

(ORDER LIST: 526 U. S.)

TUESDAY, JUNE 1, 1999

CERTIORARI -- SUMMARY DISPOSITION

98-126 BOARD OF TRUSTEES, UNIV. IL V. JANE DOE, 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 Seventh Circuit for further consideration in light of *Davis v. Monroe County Board of Education*, 526 U.S. ____ (1999).

98-980 JEAN, LESLY V. COLLINS, DELMA, ETC., 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 Fourth Circuit for further consideration in light of *Wilson v. Layne*, 526 U.S. ____ (1999).

98-1361 RICHARDSON, RALPH V. RENO, ATTY. GEN., 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 Eleventh Circuit for further consideration in light of *Reno v. American-Arab Anti-Discrimination Comm.*, 525 U.S. ____ (1999).

98-1381 AMERITECH CORP., ET AL. V. FCC, 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 Eighth Circuit

for further consideration in light of *AT&T Corp. v. Iowa Utilities Board*, 525 U.S. ____ (1999).

98-5286 MOORE, STEPHANIE V. PAYLESS SHOE SOURCE, INC.

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 *Cleveland v. Policy Management Systems*, 526 U.S. ____ (1999).

ORDERS IN PENDING CASES

M-69 CHRISTOPHER EVANS HUBBART V. SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA, ET AL.

M-70 SALVATORE GRILLO V. UNITED STATES

M-71 EMMA VICTORIA HOWARD V. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, ET AL.

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

98-7299) IN RE VINCENT RIVERA

)
98-7983) IN RE VINCENT F. RIVERA

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

98-8711 TYLER, MELVIN L., ET AL. V. MORIARTY, JUDGE, ETC.

The motion of petitioners for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioners are allowed until June 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.

98- 8726 PEACE, WILLIAM H. V. EMPLOY. SEC. COMM N OF NC

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

97- 1991 WAL-MART STORES, INC. V. GRIFFITH, CLYDE N.

98- 249 MAYHEW, CHARLES, ET AL. V. SUNNYVALE, TX

98- 859 BOEING CO. V. ALDRICH, KENNETH W.

98- 1048 MEESTER, MARJORIE A. V. HENDERSON, POSTMASTER GEN.

98- 1097 U-HAUL CO. OF CLEVELAND V. KUNKLE, LEE

98- 1203 GILPIN, WILLIAM V. WEST, SEC. OF VA

98- 1206 MABEY, RALPH, ETC., ET AL. vs. SW ELEC. POWER CO., ET AL.

98- 1280 WEBB, EARL ANTHONY V. UNITED STATES

98- 1297) NICHOLSON, JOSEPH V. KENTUCKY, ET AL.

)
98- 1331) BIRD, ROBERT A. V. KENTUCKY

98- 1369 BURKE, JOSEPH J. V. UNITED STATES

98- 1372 BROWN, REBECCA, ETC. V. NationsBANK OF GA, ET AL.

98- 1391 BLAREK, ANTONY, ET AL. V. UNITED STATES

98- 1428 CORN, HERMAN V. LAUDERDALE LAKES, FL, ET AL.

98- 1440 PENSION BENEFIT GUARANTY V. CF&I FABRICATORS OF UTAH

98- 1541 BRUNEAU, EVE, ETC. V. SOUTH KORTRIGHT CENTRAL SCH.

