

ORDER LIST

MONDAY, MARCH 1, 1993

APPEAL -- SUMMARY DISPOSITION

92-1194 HOLLOWAY, PETER, ET AL. V. HECHLER, SEC OF ST WV, ET AL

The judgment is affirmed.

CERTIORARI -- SUMMARY DISPOSITION

92-856 PONTE, SUPT., MCI, ET AL. V. DOMEGAN, DENNIS

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 First Circuit for further consideration in light of *Farrar v. Hobby*, 506 U. S. __ (1992).

92-982 MOHWISH, JOSEPH A. V. UNITED STATES

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 Sixth Circuit for further consideration in light of the position presently asserted by the Acting Solicitor General in his brief for the United States filed February 5, 1993.

ORDERS IN PENDING CASES

No. __. TALAKKOTTUR R. DAVID V. AMERICAN TELEPHONE & TELEGRAPH COMPANY, ET AL.

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time is denied. Justice O'Connor took no part in the consideration of decision of this motion.

No. __. YSIDRO L. GRADILLAS V. CITY OF RANCHO MIRAGE

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

No. __. MARIE A. FALTAS V. LARRY MCCANTS

The motion to direct the Clerk to file a statement as to jurisdiction is denied.

No. __. BART SCHWARTZ V. NORDSTROM, INC., ET AL.

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

D-1217 IN THE MATTER OF DISBARMENT OF DANIEL P. GLECIER

Daniel P. Glecier, of Lompac, California, 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 practice before the Bar of this Court. The Rule to Show Cause, heretofore issued on December 14, 1992, is hereby discharged.

D-1218 IN THE MATTER OF DISBARMENT OF HERMAN ARTHUR HAMMEL

It having been reported to the Court that Herman Arthur Hammel, of Joliet, Illinois, has been disbarred from the practice of law by the Supreme Court of Illinois and this Court by order of December 14, 1992, having suspended the said Herman Arthur Hammel from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time to file a response has expired;

It is ordered that the said Herman Arthur Hammel be disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

D-1220 IN THE MATTER OF DISBARMENT OF ALAN C. SUGARMAN

It having been reported to the Court that Alan C. Sugarman, of Boca Raton, Florida, has resigned from the practice of law before the Supreme Court of California and this Court by order of January 11, 1993, having suspended the said Alan C. Sugarman from the practice of law in this Court and directed that a rule issue

requiring him to show cause why he should not be
disbarred;

And it appearing that the said rule was duly issued
and served upon the respondent and that the time to file
a response has expired;

It is ordered that the said Alan C. Sugarman be
disbarred from the practice of law in this Court and
that his name be stricken from the roll of attorneys
admitted to practice before the Bar of this Court.

D-1223 IN THE MATTER OF DISBARMENT OF ALEXANDER THEOHAROUS

It having been reported to the Court that Alexander
Theoharous, of West Balm Beach, Florida, has been
disbarred from the practice of law by the Appellate
Division, Supreme Court of New York, Second Judicial
Department and this Court by order of January 11, 1993,
having suspended the said Alexander Theoharous from the
practice of law in this Court and directed that a rule
issue requiring him to show cause why he should not be
disbarred;

And it appearing that the said rule was duly issued
and served upon the respondent and that a response has
been filed;

It is ordered that the said Alexander Theoharous be

disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

D-1238 IN THE MATTER OF DISBARMENT OF DAVID BRUCE SMALL

It is ordered that David Bruce Small, of Carson City, Nevada, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1239 IN THE MATTER OF DISBARMENT OF MICHAEL LEVI MATAR

It is ordered that Michael Levi Matar, of Forest Hills, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1240 IN THE MATTER OF DISBARMENT OF IRA POSTEL

It is ordered that Ira Postel, of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1241 IN THE MATTER OF DISBARMENT OF MICHAEL P. OSHATZ

It is ordered that Michael P. Oshatz, of Scarsdale,

New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1242 IN THE MATTER OF DISBARMENT OF JERROLD M. FLEISHER

It is ordered that Jerrold M. Fleisher, of Closter, New Jersey, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1243 IN THE MATTER OF DISBARMENT OF JOSEPH A. DAMBACH

It is ordered that Joseph A. Dambach, of Fords, New Jersey, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-1244 IN THE MATTER OF DISBARMENT OF FRANCIS GUTHRIE GORDON, III

It is ordered that Francis Guthrie Gordon, III, of Charlottesville, Virginia, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

92-114 CARDINAL CHEM. CO., ET AL. V. MORTON INTERNATIONAL INC.

