

## **ORDER LIST**

**TUESDAY, OCTOBER 12, 1993**

### **CERTIORARI -- SUMMARY DISPOSITION**

93-5258 BREAUX, PATRICK V. SHALALA, SEC. H&HS

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 Fifth Circuit for further consideration in light of *Shalala v. Schaefer*, 509 U. S. \_\_ (1993).

### **ORDERS IN PENDING CASES**

No. \_\_ IRENE T. RAMOUNDOS V. MICHAEL P. MULLEN

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

No. \_\_ JOHN WESLEY HALL, JR. V. ARKANSAS

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

A-292 PAUL J. SCHAPIRO V. SARITA SCHAPIRO

The application for stay addressed to Justice

Stevens and referred to the Court is denied.

D-1282 IN THE MATTER OF DISBARMENT OF RICHARD ERNEST KEITHLEY

It having been reported to the Court that Richard Ernest Keithley, of Kansas City, Kansas, has been disbarred from the practice of law by the Supreme Court of Kansas and this Court by order of July 22, 1993, having suspended the said Richard Ernest Keithley 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, served upon the respondent and that a response has been filed;

It is ordered that the said Richard Ernest Keithley 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.

92-1450 WATERS, CYNTHIA, ET AL. V. CHURCHILL, CHERYL, ET AL.

92-1479 McDERMOTT, INC. V. AmCLYDE, ET AL.

92-1625 INTL. UNION, UMWA, ET AL. V. BAGWELL, JOHN, ET AL.

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

93-241 JAFFE, RUTH V. SNOW, HARDY, ETC.

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

93-5458 IN RE KATHLEEN A. KRUSE

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 2, 1993, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464 U. S. 928 (1983), I would deny the petition for a writ of mandamus without reaching the merits of the motion to proceed *in forma pauperis*. Justice Ginsburg would deny the petition for a writ of mandamus.

93-5722 RUPP, ROSIE M. V. HHS

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until November 2, 1993, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33 of the Rules of this Court. Justice Blackmun and Justice Stevens, dissenting: For the reasons expressed in *Brown v. Herald Co., Inc.*, 464

U. S. 928 (1983), we would deny the petition for a writ of certiorari without reaching the merits of the motion to proceed *in forma pauperis*. Justice Ginsburg would deny the petition for a writ of certiorari.

### **CERTIORARI GRANTED**

92-1956 CONRAIL V. GOTTSHALL, JAMES

The petition for a writ of certiorari is granted.

92-1812 UNITED STATES V. ALVAREZ-SANCHEZ, PEDRO

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

93-5209 CUSTIS, DARREN J. V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

### **CERTIORARI DENIED**

92-1938 PAPAS, MINAS, ET AL. V. ZOECON CORPORATION

92-1970 REM, DAVID V. UNITED STATES

92-1995 ADVANCE CHEM. CO., ET AL. V. UNITED STATES

92-8405 TAYLOR, ANDREW V. FLORIDA  
92-8562 McGOWEN, ROGER WAYNE V. TEXAS  
92-8996 BROKAW, PATRICK V. UNITED STATES  
92-9012 BOLDUC, FRANCIS V. UNITED STATES  
92-9054 POWELL, KENNETH STEVEN V. COLLINS, DIR., TX DCJ  
92-9182 McMULLEN, PETER G. V. UNITED STATES  
93-14 GUERRA, ELUID V. UNITED STATES  
93-50 BISHOP, JOHN V. UNITED STATES  
93-60 DYE, BART, ET AL. V. ESPY, SEC. OF AGRICULTURE  
93-71 NELSON, ROBERT, ET AL. V. UNITED STATES  
93-86 PARKINS, OREL V. MOBAY CORP.  
93-100 NATL. BUSINESS FACTORS V. ROLLINS, EARVIE, ET AL.  
93-102 MATHES, JOHN V. UNITED STATES  
93-105 BLUE CROSS & BLUE SHIELD V. UNITED STATES  
93-109 ) SERRANO, GILBERT V. UNITED STATES  
 )  
93-5403 ) WILSON, EMMITT V. UNITED STATES  
93-125 RENNEISEN, PAUL, ET AL. V. AMERICAN AIRLINES  
93-155 SOUTHARDS, GENE, ET UX. V. MOTEL MGMT CO., ET AL.  
93-187 KAHN, HERBERT V. JUNIPER DEV. GROUP, ET AL.  
93-214 BRYANT, FRANK, ET AL. V. KLEIN, CALVIN, ET AL.  
93-216 SLAWEK, PAUL V. GATEWAY BROADCASTING, ET AL.  
93-217 TAYLOR INVESTMENT, ET AL. V. UPPER DARBY TOWNSHIP, ET AL.  
93-220 DUPHAR, B.V. V. TOBIN, KATHY

93-221 ECHARTE, PATRICIA, ET AL. V. UNIV. OF MIAMI

93-223 MILLER, CREIGHTON, ETC. V. AM. PRESIDENT LINES, ET AL.

