

(ORDER LIST: 522 U. S.)

MONDAY, DECEMBER 1, 1997

ORDERS IN PENDING CASES

M-27 WESTERN MOHEGAN TRIBE & NATION OF NEW YORK V. UNITED STATES,  
STATE OF NEW JERSEY, AND STATE OF NEW YORK

The motion seeking leave to invoke the Court's original jurisdiction is denied.

M-28 LOREN D. LONG V. THE FUND MANAGER, ET AL.

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

120, ORIG. NEW JERSEY V. NEW YORK

The motion of Western Mohegan Tribe & Nation of New York for leave to file a brief as *amicus curiae* is denied.

96-827 CRAWFORD-EL, LEONARD V. BRITTON, PATRICIA

The motion of respondent for reallocation of oral argument time is granted and the time is divided as follows: 20 minutes for respondent and 10 minutes for the Solicitor General as *amicus curiae*.

96-1337 SACRAMENTO COUNTY, CA, ET AL V. LEWIS, TERI, ETC.

The motion of Gabriel Torres, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is denied.

96-1768 FELTNER, C. ELVIN V. COLUMBIA PICTURES TV

The motion of Howard B. Abrams for leave to file a brief as *amicus curiae* is granted.

96-8732 EDWARDS, VINCENT, ET AL. V. UNITED STATES

The motion for appointment of counsel is granted

and it is ordered that Steven Shobat, Esquire, of Chicago, Illinois, is appointed to serve as counsel for the petitioner Karl V. Fort in this case.

96-9413 IN RE MELVIN LEROY TYLER

96-9513 ARTEAGA, LORENZO V. CALIFORNIA

The motions of petitioners for reconsideration of the orders denying leave to proceed *in forma pauperis* are denied.

97-303 HUMANA INC., ET AL. V. FORSYTH, MARY, ET AL.

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

97-6272 VRETTOS, JOHN M V. PLAINFIELD POST OFFICE

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Rule 39.8. Petitioner is allowed until December 22, 1997, 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**

96-8868 CANTU, PETER A. V. TEXAS

97-129 SAWYER, L. L., ETC. V. OREGON, ETC.

97-151 CHRISTIAN, KEVIN, ET AL. V. GLADSTONE, MD

97-308 PIKEVILLE UN. METHODIST HOSP V. UN. STEELWORKERS OF AMERICA

97-326 ORLEANS PARISH SCHOOL BOARD V. UNITED STATES GYPSUM CO.

97-328 TRUTH SEEKER CO., ET AL. V. JACKSON, JOHN, ET AL.

97-335 VANDER ZEE, HARLAN D. V. RENO, ATTY. GEN., ET AL.

97-339 MI MUTUAL INS. CO., ETC. V. OSRAM SYLVANIA, INC., ET AL.

97-346 ZETA CHI FRATERNITY V. NEW HAMPSHIRE

97-355 FINERTY, MICHAEL, ET AL. V. NLRB

97-359 GREENWOOD, C. K., ET AL. V. SOCIETE FRANCAISE, ET AL.

97-367 LUMPKIN, EUGENE V. BROWN, MAYOR, SAN FRANCISCO

97-373 VAN POYCK, WILLIAM V. FLORIDA

97-403 JOHNSON, DANIEL, ETC. V. RODRIGUEZ, VICTOR, ET AL.

97-435 RITTER, ELMER, ET UX. V. ROSS, PEGGY, ETC., ET AL.

97-439 JARRETT, ERNEST V. GREEN, ROSE, ET AL.

97-503 JOHNSON, PAUL, ET AL. V. KNOWLES, DAVID, ET AL.

97-504 FORSYTH, MARY, ET AL. V. HUMANA, INC., ET AL.

97-508 DOUG MCKEET & CO. V. PLUMLEY, ROGER

97-514 CADLE CO. V. JOHNSON, AMELIA

97-528 GUNERATNE, BARBARA V. ST. MARY'S HOSP.

97-533 SHELL OIL CO. V. STUDIENGESELLSCHAFT KOHLE

97-539 IRELAND, BILLIE V. TUNIS, GARY, ET AL.