The motion of the parties for divided argument to permit American Bar Association and American Intellectual Property Law Association to participate in oral argument as *amici curiae* is denied.

92-6609 BOYER, RONALD L. V. DeCLUE, RUTH

The motion of petitioner to strike certain portions of respondent's brief in opposition and for sanctions is denied.

CERTIORARI GRANTED

92-833 ALBRIGHT, KEVIN V. OLIVER, ROGER, ET AL.

The petition for a writ of certiorari is granted.

91-2012 HOLDER, JACKIE, ETC., ET AL. V. HALL, E.K., ET AL.

The petition for a writ of certiorari is granted limited to the following question: "Whether the Court of Appeals erred in holding that governance by a single county commissioner, rather than a multi-member board of commissioners, is subject to challenge as dilutive under Section 2 of the Voting Rights Act of 1965, as amended, 42 U. S. C. Section 1973."

92-1168 HARRIS, TERESA V. FORKLIFT SYSTEMS, INC.

The petition for a writ of certiorari is granted

limited to Question 1 presented by the petition.

CERTIORARI DENIED

- 92-828 CRUCE, JAMES V. UNITED STATES
- 92-888 BUCUVALAS, GEORGE, ET AL. V. UNITED STATES
- 92-889 CHAUFFEURS, TEAMSTERS, ETC. V. NLRB, ET AL.
- 92-901 LOUWSMA, WILLIAM JAY V. UNITED STATES
- 92-961 LIPSHUTZ, MITCHELL V. UNITED STATES
- 92-963 MIX, JOSEPH R. V. UNITED STATES
- 92-965 GELB, BERNARD V. UNITED STATES
- 92-978 BELLAMY, PERRY V. COGDELL, WARDEN
- 92-984 DAILY GAZETTE CO., INC.. V. HINERMAN, RAYMOND
- 92-985 GOLAND, MICHAEL V. UNITED STATES
- 92-994 WHITEHOUSE, JOHN H., ET UX. V. CIR
- 92-1147 OKOCHA, NWABUEZE V. CASE WESTERN RESERVE, ET AL.
- 92-1159 FAULKNER-KING, VIVIAN V. WICKS, EUGENE, ET AL.
- 92-1164 GORDON, WESLEY V. TULSA, OKLAHOMA
- 92-1165 SANDERS, FRED V. INDIANA
- 92-1166 CARTER, CHARLES V. BALTIMORE POLICE, ET AL.
- 92-1173 NATL. ADVERTISING, ET AL. V. ROLLING MEADOWS, ILLINOIS
- 92-1178 GAINES, KEVEN, ETC. V. BATON ROUGE, LA, ET AL.
- 92-1181 BYRUM, BARNEY, ET AL. V. BEAR INVESTMENT CO., ET AL.
- 92-1182 EWALD, PAULINE V. VIRGINIA, ET AL.

92-1184 ARENELLA, FRANK V. PENNSYLVANIA
92-1187 ALBERT, DALE V. WHITLEY, WARDEN
92-1191 UNITED STEELWORKERS, ETC. V. USX CORPORATION
92-1192 WALKER, JAMES V. NEW YORK
92-1195 MORRIS, ALICIA V. TEXAS
92-1218 GARRETT, FREDDIE V. SHALALA, SEC. H&HS
92-1240 PARILLO, JOSEPH V. UNITED STATES
92-1242 ROBINSON, TONY V. UNITED STATES
92-1264 SOTIR, SAMUEL, ET AL. V. UNITED STATES
92-1285 TINSLEY, BETTY, ET AL. V. AMERICAN PRESIDENT LINES
92-1291 FROHLICH, ERNEST V. ARIZONA
92-6002 DUGAN, PHILLIP V. WASHINGTON
92-6449 DAVIS, DOROTHY L. V. RUNYON, POSTMASTER GENERAL
92-6469 McGLORY, REGINALD D. V. UNITED STATES
92-6518 WILSON, SHEP V. ALABAMA
92-6551 ISLEY, EDWARD V. UNITED STATES
92-6714 HINOJOSA, ROBERTO V. McCAUGHTRY, WARDEN
92-6767 CLARK, ERIC P. V. ARMONTROUT, WARDEN
92-6805 DILLARD, MAJOR SAMSON V. UNITED STATES
92-6811 GREER, CHRISTOPHER, ET AL. V. UNITED STATES
92-6826 WILLIAMS, ANTHONY EUGENE V. USDC ND FL
92-6855 RUDDER, JEFFREY V. UNITED STATES
92-7008 WALLACE, JOHNNY LEE V. UNITED STATES