93-227 EMPLOYERS INS. OF WAUSAU V. CELOTEX CORPORATION

93-228 TEXAS FRUIT PALACE, INC. V. PALESTINE, TEXAS

93-229 DIXON, LARRY, ET AL. V. CSX TRANSPORTATION

93-233 CALVENTO, LINA V. BELLI & SABIH, ET AL.

93-236 AM. SECURITY BANK, ET AL. V. DEMPSEY SUPPLY CORP.

93-237 MALONEY, DANIEL V. UNITED STATES, ET AL.

93-238 GERRITSEN, JACK V. LOS ANGELES, ET AL.

93-239 BARTLEY, BRIAN V. HANDELSMAN, RICHARD, ET AL.

93-240 TFL, INC., ET AL. V. WALHOUT, JOHN, ETC.

93-243 JAMES, JOE, ET UX. V. LIVONIA, MICHIGAN, ET AL.

93-244 MARLOWE, MICHAEL V. UNITED STATES

93-245 RINIER, JAMES, ET AL. V. UNITED STATES

93-246 RUPP, ALBERT, ET AL. V. SAN DIEGO COUNTY, ET AL.

93-247 DeFAZIO, ROLAND V. MARTINEZ, DONALD, ET AL.

93-250 NATL. ED. SUPPORT SYSTEMS V. AUTOSKILL, INC.

93-251 GUIDRY, HENRY, ET AL. V. MISSISSIPPI UTILITY, ET AL.

93-252 SANDOVAL, SANTIAGO V. ACEVEDO, WARDEN

93-258 SCHLOESSER, PATRICIA V. KANSAS DEPT. OF HEALTH, ETC.

93-261 ARVIDA REALTY SALES, ET AL. V. SEAMAN, PATRICIA

93-262 BUELL, PATRICIA V. SECURITY GEN. LIFE, ET AL.

93-268 CUTTING, DIANE, ET VIR V. JEROME FOODS, INC.

93-270 GEIGER, A. JOHN V. NEW YORK LIFE INSURANCE CO.

93-273 HUNTER COUNTRY CLUB, INC. V. BOURNE COMPANY, ET AL.

93-275 WILEY, DANIEL V. SUPREME COURT OF COLORADO

93-276 GANDOTRA, SURESH, ET UX. V. CALIFORNIA

93-279 WITTEKAMP, JOHN V. GULF & WESTERN, INC., ET AL.

93-282 SMART, PAMELA V. NEW HAMPSHIRE

93-283 FONAR CORPORATION V. DECCAID SERVICES, ET AL.

93-285 LEVY, ROBERT V. UNIV. OF CINCINNATI, ET AL.

93-286 DOUGLASS, HARLAN, ET AL. V. FRONTIER FED. SAVINGS, ETC.

93-290 SNYDER INDUSTRIES, INC. V. HEIL COMPANY

93-296 CIAMARICONE, FRANK V. VIRGINIA

93-299 LIBERTARIAN PARTY, ET AL. V. DIAMOND, MAINE SEC. OF STATE

93-300 SOUTHWEST WATER WELLS, INC. V. GARNEY COMPANIES, ET AL.

93-304 SANFORD REDMOND, INC. V. MID-AMERICA DAIRYMEN, INC.

93-308 DOCKTER, LAWRENCE V. AETNA LIFE INS. CO.

93-312 STEVENS, PEGGY V. MINN. STATE BD. BAR EXAM'S.

93-323 LEWIS, EDWARD V. UNITED STATES

93-340 GARRINGER, MARK V. UNITED STEELWORKERS OF AM.

93-344 PELLETIER, RONALD V. ZWEIFEL, GARY

93-347 LOWRANCE, RICHARD V. UNITED STATES

93-352 VREELAND, MARK V. TOWNSEND, JAMES, ET AL.

93-354 LOOMIS, WENDELL V. WALLIS & SHORT, P.C.