97-540 ZYZY, INC., ET AL. V. EAGLE PASS, TX, ET AL.

97-542 DIXSON, THOMAS V. RUFF, ANDREA

97-544 NOVA DESIGNS, INC., ETC. V. ELECTRONICS INSTRUMENTATION

97-546 FIGTER LTD. V. TEACHERS INS. & ANNUITY ASSN

97-547 CASEY, JAN V. AZ MAIL ORDER, ET AL.

97-549 DAVIS, FRED V. RAYNHAM BOARD OF ASSESSORS

97-551 BARGE, JOHN, ET UX. V. ST. PAUL FIRE & MARINE INS.

97-553 HALL, DECHARLEUNO V. ATLANTA PUB. SCH. SYSTEM

97-554 TUCKER, JAMES E. V. OUTWATER, MARILYN

97-556 SUNDSTRAND CORP. V. BLACKBURN, RONALD, ET UX.

97-560 RIDDER, STEPHEN MICHAEL V. SPRINGFIELD, OH, ET AL.

97-561 SPAIN, LENORA, ET AL. V. HASEOTES, DEMETRIOS, ET AL.

97-562 BILLIOT, RUSSELL, ET AL. V. LOUISIANA, ETC.

97-563 FORMAN, MARC, ET AL. V. RICHMOND, IN, ET AL.

97-565 MEDINA, ABEL, ET AL. V. MILLER, EDWARD, ETC. , ET AL.

97-566 RUBINSTEIN, GABRIEL V. RAMAPO COLLEGE, ET AL.

97-572 CYR, THOMAS, ET AL. V. DALLAS, TX, ET AL.

97-574 TINSLEY, EDWARD G. V. TRW INC. , ET AL.

97-578 TORRES, JENICE V. PISANO, LEONARD, ET AL.

97-588 HARRIS, IRA V. NEW JERSEY

97-592 CAMOSCIO, FRANK V. QUIROGA, JORGE, ET AL.

97-598 MUEGLER, ARTHUR G. V. HARRE, ALFRED, ET AL.

97-599 DOE, JOHN, ETC. V. OAK PARK BD. OF EDUCATION

97-608 REDNER, JOSEPH RICHARD V. TAMPA, FL, ET AL.

97-609 HOWARD, MARY V. GAUGHAN, LAWRENCE

97-616 BONANNO, THOMAS V. DEPARTMENT OF LABOR

97-624 CERCEO, JOHN, ET AL. V. SHMIDHEISER, WILLIAM

97-630 BLUEPRINT ENGINES V. JADAIR INC. , ET AL.

97-665 SPIEGEL, MARSHALL V. RABINOVITZ, DANIEL

97-667 MILLER, HARRY P. V. SILVERSTEIN, LARRY, ET AL.

97-685 WAITE, GLENN R. V. CARPENTER, W. , ET AL.

97-695 FARIA, JOHN V. CLARK, TAX ADMINR. OF RI

97-713 DONOVAN, STEVEN V. UNITED STATES

97-716 MAYO, JOHN V. TEXAS

97-718 REYNOLDS, RICHARD G. V. UNITED STATES

97-724 MARCELLO, JAMES, ET AL. V. UNITED STATES

97-725 AMER, REHAB, ET UX. V. MI FAMILY INDEPEND. AGENCY

97-728 HALL, DAVID V. HIPPS, CHARLES, ET AL.