92-7128 DANIELS, CHARLES EDWARD V. HARGETT, SUPT.
92-7130 SIMMONS, WILLIAM JAMES V. FLORIDA
92-7131 STANLEY, ROLLAN V. JONES, SUPT., MOBERLY
92-7134 SMITH, WILLIE V. HAITH, AARON, ET AL.
92-7135 WAGNER, JAMES V. WILLIFORD, JERRY, ET AL.
92-7142 HOLBROOK, DAVID V. KENTUCKY
92-7143 HUGUES, MARK V. ILLINOIS
92-7149 EMBABY, FAROUK V. CONTROL DATA CORP.
92-7153 BRYANT, PAUL V. ROTH, WARDEN
92-7154 TESTA, THOMAS V. TESTA, RUTH
92-7159 NEWMAN, JERALD D. V. MCKAY, JAMES, ET AL.
92-7168 NADWORNYY, WILLIAM V. FAIR, MA COMM. OF CORR.
92-7170 POLY, ELIUS V. SINGLETARY, SEC. FL DOC
92-7171 LAVERNIA, CARLOS M. V. COLLINS, DIR., TX DCJ
92-7172 MADYUN, MUHAMMED YAQIN V. BARKSDALE, GENE, ET AL.
92-7178 BISHOP, SIDNEY MARTS V. SWINNEY, VINCENT, ET AL.
92-7187 McCONNELL, LEROY V. CALIFORNIA
92-7188 LAZOR, P. FREEMAN V. YLST, EDDIE, WARDEN, ET AL.
92-7195 POWELL, RANDY V. PETERS, DIR., IL DOC, ET AL.
92-7199 COTNER, ROBERT E. V. CREEK COUNTY, OK, ET AL.
92-7200 BALFOUR, SUSIE V. MISSISSIPPI
92-7221 PRINCE, CARL DWAYNE V. LOCKHART, DIR., AR DOC
92-7229 ECHOLS, WILLIAM L. V. YUKON TELEPHONE CO., ET AL.

92-7238 DeNARDO, DANIEL R. V. MUNICIPALITY OF ANCHORAGE
92-7254 PHELPS, GODFREY L. V. EFFERSON, ANGELA
92-7255 SLOAN, ISMAIL V. CITY OF LYNCHBURG, ET AL.
92-7264 WALKER, WILSON V. COLLINS, DIR. TX DCJ
92-7272 ROBNETT, CHESTER CLYDE V. BLODGETT, SUPT., OR DOC
92-7276 WOODS, DARRELL V. ZENON, SUPT., OR
92-7318 HOLT, RONNIE L. V. TENNESSEE
92-7343 WAYNE, PATRICK RUSSELL V. UNITED STATES
92-7353 CANAS-PENA, DOLLYS A. V. UNITED STATES
92-7356 ROBINSON, STANTON DONOVAN V. UNITED STATES
92-7357 RODRIGUEZ, HECTOR LUIS V. UNITED STATES
92-7359 LAUDERDALE, MICHAEL ZANE V. UNITED STATES
92-7364 LUCAS, GREGORY V. UNITED STATES
92-7370 BEDELL, MICHAEL V. UNITED STATES
92-7371 BERTRAM, ERIC NELSON V. UNITED STATES
92-7372 BRODENE, RAYMOND L. V. IOWA
92-7374 COBB, JACK R. V. UNITED STATES
92-7382 FUENTES, MARLENE R. V. UNITED STATES
92-7384 HARDEN, SAM F. V. UNITED STATES
92-7386 HILL, JOSEPH T. V. UNITED STATES
92-7387 HARRIS, DONALD R. V. UNITED STATES
92-7388 JESSUP, JAMES A. V. UNITED STATES
92-7391 GONZALEZ, JORGE V. UNITED STATES