98- 1546 COYNE, JOHN V. MOHR, WARDEN
98- 1550 HARRIS, JANET G. V. GEN. MOTORS POWERTRAIN
98- 1560 DROSTE, BRIAN A. V. OHIO
98- 1565 ENTEZARI - AFSHAR, MOHAMMED V. WRIGHT, ROBERT
98- 1566 CLAPPER, DONALD E. V. CHESAPEAKE/SEVENTH-DAY ADVS.
98- 1569 BROWDER, MAYLON D. V. GMC
98- 1588 BENTON, BARRY ROBERT V. TX COMM. FOR LAWYER DISCIP.
98- 1594 HOWERY, LIGITA V. WOLFBERG, JOSEPH, ET AL.
98- 1614 CROMER, BOB E. V. BAYLOR UNIV. , ET AL.
98- 1630 FISHER, NANCI, ET VIR vs. CA SUPER. CT. , ETC.
98- 1686 TRANSAERO, INC. vs. LA FUERZA AEREA BOLIVIANA
98- 1697 WALTERS, TERRELL, ET AL. vs. EDGAR, JAMES, ET AL.
98- 1707 SLOANE, WALTER C. V. SHALALA, SEC. OF H&HS
98- 1717 INTL. TELECARD ASSN. V. FCC, ET AL.
98- 1720 ARAMONY, WILLIAM V. UNITED STATES
98- 1723 DIXON, JERRY T. V. UNITED STATES
98- 1731 SAMUELS, KELVIN V. UNITED STATES
98- 1746 PETTUS, PAUL JOSEPH V. UNITED STATES
98- 1749 MARLATT, WILMA V. UNITED STATES
98- 1751 DABNEY, FAYE V. RUBIN, SEC. OF TREAS. , ET AL
98- 1759 SMITH, THOMAS MARK V. UNITED STATES
98- 1765 CRENSHAW, ANDRE S. V. UNITED STATES
98- 1786 CAMACHO, FREDDIE V. UNITED STATES
98- 7878 VEAL, NATHANIEL, ET AL. V. UNITED STATES
98- 7929 TATE, CHARLES C. V. WOOD, SUPT. , WA
98- 7979 SHORTY, ROB V. UNITED STATES

98- 7981) POE, TRACY C. V. UNITED STATES
)
 98- 8017) BOYD, TRACI P. , ET AL. V. UNITED STATES

 98- 8203 OLDS, RONALD C. V. UNITED STATES

 98- 8226 PIKE, CHRISTA G. V. TENNESSEE

 98- 8262 ATKINS, RANDY L. V. NORTH CAROLINA

 98- 8278 CREECH, THOMAS E. V. IDAHO

 98- 8588 SHAMBURGER, RON S. V. TEXAS

 98- 8620 KARRIEM, ELIJAH V. DISTRICT OF COLUMBIA

 98- 8648 PRICE, BENJAMIN T. V. OHIO

 98- 8673 ROGERS, REID R. V. CIRCUIT COURT OF MD, ET AL.

 98- 8674 SANDERS, RICKY V. GOMEZ, WARDEN, ET AL.

 98- 8676 MARTINEZ, DOMINGO V. vs. JOHNSON, DIR. , TX DCJ

 98- 8678 MINNIECHESKE, DONALD V. SHAWANO CTY. , ET AL.

 98- 8679 MOORE, BOBBY E. V. SAPP, EDWARD, ET AL.

 98- 8682 JONES, KEVIN D. V. DORMIRE, SUPT. , JEFFERSON

 98- 8690 WHITE, RICKY V. GIBSON, WARDEN, ET AL.

 98- 8691 WHITSEY, HAIJI S. V. ROE, WARDEN, ET AL.

 98- 8695 HURNS, VICTOR V. ANDERSON, SUPT. , MS, ET AL.

 98- 8703 RATLIFF, KEVIN E. V. SINGLETARY, SEC. , FL DOC

 98- 8720 CREEL, LYNN M V. JOHNSON, DIR. , TX DCJ

 98- 8727 WICKLIFFE, LONNIE V. INDIANA

 98- 8730 BASS, DANIEL L. V. PRUNTY, WARDEN, ET AL.

 98- 8732 WILLIAMS, JERRY F. V. ANGELONE, DIR. , VA DOC

 98- 8735 KANE, THOMAS S. V. HENRY, WARDEN

 98- 8743 CORREA, CESAR E. SERGE V. ELIPOULAS, NIKOS, ET AL.

 98- 8744 BECTON, TOMMIE E. V. MARYLAND, ET AL.

 98- 8745 DENNEY, DEBORAH V. EATON CORP.