97-732 STEAGALL, RICHARD L. V. USDC FOR CD ILLINOIS

97-734 SMITH, WESLEY A. V. LANG, RICK J.  
97-736 GENTRY, MICHAEL V. TENNESSEE  
97-739 MONTAGUE, LISA J. V. WEST, SEC. OF ARMY, ET AL.  
97-5328 COX, RUSSELL V. PENNSYLVANIA  
97-5699 JIMENEZ, STEVE V. UNITED STATES  
97-5727 LUGO, VICTOR V. UNITED STATES  
97-5732 HODGES, HENRY E. V. TENNESSEE  
97-5742 SKILLICORN, DENNIS J. V. MISSOURI  
97-5757 GRAVETTE, WILLIE F. V. UNITED STATES  
97-5784 COOK, CHARLIE G. V. UNITED STATES  
97-5794 ALSTON, RICHARD V. UNITED STATES  
97-5846 BURGESS, RAYMOND V. ILLINOIS  
97-5891 TRAWICK, JACK H. V. ALABAMA  
97-5903 GREENE, DANIEL V. GEORGIA  
97-5995 NORDE, ALFRED V. WARD, BENJAMIN, ET AL.  
97-6087 FORE, DAN C. V. DENNY'S INC., ET AL.  
97-6088 PYLES, DIANE R., ET VIR V. OCI MORTGAGE CORP.  
97-6093 CHILDERS, WILLIAM V. OHIO  
97-6104 JAMES, EDWARD T. V. FLORIDA  
97-6113 ALI, KHALIF ABDUL-AMLIK V. USDC CD CA  
97-6117 MATHIS, TONY V. CIAMBRONE, ANGELO, ET AL.  
97-6118 LONG, ZOLLIE R. V. OHIO  
97-6125 HANSON, TIMOTHY L. V. PENNSYLVANIA  
97-6128 RIVERA, VINCENT F. V. AROCHO, OMAR  
97-6131 MAXWELL, EDWARD V. SAENZ, HUGO, ET AL.  
97-6133 LLOYD, IRENE G. V. PRUDENTIAL INS. CO. OF AM  
97-6134 BARKER, RICHARD A. V. GOMEZ, DIR., CA DOC, ET AL.  
97-6140 CLICK, JIMMY S. V. ALABAMA

97-6144 KOON, WALTER J. V. LOUISIANA

97-6145 JOHNSON, JULIUS R. V. JOHNSON, DAVID, ET AL.

97-6157 EDWARDS, ERNEST V. CARLSON, JUDGE, USDC MI

97-6158 GALBREATH, ANNETTA V. NY BOARD OF EDUCATION

97-6166 BURCH, HEATH W. V. MARYLAND

97-6169 YOUNG, LESTER V. MOORE, DIR. , SC DOC, ET AL.

97-6170 TYLER, STACEY A. V. NORTH CAROLINA

97-6172 WOODS, HOWARD A. V. CNA INSURANCE CO. , ET AL.

97-6173 WELLS, GLENDA S. V. WELLS, DALE M

97-6178 SEUFFER, JAMES V. ILLINOIS

97-6181 DAVIS, MICHAEL W. V. ARIZONA

97-6189 HESLOP, NEVEL V. MORTON, WILLIS, ET AL.

97-6191 PRITCHETT, MATTHEW V. PITCHER, WARDEN

97-6192 SIVAK, LACEY V. IDAHO, ET AL.

97-6194 MARTINEZ, JEAN M , ET AL. V. MICHIGAN

97-6195 LEE, LEDELL V. ARKANSAS

97-6204 RICH, JAMES D. V. NORTH CAROLINA

97-6208 RIJOS, YAZMIN V. DELTA AIRLINES, INC.

97-6209 MOSLEY, TOMMY R. V. NORRIS, DIR. , AR DOC

97-6210 LOYA, HERIBERTO V. ILLINOIS

97-6212 MASON, MILFORD V. HERALD MAIL CO.

97-6224 McCARTNEY, ROBERT V. LOUISIANA

97-6229 TYLER, BILLY R. V. USDC D NE

97-6230 YORK, DAVID V. LARKINS, SUPT. , DALLAS

97-6234 AYALA, ROBERT V. NEW YORK

97-6237 OWEN, DUANE V. FLORIDA

97-6238 JONES, JACK V. ARKANSAS

97-6240 POWELL, THERESIA V. WAL-MART

97-6241 BIROS, KENNETH V. OHIO

97-6244 GRIFFIN, BENNIE L. V. CIR

97-6247 GRIFFIN, EDDIE V. LEHMAN, COMM R, PA DOC

97-6253 SMITH, JAMES V. OHIO DEPT. OF HUMAN SERVICES

97-6260 LABANKOFF, FRED G., ET AL. V. PAGE, MICHAEL G., ET AL.

97-6262 JAMHOURY, BECHARA V. DRAKE, RAYMOND, ET AL.

97-6263 JORDAN, CARLOS E. V. WITTHROW, WARDEN

97-6264 PREWITT, GEORGE D. V. HUGGINS, RODNEY, ET AL.

97-6271 WATERS, THOMAS J. V. DORMIRE, SUPT., ET AL.

97-6276 LANCASTER, PAUL V. FLORIDA

97-6277 MONROE, LUCRECIA L. V. JOHNSON, DIR., TX DCJ

97-6297 FABIAN, RICHARD V. MIAMI, FL

97-6302 BLANDINO, KIM V. NEVADA

97-6326 DEMAREY, EDWARD J. V. UNITED STATES, ET AL.

97-6333 WADE, GARY M V. WEST VIRGINIA

97-6336 SCOTT, HAROLD V. GOORD, COMM R, NY DOC

97-6340 JOHNSON, BILLY F. V. WOODS, WARDEN

97-6356 SMITH, RONNIE J. V. CALIFORNIA

97-6359 QUINN, JAMES V. WEST VIRGINIA

97-6363 ATLEY, LEWIS J. V. IOWA

97-6384 LONGEST, ERIC. E. V. DALTON, SEC. OF NAVY

97-6387 ROMAN, NATHANAEL V. DEPARTMENT OF THE ARMY

97-6391 FORMICA, PETER C. V. HUNTINGTON, NY, ET AL.

97-6399 MITCHELL, DANIEL V. JUVENILE DEPT. MULTNOMAH CTY

97-6403 TUCKER, JAMES V. V. SOUTH CAROLINA, ET AL.

97-6406 EIDSON, SANDRA A. V. UNITED STATES

97-6415 COSGROVE, PATRICIA V. SEARS, ROEBUCK & CO.

97-6421 STEPHENS, CLARINE V. WIDNALL, SEC. OF AIR FORCE  
97-6425 SMITH, SHAWN G. V. JOHNSON, DIR. , TX DCJ  
97-6430 DUDONIS, MARK A. V. JOHNSON, DIR. , TX DCJ  
97-6450 HEINEMANN, JEROME E. V. POCAHONTAS TIMES, ET AL.  
97-6451 DUNN, MICHAEL A. V. UNITED STATES  
97-6468 SMITH, CHARLES H. V. UNITED STATES  
97-6469 CRAWFORD, VONDELLA V. UNITED STATES  
97-6470 CONSTABLE, RONALD V. UNITED STATES  
97-6473 SOLOMON, STANLEY V. DOLAN, COMM. , IRS  
97-6475 REED, RONALD P. V. JOHNSON, DIR. , TX DOCJ  
97-6478 HAWKINS, MICHAEL V. UNITED STATES  
97-6484 SIMPSON, PETER V. UNITED STATES  
97-6495 MARTINEZ, RUBEN V. SLATER, SEC. OF TRANS.  
97-6498 WILLIAMS, CARROLL D. V. CUNNINGHAM, SHERIFF DEPUTY  
97-6500 PALMER, IAN V. UNITED STATES  
97-6506 PAUL, JOHN W. V. McFADIN, WARDEN, ET AL.  
97-6507 ROBINSON, EARL V. UNITED STATES  
97-6512 ARZOLA-ANAYA, JESUS V. UNITED STATES  
97-6514 GUTMANS, SERGEY V. UNITED STATES  
97-6521 ADAMS, JAMES D. V. UNITED STATES  
97-6522 OGIKE, ANSLEM V. UNITED STATES  
97-6523 RAMIREZ, OCTAVIO F. V. UNITED STATES  
97-6524 SPRUILL, JEFFREY L. V. UNITED STATES  
97-6525 PERRY, CRAIG D. V. UNITED STATES  
97-6526 RIVERS, REGGIE L. V. UNITED STATES  
97-6529 RICHARDSON, ERNEST E. V. UNITED STATES  
97-6534 WILLIAMS, EDWARD, ET AL. V. UNITED STATES