- 92-7398 GALLIANO, MARCUS S. V. UNITED STATES
- 92-7404 EDWARDS, GARFIELD V. UNITED STATES
- 92-7408 MIGOYO, FIDEL V. UNITED STATES
- 92-7409 MORALES, ANUAR V. UNITED STATES
- 92-7411 PRICE, CAROLYN V. UNITED STATES
- 92-7413 NENGHABI, FRANCIS N. V. UNITED STATES
- 92-7420 DIXON, GREGORY E. V. UNITED STATES
- 92-7423 SUMMERS, MICHAEL THOMAS V. UNITED STATES
- 92-7424 BYNUM, LUMIS KEITH V. UNITED STATES
- 92-7426 BONILLA-SAENZ, ALFREDO V. UNITED STATES
- 92-7427 COWART, BRYANT HAYES V. UNITED STATES
- 92-7441 CASHMAN, MICHAEL JAMES V. SOUTH DAKOTA
- 92-7447 LEONARD, TRAVIS D. V. UNITED STATES
- 92-7493 MARENO, ANTONIO V. JET AVIATION OF AMER., INC.

The petitions for writs of certiorari are denied.

- 92-893 HARTFORD LIFE, ET AL. V. FUGARINO, RICHARD, ET AL.

The motion of Amerian Council of Life Insurance, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

- 92-895 ROUCH, DAVID V. ENQUIRER & NEWS, ETC.

The petition for a writ of certiorari is denied.
Justice White and Justice Thomas would grant certiorari.

92-1013 CHAPMAN, ADAM V. POWERMATIC, INC.

The petition for a writ of certiorari is denied.
Justice White and Justice Blackmun would grant
certiorari.

92-6423) GAYLE, DERRICK C. V. UNITED STATES

)
92-6647) HESTER, CLAUDE B. V. UNITED STATES

The petitions for writs of certiorari are denied.
Justice White would grant certiorari.

92-6584 ALLEN, TIMOTHY LANIER V. NORTH CAROLINA

The petition for a writ of certiorari is denied.
Justice Blackmun, Justice O'Connor and Justice Souter
would grant the petition for a writ of certiorari and
reverse the judgment.

92-7123 VITALE, JOSEPH V. VITALE, MARION

The motion of respondent for the award of damages
is denied. The petition for a writ of certiorari is
denied.

92-7251 ASSA'AD-FALTAS, MARIE V. VA DEPT. OF HEALTH, ET AL.

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

HABEAS CORPUS DENIED

92-6739 IN RE GRANT ANDERSON

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

92-6818 IN RE SCOTT SLAYBACK

92-6820 IN RE PAUL EXZURE COFIELD

92-6876 IN RE RICKKE L. GREEN

The petitions for writs of mandamus are denied.

92-6889 IN RE JAMES MORRIS

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

REHEARINGS DENIED

92-860 AVILA, GUILLERMO V. UNITED STATES

92-5476 HUDSON, JIMMY D. V. NORTH CAROLINA

92-6360 BLUE, ROBERT Z. V. ILLINOIS

92-6387 WIGLEY, TROY EUGENE V. ALFRED HUGHES UNIT, ET AL.

92-6421 PADIOS, ROBERT V. CONTINENTAL GROUP, ET AL.

92-6460 VALDIVIEZ, JOSE V. UNITED STATES

92-6477 COOPER, WILLIAM V. GROOSE, SUPT.,JEFFERSON CITY

92-6524 CAMARENA, HECTOR V. SUPERIOR COURT OF LONG BEACH

- 92-6548 KETCHUM, DAVID T. V. GRIFFITH, BRAD, ET AL.
92-6567 JONES, BRENDA E., ET AL. V. LASSEN, SVEIN J., ET AL.
92-6614 BRAGER, EMMITT V. COLLINS, DIR., TX DCJ
92-6626 DEEMER, ROBERT V. CAIN, WARDEN, ET AL.
92-6677 WIGLEY, TROY EUGENE V. ALFRED HUGHES UNIT, ET AL.
92-6734 WIGLEY, TROY EUGENE V. SMITH, AUDREY L., ET AL.

The petitions for rehearing are denied.

- 91-7580 GRAHAM, GARY V. COLLINS, DIR., TEXAS DCJ

The motion of respondent to strike petition for rehearing is denied. The petition for rehearing is denied.

RECESS ORDER

The Court will take a recess from Monday, March 8, 1993, until Monday March 22, 1993.

MOTIONS FOR ADMISSION

The written motions for admission of the following lawyers to the Bar of this Court are granted: