

SUPREME COURT OF THE UNITED STATES

IN RE FRED WHITAKER

ON MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

No. 93-9220. Decided October 11, 1994

JUSTICE STEVENS, dissenting.

Having already explained why the 1991 amendment to this Court's Rule 39 was both unnecessary and ill-considered,¹ and having dissented from each of the dispositions cited by the Court today,² I would only add that I remain convinced that the views expressed in those dissents are correct. Given the current state of our docket, there is a peculiar irony in the Court's reliance, as a basis for singling out this petition for special treatment, on the supposed need to conserve its scarce resources so that it may achieve its "goal of fairly dispensing justice," *ante*, at 2.

I respectfully dissent.

¹*In re Amendment to Rule 39*, 500 U. S. 13, 15 (1991) (dissenting opinion).

²See *In re Anderson*, 511 U. S. __, __ (1994); *In re Demos*, 500 U. S. 16, 17-19 (1991); *In re Sindram*, 498 U. S. 177, 180-183 (1991); *In re McDonald*, 489 U. S. 180, 185-188 (1989). See also *Day v. Day*, 510 U. S. __, __ (1993) (STEVENS, J., dissenting); *Talamini v. Allstate Ins. Co.*, 470 U. S. 1067, 1069-1072 (1985) (STEVENS, J., concurring).