

(ORDER LIST: 523 U. S.)

MONDAY, APRIL 6, 1998

CERTIORARI -- SUMMARY DISPOSITION

96-1134 UNITED STATES V. MOBLEY, CEDRIC W.

The petition for a writ of certiorari is granted. The judgments are vacated and the case is remanded to the United States Court of Appeals for the Armed Forces for further consideration in light of *United States v. Scheffer*, 523 U. S. ____ (1998).

97-6492 MEJIA, DANIEL 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 Eleventh Circuit in light of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. Section 1229 a(a).

ORDERS IN PENDING CASES

M-59 DONALD EDWARD LARUE JOUNSON, JR. V. UNITED STATES

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

M-60 GARY LUNDGREN, ET AL. vs. J. L. STEELE

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

denied.

97-501 RICCI, RANDALL V. ARLINGTON HEIGHTS, IL

97-704 DOOLEY, PHILOMENA, ET AL. V. KOREAN AIR LINES

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

97-1254 PRACTICE MGMT. INFO. CORP. V. AM MED. ASSN.

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

97-1374 CLINTON, PRESIDENT, ET AL. V. NEW YORK CITY, ET AL.

The motion of appellees for divided argument is granted to be divided as follows: appellants 30 minutes; New York City appellees - 15 minutes; Snake River appellees - 15 minutes. The request for additional time for oral argument is denied.

97-5737 FORNEY, SANDRA K. V. APFEL, COMM R, SOCIAL SEC.

The motion of the Solicitor General for divided argument is granted to be divided as follows: petitioner - 15 minutes; the Solicitor General - 15 minutes; *amicus curiae* in support of judgment below - 30 minutes.

97-6203 JONES, NATHANIEL V. UNITED STATES

The order entered March 30, 1998, granting a writ of certiorari is amended as follows: "The writ of certiorari is limited to the following questions:

1. Does 18 U. S. C. §2119(1)-(3) describe sentencing

factors or elements of the offense?

2. If 18 U. S. C. §2119(1)-(3) sets forth sentencing factors, is the statute constitutional?"

CERTIORARI DENIED

97-530 PORTER, CHRISTIAN E. V. CONNECTICUT
97-723 HUNTER, RUSSELL V. CONNECTICUT
97-918 LOVILIA COAL CO. , ET AL. V. HARVEY, WESLEY, ET AL.
97-1080 OHUEGBE, BARBARA V. INS
97-1101 BARNES, MILTON V. LOGAN, MARTIN, ET UX.
97-1118 BRESNAHAN, DANIEL V. CA HWY. PATROL, ET AL.
97-1133 WALLS, LARRY V. LA COUNTY OFF. OF DIST. ATTY
97-1134 BAUGHANS, INC. , ET AL. V. DOMINO'S PIZZA, INC.
97-1241 CRAWFORD, LYNDA V. ANDREW SYSTEMS, INC.
97-1242 KENNAMETAL, INC. V. COMMR. OF REVENUE OF MA
97-1256 SINCLAIR OIL CORP. V. SANTA BARBARA COUNTY, CA
97-1264 BANK ONE, TX, ET AL. V. UNITED STATES
97-1282 STETLER, LINDA V. SANDERS, LEWIS, ET UX.
97-1285 SHEPHARD, CHARLES V. PROVIDENT LIFE & ACCIDENTAL
97-1303 ROSS, CHARLES JEFFREY V. MICHIGAN
97-1315 STIVENDER, FREDERICK V. POWELL, FRANKLIN D.
97-1323 POLLAK, THOMAS, ETC. , ET AL. V. COURSHON, ARTHUR, ET AL.
97-1358 HADJI-ELIAS, FARNAZ vs. L. A. COUNTY SUPER. CT. , ETC.
97-1359 GOLIA-PALADIN, DAVID V. NEVADA STATE BAR
97-1360 SHEPHARD, CHARLES V. POMONA FAIRPLEX, ET AL.
97-1392 KIMBALL, JAMES V. CLAUSNTIZER, ERNIE, ET AL.