98-8750 GENTRY, JOHN L. V. TRIPPETT, WARDEN
98-8757 RUBERGE, LAWRENCE C. V. JOHNSON, DIR. , TX DCJ
98-8759 WALKER, FERRIS V. ILLINOIS
98-8762 KUMARAN, SAMPATH V. O'MALLEY, PAUL R. , ET AL.
98-8764 BONNAR, GARY D. V. TERHUNE, DIR. , CA DOC, ET AL
98-8767 CHANG, AMY V. BEAUPIED, ALETA, ET AL.
98-8832 BUSH, CHARLIE V. NEBRASKA
98-8841 ROYSTER, JOHN P. V. GALLETTA, WARDEN
98-8862 TAYLOR, TERRY N. V. REINHARD, JUDGE, USDC ND IL
98-8879 SPAIN, CONNELL V. UNITED STATES
98-8887 WILLIAMS, JOHN R. vs. DEPT. OF VA
98-8892 ABRAMS, EUGENE V. SINGLETARY, SEC. , FL DOC
98-8897 JOHNSON, WILEY V. PARKER, WARDEN
98-8928 KERSTEN, TIMOTHY A. V. UNITED STATES, ET AL.
98-8931 TYLER, BILLY R. V. ROBERTS, DIANE C.
98-8945 HOUGLAND, DAVID M , ET AL. V. UNITED STATES
98-8950 ATWOOD, ROBERT E. V. JOHNSON, DIR. , TX DCJ
98-8953 BRYANT, CURTIS V. MORTON, SUPT. , NJ, ET AL.
98-8982 SHURELDS, BARRI V. UNITED STATES
98-8987 EPLEY, PAUL L. V. WEST, MILTON E. , ET AL.
98-8998 WALKER, WESLEY R. V. JOHNSON, DIR. , TX DCJ
98-9011 MACKLIN, OLIVER V. FRANK, SUPT. , HUNTINGDON
98-9031 LEE, SAMUEL E. V. OHIO
98-9052 RAAB, THOMAS V. WISCONSIN
98-9054 BEAVEN, MARION T. V. SCROGHAM, PHILLIP K.
98-9055 CLAY, WILLIAM H. V. UNITED STATES
98-9056 VARGAS, MICHAEL A. V. UNITED STATES

98-9063 MURPHY, DENNIS P. V. UNITED STATES
98-9064 WARWICK, JOHNNY E. V. UNITED STATES
98-9065 WILLIAMS, ALAN J. V. FEDERAL BUREAU OF PRISONS
98-9067 PITT, DONTE J. V. UNITED STATES
98-9068 PALOZIE, JONATHAN V. UNITED STATES
98-9070 REVELO, PEDRO A. V. UNITED STATES
98-9071 AMBROSE, UNDRELL V. UNITED STATES
98-9075 CUELLAR, MOISES V. UNITED STATES
98-9079 BUNDOC, ROMEO J. V. UNITED STATES
98-9081 WALKER, NATALIE T. V. UNITED STATES
98-9086 HALL, DONALD J. V. MISSOURI
98-9087 AGUILERA-RAMIREZ, MARIO S. V. UNITED STATES
98-9088 ADAMS, JAMES D. V. UNITED STATES
98-9091 PENIX, JESSE V. TURNER, WARDEN
98-9093 RODRIGUEZ, MIGUEL, ET AL. V. UNITED STATES
98-9100 DAVIS, JIMMY T. V. UNITED STATES
98-9101 GRANT, KENNETH A. V. UNITED STATES
98-9104 ELFENBEIN, EMANUEL B. V. UNITED STATES
98-9107 HUPP, MARION E. V. UNITED STATES
98-9109 HARRELL, DAVID V. UNITED STATES
98-9112 KILMARTIN, MARK V. DORMIRE, SUPT., JEFFERSON
98-9115 MANGHAM, JOHNNIE V. JOHNSON, DIR., TX DCJ
98-9117 KEEN, JAMES L. V. UNITED STATES
98-9122 KERKOWSKI, JOHN V. COSTELLO, COLEEN, ET AL.
98-9129 GALLEGOS-MORALES, ELEUTERO V. UNITED STATES
98-9131 MANTILLA, EDUARDO V. UNITED STATES
98-9134 PECK, LANCE, ET UX. V. UNITED STATES

- 98-9135 PUNGITORE, JOSEPH V. UNITED STATES
- 98-9138 TILGHMAN, BRADFORD L. V. BESHEARS, WARDEN, ET AL.
- 98-9139 THOMPSON, ABRAHAM V. USPS
- 98-9144 USI, FRED V. UNITED STATES
- 98-9146 VERNER, JAMES E. V. RENO, ATTY. GEN., ET AL.
- 98-9150 ROMAR, LATRICE V. UNITED STATES
- 98-9157 NEILL, DAVID B. V. UNITED STATES
- 98-9158 McCLUNG, LOIS A., ET AL. V. UNITED STATES
- 98-9163 NAVA-SALGADO, JORGE V. UNITED STATES
- 98-9164 BROWN, ROYCE V. UNITED STATES
- 98-9165 BLANCO, JOHN V. UNITED STATES
- 98-9168 MICHAEL, BARRY D. V. UNITED STATES
- 98-9173 MEEKS, VERLE D. V. UNITED STATES
- 98-9179 PERRONE, NICHOLAS A. V. UNITED STATES
- 98-9193 WILD, JAMES L. V. UNITED STATES
- 98-9196 WILD, JAMES L. V. UNITED STATES

The petitions for writs of certiorari are denied.