97-6535 CLARK, LESLIEDAWN V. UNITED STATES  
97-6536 SHEPHERD, JIM L. V. UNITED STATES  
97-6539 SANDERS, CYRUS R. V. UNITED STATES  
97-6542 CANTILLO, CARLOS V. UNITED STATES  
97-6547 MEYERS, DAVID V. UNITED STATES  
97-6549 MONLLOR, JOSE V. UNITED STATES  
97-6551 MORRISON, THOMAS J. V. UNITED STATES  
97-6552 KONOP, SCOTT V. UNITED STATES  
97-6556 STILES, JAMES K. V. UNITED STATES  
97-6560 VARGAS, DAVID V. UNITED STATES  
97-6562 LAGOS, DOMINGO A. V. UNITED STATES  
97-6563 COMER, GREGORY V. V. UNITED STATES  
97-6569 ELAM, DAVID M. V. FLORIDA, ET AL.  
97-6570 GARCIA, SAMUEL E. V. UNITED STATES  
97-6571 WRIGHT, DONALD W. V. UNITED STATES  
97-6572 GRIFFIN, CEDRIC V. UNITED STATES  
97-6577 SHORTER, JOHN V. UNITED STATES  
97-6578 BOVIE, KIRK V. UNITED STATES  
97-6579 COTNER, WARREN F. V. UNITED STATES  
97-6580 RAMIREZ, MARINO V. UNITED STATES  
97-6581 ROYBAL, AUGUSTINE D. V. SHANKS, WARDEN, ET AL.  
97-6585 MOSLEY, KEVIN L. V. UNITED STATES  
97-6588 GRAJALES-MONTOYA, GUSTAVO V. UNITED STATES  
97-6592 HAYS, GARRY W. V. UNITED STATES  
97-6595 PECKHAM, JOHN W. V. UNITED STATES  
97-6599 SLEPSKI, DANNY K. V. UNITED STATES

The petitions for writs of certiorari are denied.

- 97-289 WOOD, TANA, ETC. V. JEFFRIES, PATRICK JAMES  
97-478 STRUCTURAL FIBERS, ET AL. V. KULCH, JAMES  
97-527 TRIPPETT, DAVID V. FAGAN, JAMES E.

The motions of respondents for leave to proceed *in forma pauperis* are granted. The petitions for writs of certiorari are denied.

- 97-557 PANGALOS, CHRISTOPHER V. PRUDENTIAL INS. CO. OF AM

The motion of respondent for damages and costs pursuant to Rule 42.2 is denied. The petition for a writ of certiorari is denied.

#### **HABEAS CORPUS DENIED**

- 97-755 IN RE DAVID SMITH  
97-6596 IN RE JEFFREY J. MYERS  
97-6645 IN RE JURGEN M BOHNKE  
97-6676 IN RE LONNIE GRAVES, PETITIONER

The petitions for writs of habeas corpus are denied.

#### **MANDAMUS DENIED**

- 97-6141 IN RE EPHRAIN RELIFORD, JR.  
97-6162 IN RE DENNIS SNAVELY  
97-6251 IN RE LINDA SANDERS  
97-6274 IN RE GODWIN KENDRICKS OKOLO

The petitions for writs of mandamus are denied.