97-1415 BARRON, ISMAEL, ET AL. V. UNITED STATES
 97-1428 GRUBBS, RONALD V. SINGLETARY, SEC. , FL DOC
 97-1450 CARLSON, HERBERT, ET UX. V. UNITED STATES
 97-1465 SPENCER, SCOT V. UNITED STATES
 97-1471 HASTINGS, JAMES V. UNITED STATES
 97-1474 LEDFORD, ALLAN V. UNITED STATES
 97-1493 JOHN CONLEE ENTERPRISES V. NLRB
 97-6977 WALTERS, GEORGE R. V. MAHONEY, WARDEN
 97-7331 NORIEGA, MANUEL A. V. UNITED STATES
 97-7365) MONROE, LEO H. V. UNITED STATES
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 97-7606) DURAN, MICHAEL G. V. UNITED STATES
 97-7685 BEELER, RODNEY G. V. CALDERON, WARDEN
 97-7723 VOGEL, ANN V. INDUS. COMM N OF AZ, ET AL.
 97-7725 TUCKER, RUSSELL W. V. NORTH CAROLINA
 97-7728 JARVI, RONALD V. McCARTHY, BRIAN, ET AL.
 97-7729 KREIGER, ARTHUR C. V. VIRGINIA
 97-7732 JACKSON, NAHSHON V. NEW YORK
 97-7734 SMOUSE, MICHAEL V. LYTLE, WARDEN
 97-7742 SULLIVAN, JOHN V. LOUISIANA
 97-7743 PAPESH, RUDOLPH S. V. AMERICAN NATONAL CAN CO.
 97-7749 HETTLER, RICHARD J. V. DODY, LYDIA J.
 97-7751 GALLOWAY, EDDIE L. V. CALIFORNIA
 97-7755 HUGHES, EDWIN R. V. ABBOTT NORTHWESTERN HOSP.
 97-7763 KNIGHT, JAMES S. V. YOUMANS, CLETUS N.
 97-7765 BROWN, CECIL V. ARTUZ, SUPT. , GREEN HAVEN
 97-7766 WILLIAMS, MITCHELL V. BOWERS, MICHAEL J. , ET AL.
 97-7769 ROBINSON, ALLEN T. V. JOHNSON, DIR. , TX DCJ

97-7774 REYES, JOSE M V. CALIFORNIA
97-7776 BERKOWITZ, BENZION V. ISRAEL, ET AL.
97-7778 WOODS, BRIAN J. V. COOK, CHRISTINE M
97-7780 ARIAS, JOHN P. V. ARIAS, JODY K.
97-7784 KELLEHER, GREGORY F. V. AEROSPACE COM CREDIT UNION
97-7791 WALTON, PATRICIA E. V. PRINCETON BAPTIST MED. CENT.
97-7804 GRIFFIN, WALTER J. V. SINGLETARY, SEC. , FL DOC
97-7805 DeWITT, EDWARD C. V. JONES, WARDEN
97-7806 HEIMERMANN, SCOTT A. V. GLOBAL SECURITIES TRUST CO.
97-7808 HOLLAND, JAN B. V. LA SEC. OF REVENUE, ET AL.
97-7810 GONZALEZ, RICARDO V. FLORIDA
97-7815 BURRELL, JOHN H. V. TENNESSEE
97-7825 CHAPMAN, WILBERT V. CONNECTICUT
97-7831 KEITH, KEVIN V. OHIO
97-7833 JOHNSON, GARY V. vs. USDC ND OH
97-7836 JOHNSON, DONALD R. V. UTAH
97-7837 BOGGESS, CLIFFORD H. V. JOHNSON, DIR. , TX DCJ
97-7850 DAVIS, DELICE V. NEW JERSEY
97-7862 TATTA, LOUIS V. MILLER, SUPT. , EASTERN
97-7875 BRUNDIDGE, JIMMY V. OHIO
97-7878 FULLER, ALONZO D. V. JOHNSON, DIR. , TX DCJ
97-7902 WARNER, ANTHONY T. V. OHIO
97-7921 STANDISH, KRISTAN V. NIXON, ATT' Y GEN. OF MD
97-7928 KELLY, HORACE E. V. CALDERON, WARDEN, ET AL.
97-7940 PHILLIPS, LIONEL V. CALIFORNIA
97-7961 COUCH, SANDRA V. PENNSYLVANIA

97-7979 HOSKINSON, JAMES M V. INDIANA
97-7991 BRIDGES, JOSEPH V. GEORGIA
97-8000 McNAIR, WILLIE V. ALABAMA
97-8017 NWOSUN, BEN V. GENERAL MILLS RESTAURANTS
97-8019 RUEDA, MARTIN E. V. UNITED STATES
97-8020 PENALOZA, ARTURO Y. V. UNITED STATES
97-8049 FLETCHER, SILAS V. WILLIAMS, JAMES K. , ET AL.
97-8072 BIVINS, LEWIS H. V. JOHNSON, DIR. , TX DCJ
97-8076 HAYNES, J. P. vs. SINGLETARY, SEC. , FL DOC
97-8078 FONTAINE, JERRY S. V. VIRGINIA
97-8117 REYNERO-LOPEZ, MIGUEL A. V. UNITED STATES
97-8119 PILJAK, VLADIMIR V. IRS
97-8130 McQUOWN, JEFFREY J. V. SAFEWAY, INC.
97-8138 HORTON, BERNARD T. V. GEE, WARDEN, ET AL.
97-8139 KARRIEM, ELIJAH V. UNITED STATES, ET AL.
97-8157 REGANS, DARRELL V. UNITED STATES
97-8159 WILLIAMS, DANIEL V. UNITED STATES
97-8164 ROBINSON, JOHNNY L. V. UNITED STATES
97-8167 BARR, MAURICE V. UNITED STATES
97-8168 WOOTEN, BRUCE F. V. UNITED STATES
97-8170 NATTIER, ELDON G. V. UNITED STATES
97-8171 CONNOR, ALICE V. USDC ED NY
97-8175 CARDENAS, SAMUEL A. V. UNITED STATES
97-8179 SIMMONS, TOMMY L. V. UNITED STATES
97-8190 TRUJILLO, DANIEL V. UNITED STATES
97-8197 BEARD, TERRY L. V. UNITED STATES
97-8200 ALLEN, RODNEY B. V. UNITED STATES