93-368 DUNNING, ROBERT V. CIR

93-375 OWENS, LOUISIANA V. UNITED STATES  
93-383 ROJAS-HOLGUIN, PABLO V. UNITED STATES  
93-396 KLINGENSTEIN, KEITH V. MARYLAND  
93-398 CHARLTON, EARL V. BD. OF ATTYS., ET AL.  
93-399 FERGUSON, BETTY V. CIR  
93-407 IN RE DONALD GARRINGER  
93-5004 BARRON-DIOSDADO, JOSE G. V. UNITED STATES  
93-5079 OLSON, LARRY J. V. BROWN, SEC., VA  
93-5092 MANNING, HERMAN ONEAL V. UNITED STATES  
93-5132 ROUSSEAU, ANIBAL G. V. TEXAS  
93-5180 STEWART, ALPHONSO V. UNITED STATES  
93-5210 MAJENO, MAX MAURICE V. UNITED STATES  
93-5226 HARDY, ARTHUR L. V. UNITED STATES  
93-5264 MEEKS, JOHN MORGAN V. UNITED STATES  
93-5283 GARZA-FLORES, JOE V. UNITED STATES  
93-5288 ATCHLEY, JAMES DALE V. UNITED STATES  
93-5292 TABORA, MERLY V. UNITED STATES  
93-5294 CENTENO, SAMUEL V. UNITED STATES  
93-5326 WOODS, JARRETT V. UNITED STATES  
93-5331 STEFANKO, EDWARD V. UNITED STATES  
93-5352 ZAPIEN, CONRAD JESS V. CALIFORNIA  
93-5353 VINCENT, THOMAS NICHOLAS V. UNITED STATES  
93-5357 CLEMENTS, KEVIN V. UNITED STATES



93-5379 WEI, HAN SHO V. UNITED STATES

93-5441 POLEWSKY, VICTOR R. V. NATL. RR PASSENGER CORP.

93-5443 GORE, WARREN V. UNITED STATES

93-5512 SCHWARZ, BARBARA V. CHURCH OF SCIENTOLOGY

93-5531 WRIGHT, DENNIS DEAN V. KAISER, CHIEF OF OPERATIONS

93-5538 DULOCK, JOEY DALE V. UNITED STATES

93-5549 HANCE, WILLIAM H. V. ZANT, WARDEN

93-5561 TEDFORD, DON MITCHELL V. HEPTING, DAVID, ET AL.

93-5566 LUNSFORD, VERNON L. V. LEE, SUPT., CALEDONIA

93-5577 SCHULTZ, GREG V. COPPLE, WILLIAM, ET AL.

93-5578 HOLLAND, JAMES A. V. VAUGHN, SUPT., PA SCI

93-5579 FRIPP, CHARLES V. PENNSYLVANIA

93-5580 GARCIA, ANTONIO V. CALIFORNIA

93-5582 TAYLOR, THOMAS DAILEY V. BORG, WARDEN, ET AL.

93-5583 SWAIN, JOYCELINE V. DETROIT BD. OF ED.

93-5584 GUNTER, JAMES L. V. TEXAS

93-5592 AZIZ, WASIM V. GROOSE, MICHAEL, ET AL.

93-5593 CONBOY, THOMAS V. MONTGOMERY COUNTY MD

93-5601 HARBOLD, RALPH H. V. INDIANA, ET AL.

93-5603 WHITE, VONDELERE V. INTERNATIONAL UNION PLANT

93-5606 ALLEN, BURNEY V. COWLEY, WARDEN, ET AL.

93-5616 MCGOWAN, SIDNEY V. SOWDERS, WARDEN

93-5617 LOYD, GEORGE A. V. GRANT, KEN

93-5624 WHITSON, DARIUS V. HILLHAVEN WEST, INC., ET AL.

93-5628 STANLEY, ALEC WADE V. WHITE, JOHN, ET AL.

93-5629 SHIMEK, PAUL V. FLORIDA

93-5630 GUTIERREZ, JESSIE V. TEXAS

93-5633 O'DONNELL, MICHAEL JAMES V. AMER. CAREER TRAINING CORP.

93-5634 ALIFF, ELWIN E. V. DiTRAPANO, RUDOLPH L., ET AL.

93-5635 COLEMAN, MICHAEL V. FLORIDA

93-5637 ADKINS, ARNOLD DEAN V. RATELLE, WARDEN

93-5639 SWAIN, BLONDINE V. DECATUR FEDERAL SAVINGS

93-5641 THOMAS, DAVID LEE V. FLORIDA

93-5648 BARKER, WAYNE ERNEST V. COLLINS, DIR. TX DCJ

93-5649 BROOKS, CLARENCE V. VIRGINIA

93-5650 GRAVES, KENNY M. V. WORLD OMNI FINANCIAL CORP.

93-5652 GRIFFIN, ROLAND E. V. COOPER, CANDIDE C., ET AL.

