTTS, SAMUEL J. V. UNITED STATES

 98- 7843 SHEFFEY, JOHN C. V. UNITED STATES

 98- 7844 RAY, RANDY L. V. UNITED STATES

 98- 7845 MCKEEVE, DAVID S. V. UNITED STATES

 98- 7848 KEY, STEVEN J. V. UNITED STATES

 98- 7850 TAVIZON, JESUS T. V. UNITED STATES

98-7855 HARRISON, LAWRENCE M V. UNITED STATES
98-7857 BROWN, PATRICK A. V. UNITED STATES
98-7860 GEIGER, RONALD E. V. UNITED STATES
98-7862 EL-JASSEM, KHALED M V. UNITED STATES
98-7866 HORTON, JOHN G. V. UNITED STATES
98-7867 HUNT, CHARLES V. UNITED STATES
98-7868 GREER, CHARLES R. V. UNITED STATES
98-7869 HUNTER, DWIGHT L. V. UNITED STATES
98-7870 GONZALEZ, NELSON V. UNITED STATES
98-7873 HERNANDEZ, RAYMUNDO V. UNITED STATES
98-7874 FLENNORY, HORACE V. UNITED STATES
98-7879 CLAYTON, GEORGE V. UNITED STATES
98-7881 MILES, RONALD V. UNITED STATES
98-7883 SERESI, JUAN C. V. UNITED STATES
98-7887 NEVELS, SAMMIE L. V. UNITED STATES
98-7888 BLANTON, BRYAN L. V. UNITED STATES
98-7891 BYRD, MARCUS V. UNITED STATES
98-7892 O'CONNOR, CASEY P. V. UNITED STATES
98-7895 PEREZ-SOSA, JOSE V. UNITED STATES
98-7896 POTWIN, HENRY V. UNITED STATES
98-7897 LAWSON, MANUEL V. UNITED STATES
98-7898 JAMES, ERMA J. vs. U. S. PAROLE COMMISSION
98-7905 SWEENEY, TIMOTHY L. V. SMITH, WARDEN, ET AL.
98-7918 HUMPHREY, ROBERT F. V. UNITED STATES
98-7932 DeHART, DONNIE D. V. UNITED STATES
98-7936 DE LA GARZA, ROBERT V. UNITED STATES
98-7944 FELICI, RAFAEL J. V. UNITED STATES

98- 7951 MUHAMMED, FAHIM V. UNITED STATES

98- 8027 DJADI, DJOUDI V. CORCORAN, WARDEN, ET AL.

98- 8059 SMITH, WARREN L. V. CONTRA COSTA COUNTY BD.

The petitions for writs of certiorari are denied.

98- 1045 ARTUZ, SUPT., GREEN HAVEN V. FERNANDEZ, ADALBERTO

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

98- 1127 BOWERSOX, SUPT., POTOSI V. SMITH, KEITH

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

98- 7465 BITTERMAN, STEPHAN A. V. BITTERMAN, ANNETTE

The motion of respondent Boose, Casey, etc. for damages is denied. The motion of petitioner for damages is denied. The petition for a writ of certiorari is denied.

98- 7817 LEVITAN, JOHN D. V. UNITED STATES

The motion of petitioner to seal the petition for a writ of certiorari is denied. The petition for a writ of certiorari is denied.

HABEAS CORPUS DENIED

98- 7999 IN RE MICHAEL ANTHONY ROSE

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

98-7455 IN RE MARTI ADDAMS-MORE

The petition for a writ of mandamus is denied.

REHEARINGS DENIED

98-242 IN RE JEAN FRANCOIS LAUSLEGA

98-633 DUNN, WILLIE vs. AL AG. & MECH. UNIV., ET AL.

98-639 LESOON, EDWARD V. CIR

98-717 BYBEE, GARY, ET UX. vs. CIR

98-792 TROST, RICHARD V. UNITED STATES

98-5484 PICKETT, EDNA M V. WAL-MART STORES, INC.

98-6488 ATHERTON, PETER J. V. ARLINGTON COUNTY, VA

98-6515 JACKSON, RONALD J. V. MILLIKEN, STEPHEN G.

98-6550 WHITFIELD, RONALD D. V. TEXAS

98-6744 TAYLOR, JOSEPH E. V. HANKS, SUPT., WABASH VALLEY

98-6768 R. A. D. vs. ILLINOIS

98-6852 GONZALEZ, GLADYS V. CONSOL. REAL ESTATE, ETC.

98-6958 BENNETT, WILLE' AM C. V. TEXAS

98-7114 DECKARD, IVAN L. V. UNITED STATES

98-7123 FLORES, ROMEO T. V. UNITED STATES

98-7138 CUNNINGHAM, WILLIAM E. V. HEUSZEL, WARDEN, ET AL.

98-7193 HAMMONS, PHILLIP W. V. UNITED STATES

The petitions for rehearing are denied.

96-9340 LAVERTU, PAUL V. BOROFKY, LEWIS, ETC.

97-9417 GELLERT, DANIEL V. CIR, ET AL.

The motions for leave to file petitions

for rehearing are denied.

ATTORNEY DISCIPLINE

D-1906 IN THE MATTER OF GEORGE R. NEELY

The Rule to Show Cause is entered January 20, 1998, is discharged. The order suspending respondent from practice of law in this Court is vacated.

D-2023 IN THE MATTER OF BARRETT NEIL WEINBERGER

Barrett Neil Weinberger, of Cincinnati, Ohio, 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 January 19, 1999, is discharged.

D-2046 IN THE MATTER OF DISBARMENT OF ROBERT J. PELLICANE

Robert J. Pellicane, of Hauppauge, 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-2047 IN THE MATTER OF DISBARMENT OF STANFORD DONALD HESS

Stanford Donald Hess, of Baltimore, Maryland, 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-2048 IN THE MATTER OF DISBARMENT OF GARY ELLIS WOLOSIN

Gary Ellis Wolosin, of Cincinnati, Ohio, 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, March 8, 1999, until Monday March 22, 1999.