97-8204 JOHNSON, DANIEL K. V. SINGLETARY, SEC. , FL DOC
97-8205 RIVERA, JOAQUIN V. UNITED STATES
97-8206 PINA, HONORIO J. V. UNITED STATES
97-8207 ROMO, ARTHUR L. V. UNITED STATES
97-8208 PHILLIPS, EDWARD B. V. UNITED STATES
97-8209 RIVERA, MIGUEL V. UNITED STATES
97-8215 CARLE, JONATHAN J. V. UNITED STATES
97-8219 MCKINNON, JACK V. UNITED STATES
97-8221 BANKS, SHENITA V. UNITED STATES
97-8227 GAYTAN-CARRANZA, MARIA F. V. UNITED STATES
97-8231 GRZESZCZUK, MARK V. UNITED STATES
97-8232 HARRELL, JOE L. V. UNITED STATES
97-8233 DIERLING, BRIAN V. UNITED STATES
97-8238 HINEBAUGH, FULTON L. V. UNITED STATES
97-8241 FALLIS, ELBERT A. V. UNITED STATES
97-8243 HAZEL, BOBBY V. UNITED STATES
97-8251 JENKINS, TOM P. V. UNITED STATES
97-8253 ZORIO, MAXIMO V. UNITED STATES
97-8260 HUDGINS, ADRIAN M. V. UNITED STATES
97-8271 MOORE, PAUL W. V. UNITED STATES
97-8282 WILLIAMS, ALVIN O. V. UNITED STATES

The petitions for writs of certiorari are denied.

97-1263 FL DEPT. OF BUS. REG. , ET AL V. ROCHAMBAU WINES & LIQUORS

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

is denied.

97-1269 FICALORA, ROBERT V. IBM CORP., ET AL.

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

HABEAS CORPUS DENIED

97-8202 IN RE MICHAEL KENNEDY

97-8217 IN RE RONALD MITCHELL

97-8235 IN RE CLIFFORD A. DOYLE

The petitions for writs of habeas corpus are
denied.

MANDAMUS DENIED

97-1329 IN RE LEONARD LLOYD MORRIS

97-7741 IN RE WAREES MUZAKKIR

The petitions for writs of mandamus are denied.

97-8234 IN RE LONNIE L. GRIFFIN

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

REHEARINGS DENIED

97-6757 RUTHERFORD, TONY V. ALDERMAN, JOHN, ET AL.

97-6934 RIEGER, HOWARD L. V. NORTH DAKOTA

97-6991 CARSON, MULADE S. V. DIR. OF WORKERS' COMP. PROG.

The petitions for rehearing are denied.

97-6869 BROWN, JAMES G. V. KEARNEY, WARDEN, ET AL.

The motion for leave to file a petition for rehearing is denied.

ATTORNEY DISCIPLINE

D-1876 IN THE MATTER OF DISBARMENT OF THOMAS M GERMAIN

Thomas M Germain, of Windsor, Connecticut, having been suspended from the practice of law in this Court by order of December 1, 1997; and a rule having been issued requiring him to show cause why he should not be disbarred;

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

D-1884 IN THE MATTER OF DISBARMENT OF JOHN DAVID JONES BLOODWORTH

John David Jones Bloodworth, of Suwanee, Georgia, having been suspended from the practice of law in this Court by order of December 8, 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 John David Jones Bloodworth is disbarred from the practice of law in this Court.

D-1889 IN THE MATTER OF DISBARMENT OF ANTHONY JAMISON

Anthony Jamison, of Chicago, Illinois, having been suspended from the practice of law in this Court by order of December 15, 1997; and a rule having been issued requiring him to show cause why he should not be

disbarred;

It is ordered that Anthony Jamison is disbarred from the practice of law in this Court.

D-1903 IN THE MATTER OF DISBARMENT OF BRADLEY J. FISHER

Bradley J. Fisher, of Springfield, Missouri, having been suspended from the practice of law in this Court by order of January 12, 1998; 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 Bradley J. Fisher is disbarred from the practice of law in this Court.

D-1905 IN THE MATTER OF DISBARMENT OF WILLIAM TORRANCE FIDDES, JR.

William Torrance Fiddes, Jr., of Houston, Texas, having been suspended from the practice of law in this Court by order of January 20, 1998; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that William Torrance Fiddes, Jr., is disbarred from the practice of law in this Court.

D-1931 IN THE MATTER OF DISBARMENT OF RICHARD C. SOUTHARD

Richard C. Southard, of Lockport, 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-1932 IN THE MATTER OF DISBARMENT OF BARRY L. TAUB

Barry L. Taub, of Eugene, Oregon, 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-1933 IN THE MATTER OF DISBARMENT OF THOMAS EWING PHILLIPS

Thomas Ewing Phillips, of Chillicothe, 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.