#### **REHEARINGS DENIED**

- 96-1551 NATL. FED. OF BLIND, ET AL. V. VETERANS AFFAIRS, ET AL.  
96-1794 KIM, SOON, ET AL. V. NEW YORK CITY

96- 1887 ZSCHACH, FLORENCE, ET AL. V. LUCAS, PRENDERGAST, ALBRIGHT  
96- 1896 GARDNER, CLIFF, ET UX. V. UNITED STATES  
96- 1932 MAINIERO, LOUIS V. JORDAN, EURIAL, ETC. , ET AL.  
96- 1966 VALSAMIS, INC. , ET AL. V. CORNHILL INS. PLC, ET AL.  
96- 1967 AROMA MFG. , INC. V. ALTERNATIVE PIONEERING  
96- 8312 FAULKNER, ALEXANDER V. UNITED STATES  
96- 8897 NORVILLE, MATTHEW, ET UX. V. DELL CORPORATION  
96- 8973 HUDSON-GARDNER, DETRA V. SC DEPT. OF HIGHWAYS, ET AL.  
96- 9065 SCHAFFER, ROBERT D. V. KIRKLAND, JAMES, ET AL.  
96- 9155 WILLIAMS, SAMMY V. BORG, WARDEN, ET AL.  
96- 9167 HUGHES, JOSEPH V. CLEVELAND, OH  
96- 9202 SIEGEL, GEORGE ROGER V. CA FEDERAL BANK  
96- 9282 SCHEXNAYDER, LOUIE V. LOUISIANA  
96- 9319 DE LA VEGA, CRISTINA V. CHATER, COMM. , SOC. SEC.  
96- 9322 HERBERT, WARREN V. CAIN, WARDEN, ET AL.  
96- 9341 IN RE JOHN KARL REIMAN  
96- 9356 WILSON, GEORGE V. GRANT, BOB, ET AL.  
96- 9366 FLYNN, DONALD E. V. UNITED STATES  
96- 9421 BAZILE, RONNIE V. JOHNSON, DIR. , TX DCJ  
96- 9436 BROWN, SHERWOOD V. MISSISSIPPI  
96- 9453 LaFOUNTAIN, WAYNE E. V. CARUSO, PATRICIA  
96- 9457 THROWER, ALBERT D. V. ANDERSON, WARDEN  
96- 9553 GRAHAM, CHRISTA D. V. TURPIN, WARDEN, ET AL.  
97- 9 HONEYWELL, INC. , ET AL. V. MN LIFE & HEALTH INS. , ETC.  
97- 55 KEATING, GOV. OF OK, ET AL. V. OKLAHOMA, EX RE. , OK TAX CMN  
97- 136 GUSTILO, MARY, ET AL. V. GUSTILO, NADINA, ET AL.  
97- 168 BELL, WESLEY V. NEW JERSEY, ET AL.

97-182 BELL, WESLEY K. V. NJ DEPT. OF TRANSP.

97-198 CORNISH, CORNELL V. DC BOARD ON PROF. RESP.

97-425 BELL, WESLEY V. NJ DEPT. OF ENVTL. PROTECT.

97-5004 QUEVADO, MICHAEL V. BALDOR, GREGORY A. , ET AL.

97-5069 POYNTON, JOSEPH P. V. UNITED STATES, ET AL.

97-5201 PRIBYTKOV, LEV V. NJ INST. OF TECHNOLOGY

97-5213 FILIPOS, XENIA L. V. FILIPOS, MICHAEL

97-5287 BROACHWALA, YUSUF V. ILLINOIS

97-5308 RAMEY-GILLIS, ELIZABETH V. KAISER PERMANENTE

97-5314 CSORBA, ILLES P. V. VARO, INC.

97-5353 CSORBA, ILLES P. V. ITT AEROSPACE/COMMUNICATIONS

97-5509 FARMER, BEDFORD E. V. UNITED STATES

97-5560 HARRIS, JAMES L. V. WHITE, WARDEN, ET AL.

97-5630 MALAKI, STEVEN V. YAZDI, ALI

97-5677 ARTEAGA, LORENZO V. USCA 9

97-5682 IN RE DENNIS RAY GRAVES

The petitions for rehearing are denied.

#### **ATTORNEY DISCIPLINE**

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

Thomas M Germain, of Windsor, Connecticut, 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-1877 IN THE MATTER OF DISBARMENT OF STEVEN E. POLLAN

Steven E. Pollan, of South Orange, New Jersey, 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-1878 IN THE MATTER OF DISBARMENT OF STEVEN P. KERSNER

Steven P. Kersner, of Washington, D. C., 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-1879 IN THE MATTER OF DISBARMENT OF LOUIS H. BERNSTEIN

Louis H. Bernstein, of Santa Monica, California, 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.