- 97-1914 CNN, INC., ET AL. V. BERGER, PAUL, ET UX., ET AL.

The motion of ABC, Inc., et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

- 98-101 McCAFFREY, PATRICIA, ET AL. V. OONA R.-S., ETC.

The motion of Redwood Empire Schools Insurance Group for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

98-1500 WEST PUBL. CO., ET AL. V. MATTHEW BENDER & CO., ET AL.

98-1519 WEST PUBLISHING CO., ET AL. V. HyperLAW, INC.

The motions of Malla Pollack for leave to file a brief as *amicus curiae* are granted. The petitions for writs of certiorari are denied.

HABEAS CORPUS DENIED

98-1362 IN RE RALPH RICHARDSON

98-8782 IN RE JOHN MAURICE McNEIL

98-8926 IN RE DARRELL SIGGERS

98-9288 IN RE JEFFREY LAMONT HARRISON-BEY

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

98-8736 IN RE IDA M WILLIAMS LEWIS

98-8880 IN RE MICHELE L. BURNETT

The petitions for writs of mandamus are denied.

REHEARINGS DENIED

98-6723 PEDONE, JOHN V. DIR., OFFICE OF WORKERS

98-7491 JACKSON, MITCHELL V. WHITTLE, NICHOLAS A., ET AL.

98-7659 CHUMPIA, BAMRUNG P. V. MICHIGAN STATE UNIV.

98-7820 JOHNSON, RICHARD V. MOORE, DIR., SC DOC, ET AL.

98-7833 RIVERA, LUCIO G. V. JOHNSON, DIR., TX DCJ

98-7958 LAVERTU, PAUL V. NH SUPREME COURT

98-8196 COLLINS, MARGARET A. vs. APFEL, COMM R, SOCIAL SEC.

The petitions for rehearing are denied.

ATTORNEY DISCIPLINE

D-2044 IN THE MATTER OF WILLIAM C. McCALLUM

William C. McCallum, of Framingham, Massachusetts, 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 February 22, 1999, is discharged.

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

Robert J. Pellicane, of Hauppauge New York, having been suspended from the practice of law in this Court by order of March 1, 1999; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Robert J. Pellicane is disbarred from the practice of law in this Court.

D-2053 IN THE MATTER OF DISBARMENT OF MICHAEL SHAFRAN

Michael Shafran, of Cleveland, Ohio, having been suspended from the practice of law in this Court by order of March 22, 1999; 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 Michael Shafran is disbarred

from the practice of law in this Court.

D-2054 IN THE MATTER OF DISBARMENT OF WALTER LOUIS SENTEN, JR.

Walter Louis Senten, Jr., of New Orleans, Louisiana, having been suspended from the practice of law in this Court by order of March 22, 1999; 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 Walter Louis Senten, Jr., is disbarred from the practice of law in this Court.

D-2056 IN THE MATTER OF DISBARMENT OF HOWARD STEPHEN WEISS

Howard Stephen Weiss, of Franklin Lakes, New Jersey, having been suspended from the practice of law in this Court by order of March 22, 1999; 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 Howard Stephen Weiss is disbarred from the practice of law in this Court.

D-2058 IN THE MATTER OF DISBARMENT OF DANIEL B. JACOBS

Daniel B. Jacobs, of Union City, New Jersey, having been suspended from the practice of law in this Court by order of March 29, 1999; 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 Daniel B. Jacobs is disbarred

from the practice of law in this Court.

D-2076 IN THE MATTER OF DISBARMENT OF P. JULES PATT

P. Jules Patt, of Hollidaysburg, Pennsylvania, 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 Tuesday, June 1, 1999, until Monday, June 7, 1999.