93-5654 GALETKA, JIMMY, ET AL. V. UNITED STATES

93-5656 WANTON, JORGE V. MANN, SUPT., SHAWANGUNK

93-5658 ROBICHAUX, EDWARD V. UNITED STATES

93-5661 NICKERSON, SHERMAN J. V. PEARSON, J. RICHMOND, ET AL.

93-5664 FRANZEN, LESTER D. V. MINNESOTA

93-5671 CARROTHERS, ANDREW V. MISSOURI

93-5673 BLOUNT, ERIS V. KEANE, SUPT., SING SING

93-5680 VANCE, EDWARD V. HAVENS, MARY

93-5684 STEPHENSON, CANDY MAE V. PENNSYLVANIA

93-5685 SPENCER, MICHAEL V. UNITED STATES  
93-5688 WILLIAMS, JOHN MARK V. OKLAHOMA  
93-5689 WARD, JASON McKINLEY V. DEMOSTHENES, WARDEN  
93-5697 LOSACCO, FRANK X. V. F.D. RICH CONSTRUCTION CO.  
93-5698 RAMAGE, MARK E., ET UX. V. WATSON VILLINES, ET AL.  
93-5709 HERRON, WALTER V. RATELLE, WARDEN  
93-5714 JONES, PHILLIP M. V. UNITED STATES  
93-5719 NEAL, JIMMIE R. V. MD DEPT. OF ECONOMIC  
93-5720 MARTINEZ, SYLVIA V. POOLE, WARDEN  
93-5721 QUARLES, BRUCE A. V. SCUDERI, PETER B., ET AL.  
93-5723 McCLINTOCK, MICHAEL BURT V. GOMEZ, DIR., CA DOC  
93-5725 VOLLBRECHT, TERRY V. WISCONSIN  
93-5727 CASTEEL, JOHN A. V. KOLB, DARRELL, ET AL.  
93-5734 SCHWARZ, BARBARA V. CHURCH OF SCIENTOLOGY INTL.  
93-5735 BILAL, KASIB TAUHEED V. LOCKHART, DIR., AR DOC  
93-5740 DAVIS, MONROE E. V. McWHERTER, NED, ET AL.  
93-5741 BIALEN, RAYMOND C. V. MANNESMANN DEMAG CORP.  
93-5759 CORN, DARRYL V. CAUDILL, SHARON, ET AL.  
93-5766 REIDT, DELBERT H. V. H&HS, ET AL.  
93-5771 WRIGHT, KEVIN V. BLANCHARD, JAMES, ET AL.  
93-5772 CHERRY, ROBERT V. RATELLE, WARDEN, ET AL.  
93-5773 DeROSA, JOSEPH V. NEW YORK  
93-5774 CAMARENA, HECTOR V. CA DOC, ET AL.

93-5775 DeALBUQUERQUE, SIMON PETER V. COLLINS, DIR., TX DCJ  
93-5779 CASTEEL, JOHN A. V. McCAUGHTRY, WARDEN, ET AL.  
93-5782 TORRES, ANGEL V. UNITED STATES  
93-5787 GARCIA, ANTHONY V. ALASKA  
93-5788 GASKIN, LOUIS B. V. FLORIDA  
93-5789 HAPP, WILLIAM F. V. FLORIDA  
93-5790 FLOYD, LIZA V. UNITED STATES  
93-5795 ARMSTONG, GEOFFREY EDWARDS V. UNITED STATES  
93-5797 BOOKER, REGINALD V. UNITED STATES  
93-5801 ELLIS, NOEL G. V. UNITED STATES  
93-5802 GIBSON, IVORY V. UNITED STATES  
93-5805 ROBINSON, ZACHARY V. UNITED STATES  
93-5806 PASCHALL, CLIFFORD LEO V. UNITED STATES  
93-5808 PUGH, DANIEL V. UNITED STATES  
93-5809 STOKES, LEE ROY V. UNITED STATES  
93-5816 CONDO, ARMEN V. UNITED STATES  
93-5821 KOROMA, FODAY V. UNITED STATES  
93-5827 ) HERNANDEZ, BELKIS V. UNITED STATES  
    )  
93-5840 ) JIMINEZ, JESUS V. UNITED STATES  
93-5829 ) VILLANUEVA-HERNANDEZ, CARLOS V. UNITED STATES  
    )  
93-5863 ) GARRIDO, JOSE H. V. UNITED STATES  
93-5831 UPPOLE, RONALD V. ILLINOIS  
93-5832 VILLARREAL, PAUL V. UNITED STATES

93-5833 WILLIAMS, RONNIE V. UNITED STATES  
93-5837 ANDERSON, GRANT V. UNITED STATES  
93-5844 COMMANDER, GREG, ET AL. V. UNITED STATES  
93-5847 NWANZE, AUSTEN V. UNITED STATES  
93-5849 LANDERS, NORMAN EUGENE V. UNITED STATES  
93-5851 SAMUELS, DEREK V. UNITED STATES  
93-5852 TIPPETT, DAVID WAYNE V. UNITED STATES  
93-5854 PUGH, DAVID BRIAN V. UNITED STATES  
93-5857 GARZA, ISAI I. V. UNITED STATES  
93-5860 THOMAS, DARREN V. UNITED STATES  
93-5865 LAMBERT, ROBERT JOSEPH V. UNITED STATES  
93-5869 WILLIAMS, LEONARD LEE V. UNITED STATES  
93-5871 WRIGHT, KENNETH EUGENE V. UNITED STATES  
93-5872 DOMINGUEZ, LISENIA V. UNITED STATES  
93-5875 VALENZUELA, LUIS CARLOS V. UNITED STATES  
93-5876 MEJIA-ALARCON, LORENZO JESUS V. UNITED STATES  
93-5886 PRIKAKIS, MICHAEL V. UNITED STATES  
93-5887 McDOUGAL, BRIAN MARTIN V. UNITED STATES  
93-5888 ROBLES, HECTOR GERARDO V. UNITED STATES  
93-5889 NEWSOME, TITUS V. UNITED STATES  
93-5890 LANDRIGAN, JEFFREY TIMOTHY V. ARIZONA  
93-5898 PIERCE, JESSE V. UNITED STATES  
93-5899 ESCOBAR, RAMON V. UNITED STATES

93-5902 GILLIAM, KEVIN V. UNITED STATES  
93-5907 MEARIS, DAVID V. UNITED STATES  
93-5912 HAYNIE, DAVID B. V. UNITED STATES  
93-5914 EVANS, KENNETH D. V. UNITED STATES  
93-5917 HOGG, VICKIE J. V. UNITED STATES  
93-5919 JOHNSON, HOBART L. V. UNITED STATES  
93-5926 SCHIRALDI, DOMINICK V. UNITED STATES  
93-5931 MURPHY, MARIO V. VIRGINIA  
93-5932 PINKERTON, JAMES LEE V. HENRY, WARDEN  
93-5936 McLEOD, GARY M. V. CENTRAL SOYA COMPANY, INC.  
93-5940 FRYDENLUND, DONNA V. UNITED STATES  
93-5955 SALAMANCA, JOSE V. UNITED STATES

93-5961 BELLRICHARD, LOREN FRANCIS V. UNITED STATES

The petitions for writs of certiorari are denied.

92-2025 DOE, JOHN V. WOOLSEY, DIR. OF CIA

93-222 McCOO, SAMUEL V. DISTRICT OF COLUMBIA

The petitions for writs of certiorari are denied.

Justice Ginsburg took no part in the consideration or  
decision of these petitions.

92-7794 PASCH, JOHN V. ILLINOIS

The Court is advised that the petitioner died in  
Pontiac, Illinois, on September 10, 1993. The Court's

order granting the petition for a writ of certiorari, see 508 U.S. \_\_ (1993), therefore is vacated and the petition for a writ of certiorari is dismissed.

93-212 HIGHLAND FED SAVINGS, ET AL. V. CALIFORNIA, ET AL.

The motion of Savings and Community Bankers of America, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

93-255 CARRIE BEVERAGE INC. V. GILBERT/ROBINSON, INC.

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

93-274 GOLDEN GATES HEIGHTS, ETC. V. SAN FRANCISCO

The motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

### **HABEAS CORPUS DENIED**

93-5882 IN RE JOHN WINSTON

The petition for a writ of habeas corpus is denied.

### **MANDAMUS DENIED**

93-5626 IN RE ROGER H. CORLEY

The petition for a writ of mandamus is denied.

93-266 IN RE BARBARA STONE, ET AL.

93-5733 IN RE MACK W. CAMPBELL

The petitions for writs of mandamus and/or prohibition are denied.

### **REHEARINGS DENIED**

92-806 COSSETT, JAMES, ET UX. V. FEDERAL JUDICIARY, ET AL.

92-8212 HUNTER, BERT L. V. MISSOURI

92-8583 JONES, DARRELL V. PILLSBURY CO.

The petitions for rehearing are denied.

### **RECESS ORDER**

The Court will take a recess from Monday, October 18, 1993, until Monday, November 1, 1993.

### **MOTIONS FOR ADMISSION**

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